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federal register

Tuesday
January 11, 1983

Selected Subjects

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

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Presidential Documents

Title 3—

The President

Proclamation 5011 of January 7, 1983

National Jaycee Week, 1983

By the President of the United States of America

A Proclamation

For more than sixty years, the Jaycees have brought together outstanding young members of communities throughout the Nation to help meet the vital needs of our ever-changing and increasingly complex society. Motivated by their creed "Service to humanity is the best work of life," hundreds of thousands of Jaycees have voluntarily contributed their energy to a wide variety of humanitarian projects and have thereby enriched their country, their communities and their own lives.

As a training ground for new leaders, the Jaycees have made their most valuable and lasting contribution to our society. This organization has for generations launched young Americans on careers of leadership in every field of endeavor.

In recognition of the accomplishments of this organization, the Congress of the United States, by Senate Joint Resolution 240, has authorized and requested the President to issue a proclamation designating the week beginning on January 16, 1983, as "National Jaycee Week."

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby designate the week beginning January 16, 1983, as National Jaycee Week, and I call upon the people of the United States to observe that period with appropriate programs, ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of January, in the year of our Lord nineteen hundred and eighty-three, and of the Independence of the United States of America the two hundred and seventh.

Ronald Reagan

[FR Doc. 83-922
Filed 1-10-83; 11:52 am]
Billing code 3195-01-M

Presidential Documents

[illegible]

National Jaycee Week, 1988

By the President of the United States of America

A Proclamation

[illegible]

Rules and Regulations

Federal Register
Vol. 48, No. 7
Tuesday, January 11, 1983

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 2

Delegations of Authority by the Secretary of Agriculture and General Officers of the Department

AGENCY: Office of the Secretary, USDA.

ACTION: Final rule.

SUMMARY: This document supplements the delegation of authority to the Assistant Secretary of Agriculture for Natural Resources and Environment, and the Chief, Soil Conservation Service, relating to implementation of a Resource Conservation and Development Program, Title XV, Subtitle H, of the Agriculture and Food Act of 1981, Pub. L. 97-98.

EFFECTIVE DATE: January 11, 1983.

FOR FURTHER INFORMATION CONTACT: John W. Peterson, Director, Project Development and Maintenance, Soil Conservation Service, P.O. Box 2890, Washington, D.C. 20013, 202-447-3527.

SUPPLEMENTARY INFORMATION: A Resource Conservation and Development Program is currently administered through regulations and policies of the Department of Agriculture, issued under the general authority to conduct this type of activity set forth in Title III of the Bankhead-Jones Farm Tenant Act, 7 U.S.C. 1010-1011, the Soil Conservation and Domestic Allotment Act, 16 U.S.C. 590a-f, and in annual appropriations. This Program has continually evolved since the early 1960's. The current Program is carried out in 194 areas approved by the Secretary of Agriculture. An area typically covers several adjacent counties.

Local people from the area volunteer their time to form an organization usually referred to as an "RC&D Area Council." This organization is comprised of representatives of local sponsoring organizations and other interested persons. Official sponsors of RC&D areas include State and local units of government and other groups such as counties, cities, towns, and soil conservation districts.

Technical and financial assistance to the local organization in preparing and carrying out its area plan is provided by the Soil Conservation Service. The local organization is a focal point for individuals and groups seeking assistance in solving local problems. Personnel of the Soil Conservation Service and other agencies work with the local organizations to explore the availability of assistance from the Department of Agriculture and other sources.

Subtitle H, Title XV of the Agriculture and Food Act of 1981, Pub. L. 97-98, 16 U.S.C. 3451-3461, provides specific supplemental authority to carry out the Resource Conservation and Development Program in light of declared congressional objectives and purposes, which are to provide State and local governments and local nonprofit organizations with the technical and financial assistance needed to operate and maintain planning and implementation processes "needed to conserve and improve the use of land, develop natural resources, and improve and enhance the social, economic, and environmental conditions in rural areas of the United States." The Secretary of Agriculture is delegating the authority for implementation to the Assistant Secretary for Natural Resources and Environment, and the Assistant Secretary is redelegating this authority to the Chief, Soil Conservation Service.

This rule relates to internal agency management and organization. Therefore, pursuant to 5 U.S.C. 553, it is found that it is impractical and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the **Federal Register**. Since this rule relates to internal agency management and organization, it is exempt from provisions of Executive Order 12291 and Secretary's Memorandum 1512-1.

List of Subjects in 7 CFR Part 2

Organization and functions (Government agencies).

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

Accordingly, Part 2, Subtitle A, Title 7, Code of Federal Regulations is amended as follows:

Subpart C—Delegations of Authority to the Deputy Secretary, the Under Secretary for International Affairs and Commodity Programs, the Under Secretary for Small Community and Rural Development, and Assistant Secretaries.

1. In § 2.19, paragraph (f)(6) is revised to read as follows:

§ 2.19 Delegations of authority to the Assistant Secretary for Natural Resources and Environment.

* * * * *

(f) * * *

(6) Administer the Resource Conservation and Development Program under Pub. L. 46, 74th Congress, 16 U.S.C. 590a-f; Pub. L. 87-703, as amended, 7 U.S.C. 1010-1011; and Pub. L. 97-98, 16 U.S.C. 3451-3461; except for responsibilities assigned to the Under Secretary for Small Community and Rural Development.

* * * * *

Subpart G—Delegation of Authority by the Assistant Secretary for Natural Resources and Environment

§ 2.62 [Amended]

2. In § 2.62, paragraph (a)(6) is revised to read as follows:

(a) * * *

(6) Administer the Resource Conservation and Development Program under Pub. L. 46, 74th Congress, 16 U.S.C. 590a-f; Pub. L. 87-703, as amended, 7 U.S.C. 1010-1011; and Pub. L. 97-98, 16 U.S.C. 3451-3461; except for responsibilities assigned to the Farmers Home Administration.

* * * * *

For Subpart C:

Dated: January 6, 1983.

John R. Block,

Secretary of Agriculture.

For Subpart G:

Dated: January 3, 1983.

John B. Crowell, Jr.,

Assistant Secretary for Natural Resources and Environment.

[FR Doc. 83-752 Filed 1-10-83; 8:45 am]

BILLING CODE 3410-01-M

Food and Nutrition Service

7 CFR Part 254

Food Distribution Program on Indian Reservations; Oklahoma Tribes Eligibility

AGENCY: Food and Nutrition Service, USDA.

ACTION: Interim regulations.

SUMMARY: These interim regulations based on existing Food Distribution Program regulations and on the specific provisions of Pub. L. 97-98 regarding Oklahoma, set requirements for eligibility of tribes to operate the Food Distribution Program (FDP) in Oklahoma. These regulations enable Indian tribes in Oklahoma to operate the FDP. The intent of the regulations is to allow Indian households in Oklahoma to participate in the FDP. The rules incorporate pertinent parts of existing regulations, 7 CFR Part 253, and set procedures for the tribal application process.

EFFECTIVE DATE: These regulations are effective January 11, 1983. Comments will be considered if received on or before April 11, 1983.

ADDRESS: Send comments to: Joseph E. Shepherd, Director, Food Distribution Division, Food and Nutrition Service, USDA, 3101 Park Center Drive, Alexandria, Virginia 22302.

Comments will be available for public inspection at the above address from 8:30 to 5:00 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Gwena Kay Tibbits, Chief, Program Monitoring and Policy Development Branch, (703) 756-3660.

SUPPLEMENTARY INFORMATION:

Classification. This interim rule has been reviewed under Executive Order 12291 and Secretary's Memorandum No. 1512-1, and has been classified "not major." The interim rule will not have an annual effect on the economy of $100 million or more, nor is it likely to result in a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies or geographic regions. Because this interim rule would not affect the business community, it would not result in significant adverse effects on competition, employment, investment, productivity, innovation or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

This action has also been reviewed with regard to the requirements of the Regulatory Flexibility Act of 1980 (Pub. L. 96-54, 94 Stat. 1164, September 19, 1980). Mr. Samuel J. Cornelius, Administrator, Food and Nutrition Service, has certified that this action has no economic impact on small entities.

In accordance with the Paperwork Reduction Act of 1980 (Pub. L. 96-511), the reporting or recordkeeping provisions that are included in this regulation have been or will be submitted for approval to the Office of Management and Budget (OMB). They are not effective until OMB approval has been obtained and the public notified to that effect through a technical amendment to this regulation. The regulations are issued as Interim Regulations. Mr. Samuel J. Cornelius has determined that the receipt of public comments prior to the issuing of these Interim regulations is not necessary and would be contrary to the public interest.

The Food Distribution Program (FDP) is already operating under regulations (7 CFR Part 253) issued through extensive proposed and final regulations. Many Oklahoma tribes provided detailed comments regarding the food distribution proposal published on December 8, 1978 (43 FR 57798-57820). These rules, for the most part, require certain exceptions or modifications to the current FDP based on Pub. L. 97-98. Nevertheless, in case there is some point which has not been thoroughly addressed previously, the Department will carefully review comments on these rules even though these rules are effective upon publication. Only a few tribes in Oklahoma have currently applied for the program. Therefore, FNS changes based on comments will be easy to put into effect without changing the ongoing and extensive system.

Additionally, Pub. L. 97-98 allows the benefits of the Food Distribution Program to be provided to Oklahoma. The Program is already operational in many States and was designed based on public comment. It is thus in the public interest that these rules be effective upon publication.

Background

On June 19, 1979, the Department published regulations (originally Part 283; now designated as Part 253) to implement the Food Distribution Program on Indian Reservations (FDPIR) (44 FR 35904) throughout the nation. In the supplementary information published with those regulations, the eligibility of tribes to run the FDPIR was addressed. However, the unique status of Oklahoma Indian land holdings made it difficult to apply the FNS rules designed for the United States as a whole.

Much of the discussion about Oklahoma in the June 19, 1979, final regulations centered on the definition of a reservation (44 FR 35904-35906). Pub. L. 97-98 resolved those difficulties by specifically authorizing an FDP for Oklahoma based on special standards for Oklahoma. Pub. L. 97-98 allows the Secretary to determine program eligibility using any or all of the following criteria:

(a) The extent and nature of the governmental jurisdiction which a tribal organization exercises or has authority to exercise over the land on which the household resides;

(b) Whether the household resides in "Indian Country" as defined in Section 1151 of Title 18, United States Code;

(c) Whether the household resides within an Indian service area designated by the Bureau of Indian Affairs (BIA), United States Department of the Interior;

(d) The tribal membership or Indian status of persons in the household; and

(e) Whether the household resides in an urban area.

The Department's interim regulations use the criteria in the statutory Amendments in Pub. L. 97-98 in combination with existing regulations (Part 253) to meet the unique needs of low-income Indian households in Oklahoma. These interim regulations incorporate all of Part 253, except where specifically modified. The major areas where the Part 253 regulations are modified in these Part 254 regulations for Oklahoma tribes are in determining eligibility of tribes to operate a food distribution program and in the definition of a reservation.

Definitions. Section 254.2 uses the definitions contained in Part 253, with the following additions or modifications.

"FNS service area" means the area over which FNS has approved the food distribution program. FNS service areas may include the tribal reservation lands either held in trust or allotted to Indians. This area may differ from BIA service areas. FNS service areas will generally be the geographic area claimed by a tribe within the BIA service area and also within the historic reservation boundaries. FNS will not approve service to urban places with 10,000 people or more in population. Therefore, cities like Tulsa or Oklahoma City would be excluded. The Department believes that the Food Distribution

Program on Indian Reservations should provide benefits to rural households on Indian reservations where the lack of retail stores may hinder food stamp program operations. Low-income Indians who live in urban places have reasonable access to the Food Stamp Program. The FNS service area will also include small geographically defined areas approved by FNS adjacent to the reservation where service to Indians may be extended.

FNS service areas will encompass, but not be strictly limited to, the Tribal trust or allotment lands. The definition of "Indian trust or allotment lands" is based on the "Indian Country" definition in Section 1151 of Title 18, U.S. Code. The full Section 1151 of Title 18, U.S. Code, of which "c" is relevant to these rules, defines Indian country as:

(a) All land within the limits of any Indian reservation under the jurisdiction of the United States Government, not withstanding the issuance of any patent, and, including rights-of-way running through the reservation,

(b) All dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a State, and

(c) All Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running throught the same.

"BIA Indian service area" means an area in Oklahoma where the Bureau of Indian Affairs has, by regulation, approved the provision of its services to Indians. The areas are generally the historical tribal reservations boundaries and some ares near the reservation.

Applicant tribes must supply maps and descriptions of their boundaries for FNS to determine the FNS approved service areas. Tribes must also give certification from the BIA area office that the boundaries they wish to service are within a recognized Indian service area.

"Indian tribal household" means a household in which at least one adult houlehold member is recognized as an Indian by an ITO. The definition of "Indian" can vary considerably. Under current FNS regulations the Department relies on Indian Tribal Organizations (ITO) operating programs to determine the status of individuals as Indians. Since there is no compelling reason the Department is aware of for changing this approach, the definition of who is an Indian person will be determined by the ITOs in Oklahoma as well.

The definition of "Indian tribal household" and "FNS service area" together allow tribal households to receive commodities if they live within the FNS service area. The Secretary has determined that non-Indian households will not be eligible for the Food Distribution Program in Oklahoma. This limit is within the legislative authority given to the Department by Congress in allowing participation by Oklahoma tribes. All households must, of course, be eligible based on income and other factors in the regulations before receiving benefits. These rules will also allow for the distribution of benefits to Indian households which reside near an Indian area, but within an FNS service area, where determined necessary by FNS and in conformity with the program's intent.

"Exercise governmental jurisdiction" in the Part 253 regulations means that a tribe must actively use a legislative, executive or judicial power. Many, or most of the Indian Tribal Oranizations in Oklahoma do exercise, or have authority to excercise, some degree of governmental jurisdiction.

Most tribes in Oklahoma do have elective tribal councils which are vested with at least limited legislative and executive functions relative to their tribal members. The Oklahoma Indian Welfare Act of 1936 recognized the Oklahoma tribes as political units and permitted the formation of tribal organizations subject to BIA approval. Under this Act, these tribal organizations may "enjoy rights or privileges secured to an organized Indian tribe" living on a reservation. They administer various Federal programs and are Federal-recognized governmental units for the purposes of certain Federally-funded programs. Most of these tribes have developed constitutions outlining their governmental structure and powers. We have been informed by BIA officials that most of the Indian tribes in Oklahoma have organized and obtained recognition under this Act.

The definition of "exercise governmental jurisdiction", for Oklahoma has therefore been somewhat changed from the 253 regulations. To qualify, tribes must show they have been organized under the Oklahoma Indian Welfare Act of 1936 or show that they are organized and approved under BIA regulations.

Administration. Section 254.3 incorporates all of the current Part 253 rules to apply to Oklahoma, except as modified by the interim regulations. Therefore, Oklahoma tribes must file agreements, submit budgets and State plans of operations, certify households, and agree to follow the regulations for program operations just as any other ITO in the nation. Due to their special circumstances, however, eligibility criteria are modified for Oklahoma tribes. In Section 254.3, the interim regulations replace Section 253.4 with the eligibility and application procedures that fit Oklahoma ITOs.

Section 254.3 states that within the Department, the Food and Nutrition Service (FNS) is responsible for the Food Distribution Program. Based on Pub. L. 97–98 qualified tribes in Oklahoma, acting as State agencies, will be responsible for the program. The regulations also give the qualifications of an Indian Tribal Organization. The ITO must show that it is organized under the Oklahoma Indian Welfare Act of 1936 or that it meets the requirements of BIA regulations as an approved tribe.

Application Procedures. Section 254.4 gives the procedures for ITOs to follow to apply for the Food Distribution Program in FNS service areas. The procedures are similar to those in current regulations. The ITO must file an application with the FNS Regional Office, which currently is the Southwest Regional Office in Dallas, Texas. The application must have the information needed by FNS to determine if an ITO is eligible for the program. Properly addressed applications must be acknowledged by FNS within 5 days of receipt. FNS also will advise ITOs promptly when an application is incomplete, so that the ITO can supply any missing information or needed clarification without undue delay.

A determination of whether the ITO is capable of program adminstration is required by Pub. L. 97–98 and these regulations. Normally, the determination is required within 60 days of receipt of a completed application. However, due to the unique circumstances found in Oklahoma, FNS may extend the period for capability determination beyond 60 days if this is necessary. It is likely that the determination will be completed within 60 days. However, FNS will advise any tribe when an extension for the capability study may be needed.

Household Eligibility. Section 254.5 gives the requirements for household eligibility. In order to be eligible, households must have low income and meet the existing eligibility standards in §§ 253.6 and 253.7. In addition, only Indian households, as defined in § 254.2, may be eligible for program benefits.

Households living in urban places, defined as cities or towns of 10,000 or more population, are excluded from the Food Distribution Program on Indian Reservations. Households who live in urban places should have more than adequate access to the Food Stamp Program. Extending the FDP to urban places is therefore not appropiate. This rule is similar to the current requirement in regulations that urban places near a reservation may not be served.

List of Subjects in 7 CFR Part 254

Administrative practice and procedure, Food assistance programs, Grant programs/social programs, Indians, Reporting and recordkeeping requirements, Surplus agricultural commodities.

7 CFR is amended by adding Part 254 as follows:

PART 254—ADMINISTRATION OF THE FOOD DISTRIBUTION PROGRAM TO HOUSEHOLDS ON INDIAN RESERVATIONS IN OKLAHOMA

Authority: Pub. L. 97-98, Section 1336; Pub. L. 95-113. (Catalog of Federal Domestic Assistance No. 10.550)

§ 254.1 General purpose.

This part sets the requirements under which commodities (available under Part 250 of this chapter) may be distributed to households residing in FNS Service areas in Oklahoma. This part also sets the conditions for administration of the Food Distribution Program by eligible Oklahoma tribes determined capable by the Department.

§ 254.2 Definiations.

(a) "BIA Indian service area" means the areas in Oklahoma where the Bureau of Indian Affairs has by regulation approved the provision of its service(s) to Indians.

(b) "Exercises governmental jurisdiction" means the exercise of authorities granted to ITOs under the Oklahoma Indian Welfare Act of 1936 or exercise of authority approved under BIA regulations.

(c) "FNS service area" means the areas over which FNS has approved the food distribution program in Oklahoma, excluding urban places.

(d) "Food Distribution Program" means a food distribution program for households on Indian reservations operated pursuant to Sections 4(b) and 1304(a) of Pub. L. 95-113 or Section 1336 of Pub. L. 97-98.

(e) "Indian allotments or trust lands" in Oklahoma means "Indian allotments" as defined at 18 U.S.C. 1151(c), which states "Indian allotments, the Indian titles to which have not been extinguished, including rights of way running through the same" and Indian lands held in trust for Indian tribes by the United States.

(f) "Indian tribal household" means a household in which at least one adult household member is recognized as an Indian by an ITO.

(g) "Indian tribal organization (ITO)" means (1) any Indian tribe, band, or group organized under the Oklahoma Indian Welfare Act of 1936, and which has a tribal organization approved by the Bureau of Indian Affairs; (2) a tribal organization established and approved under Federal regulations issued by the Bureau of Indian Affairs; or (3) an intertribal council authorized by eligible tribes to act in behalf of the tribes to operate the program.

(h) "State agency" means the ITO of an Indian tribe, determined by the Department to be capable of effectively administering a Food Distribution Program, or an agency of State government, which enters into an agreement with FNS for the distribution of commodities on an Indian reservation.

(i) "Urban place" means a town or city with a population of 10,000 or more.

§ 254.3 Administration by an ITO.

(a) *Applicability of Part 253.* All of the provisions of Part 253 are herein incorporated and apply to Part 254, except as specifically modified by Part 254.

(b) Section 253.4 *Administration,* does not apply and is replaced by § 254.3.

(c) *Federal Administration.* Within the Department of Agriculture, the Food and Nutrition Service (FNS), shall be responsible for the Food Distribution Program. FNS shall have the power to determine the amount of any claim and to settle and adjust any claim against an ITO.

(d) *ITO Administration.* The ITO, acting as State agency, shall be responsible for the Food Distribution Program within the approved FNS Service Areas if FNS determines the ITO capable of effective and efficient administration.

(e) *Qualification as an ITO.* The ITO of a tribe in Oklahoma must document to the satisfaction of FNS that the ITO meets the definition of an ITO in § 254.2, is organized under the provisions of the Oklahoma Indian Welfare Act of 1936 or has a tribal organization established and approved under BIA regulations.

§ 254.4 Application by an ITO.

(a) *Application to FNS Regional Office.* An ITO which desires to participate in the Food Distribution Program shall file an application with the FNS Regional Office. The application shall also provide other information requested by FNS, including, but not limited to, the tribe's qualification as a reservation as described in § 254.2, paragraph (g). Properly addressed applications shall be acknowledged by the FNS Regional Office in writing within five working days of receipt. FNS shall promptly advise ITOs of the need for additional information if an incomplete application is received.

(b) *Tribal capability.* (1) In determining whether the ITO is potentially capable of effectively and efficiently administering a Food Distribution Program in an FNS service area, allowing for fulfillment of that potential through training and technical assistance FNS shall consult with other sources such as the BIA, and shall consider the ITO experience, if any, in operating other government programs and its management and fiscal capabilities. Other factors for evaluation include, but are not limited to, the ITO's ability to:

(i) Order and properly store commodities,

(ii) Certify eligible households,

(iii) Arrange for physical issuance of commodities,

(iv) Keep appropriate records and submit required reports,

(v) Budget and account for administrative funds,

(vi) Determine the food preferences of households, and

(vii) Conduct on-site reviews of certification and distribution procedures and practices.

(2) FNS shall make a determination of potential ITO capability within 60 days of receipt of a completed application for the Food Distribution Program. FNS may, however, extend the period for determination of ITO capability if FNS finds that a given ITO's eligibility under § 254.3 is difficult to establish.

(3) FNS shall, if requested by an ITO which has been determined by FNS to be potentially capable of administering a Food Distribution Program, provide the ITO's designees with appropriate training and technical assistance to prepare the ITO to take over program administration. In determining what training and technical assistance are necessary, FNS shall consult with the ITO and other sources, such as the BIA.

§ 254.5 Household eligibility.

(a) *Certification Procedures.* All applicant households shall be certified in accordance with the eligibility and certification provisions in § 253.6 and § 253.7.

(b) *Urban places.* No household living in an urban place in Oklahoma shall be eligible for the Food Distribution Program on Indian Reservations.

(c) *Eligible Households.* Only Indian tribal households, as defined in § 254.2, may be eligible for the Food Distribution Program in FNS service areas.

Dated: January 3, 1983.

Robert E. Leard,

Acting Administrator, Food and Nutrition Service.

[FR Doc. 83-502 Filed 1-10-83; 8:45 am]

BILLING CODE 3410-30-M

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7 CFR Parts 272 and 273

[Amdt. No. 240]

Food Stamp Program; Reimbursing Workfare's Administrative Costs

AGENCY: Food and Nutrition Service, USDA.

ACTION: Interim rule.

SUMMARY: The Department is providing an additional financial incentive to food stamp workfare programs whose participants find regular jobs. The Food Stamp Act Amendments of 1982 require this change. This change will share benefit reductions with the agencies that administer workfare.

DATE: Effective Date: This interim rule is effective retroactively to October 1, 1982. *Comment Date:* To be assured of consideration, comments must be received by April 11, 1983.

ADDRESS: Please submit comments to Mr. Thomas O'Connor, Supervisor, Policy and Regulations Section, Family Nutrition Programs, Food and Nutrition Service, USDA, Alexandria, Virginia 22302; (703) 756-3429. Comments will be open to public inspection at the offices of the Food and Nutrition Service during regular business hours (8:30 a.m. to 5:00 p.m., Monday through Friday) in Room 708, 3101 Park Center Drive, Alexandria, Virginia.

FOR FURTHER INFORMATION CONTACT: Mr. O'Connor at the mailing address and telephone number given above.

SUPPLEMENTARY INFORMATION:

Classification

Executive Order 12291

This rule has been reviewed under Executive Order 12291 and Secretary's Memorandum No. 1512-1. The Department has classified this rule as a non-major rule. The rule's effect on the economy will be less than $100 million. The rule will have no effect on costs or prices. Competition, employment, investment, productivity, and innovation will remain unaffected. There will be no effect on the competition of United States-based enterprises with foreign-based enterprises.

Regulatory Flexibility Act

Samuel J. Cornelius, Administrator of the Food and Nutrition Service, has certified that this proposal does not have a significant economic impact on a substantial number of small entities. The rule would slightly increase the Federal funding given to the political subdivisions which operate workfare programs.

Paperwork Reduction Act

The reporting and recordkeeping requirements contained in this regulation are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act and are not effective until approved by OMB.

Publication

This rulemaking is being published as an interim rule, effective October 1, 1982. Section 188 of Pub. L. 97-253 dealing with reimbursement for workfare's administrative costs was among provisions which, under section 193 of that law, were scheduled to become effective on that date. The 1982 provisions were signed into law September 8, 1982. The Department has no discretion to delay the effectiveness of the law in order to permit prior public comment on this rulemaking. At the same time, we believe it is necessary for the Department to provide guidance to the political subdivisions as soon as possible so that they may know the reimbursement provisions under which they must operate. For these reasons, Samuel J. Cornelius, Administrator, Food and Nutrition Service has determined, pursuant to 5 U.S.C. 553, that prior public comment on this rulemaking is impracticable and contrary to public interest and that good cause exists for making this rule effective less than 30 days after publication. Public comment is solicited on this rule for 90 days. All comments received will be analyzed and any appropriate changes in the rule will be incorporated in a subsequent publication.

Introduction

The Department has published a final rule (47 FR 44692, October 8, 1982) which authorizes political subdivisions to administer a workfare program in relation to the Food Stamp Program. In brief, certain food stamp participants could be required to perform public service work, without pay, as a condition of receiving food stamps. The amount of work a participant would perform would be directly related to the amount of food stamps received by the participant's household.

As described by the final rule on workfare, the Department reimburses a political subdivision for one-half of the costs of administering the workfare program. This interim rule would provide for extra reimbursement for these political subdivisions, as required by the Food Stamp Act Amendments of 1982, Pub. L. 97-253, section 188.

Entitlement

Beginning Employment

Extra reimbursement becomes available when a workfare participant begins regular, non-workfare employment. The employment must begin while the participant is also participating in workfare or within thirty days after participation in workfare ends. This restriction is required by Section 188 of Pub. L. 97-253.

The Department defines beginning employment as the date on which the participant actually begins working at the job. The beginning is not the date of notification, nor is it the date on which the participant receives the first pay check.

First Participation

The statutory amendment permits extra reimbursement only when the workfare participant begins employment during, or immediately after, first participation in a workfare program.

The Department defines first participation as the original, uninterrupted participation in a particular political subdivision's workfare program. Any break in workfare participation would end first participation, with one exception. A participant may leave workfare because of a new job, but lose the job before an entire month's wages could affect the household's allotment. If the participant returns to workfare, the first participation shall be considered as continuing without a break. The Department has included this exception so as not to penalize the political subdivision by precluding enhanced reimbursement. Participation in workfare means actually working at the workfare site. It does not mean attending an interview, being screened or being referred to the workfare program by the local food stamp office.

The Department would not limit "first participation" to the first participation in any workfare program, anywhere. Such a requirement could not be effectively monitored.

Method

Section 188 of Pub. L. 97–253 requires that the extra reimbursement be based upon food stamp benefit reductions which result from the participant's employment. Because the participant is working, the household would have higher income, and thus receive lower benefits. This is a reduction in food stamps. The political subdivision's share of the benefit reduction is 50% of three times the amount of the benefit reduction in the first allotment which accounts for an entire month's wages.

In general, the benefit reduction is presumed to be the difference between two allotments. The larger allotment is the last one which the workfare participant's household received before the new employment began. The smaller allotment is the first one which accounts for an entire month's wages from the new job. A participant has an entire month's wages when the participant is employed on all days of a single month.

If the political subdivision has no other knowledge of changes in the household circumstances, it should presume that the benefit reduction is the difference just described. However, the political subdivision may be aware of other changes which could affect benefits. Charges in household composition, other income, and shelter expenses are examples of such changes.

If the political subdivision is aware of such changes, it should calculate the benefit reduction in the following way. First, the political subdivision would obtain the allotment which accounted for an entire month's wages from the new job. If this allotment was never issued, the political subdivision would reconstruct it. This allotment represents the smaller allotment. Then, the political subdivision would recalculate this allotment by removing the wages, the earned income deduction, and the dependent care deduction attributable to the new job. In recalculating the allotment, the political subdivision would also replace the Aid to Families with Dependent Children (AFDC) grant which was used to determine the household's allotment. In place of this new AFDC grant, the political subdivision would use the last AFDC grant received by the household before the new job began. This procedure will more accurately calculate the real benefit reduction. This recalculated allotment represents the larger allotment. The difference between the two allotments is the benefit reduction.

Correct Allotment

The third issue in calculating the reduction concerns the accuracy of the allotments already issued to the workfare participant. When an agency is calculating the reduction, it may become apparent that an error was made. The error may be in arithmetic, in the application of policy, or in the reporting of information by the participant.

The issue is whether to calculate the reduction using the allotment that the participant actually received, or the allotment the participant should have received. The Department is using the latter, the correct allotment that the household should have received.

Accounting

Documentation

The Department is placing general requirements on the political subdivision concerning documentation of the claimed reimbursement. Different political subdivisions and State welfare agencies will make different arrangements concerning who will calculate the reimbursement and in what manner. Therefore, the Department is not requiring special forms or reporting procedures concerning the enhanced reimbursement. The procedures for claiming and receiving the enhanced reimbursement are the same as those for reimbursing workfare's regular expenses. Nevertheless, the political subdivision is required to make available, for review, documentation which supports its claim for enhanced reimbursement. This documentation would be in sufficient detail to permit an auditor to determine the accuracy of the claim. At a minimum, this would include documentation of the household's identity, the existence of the job, the employer's name and telephone number, the new wages, and the calculation of the savings.

Period of Time for Reimbursement

As required by statute (section 20(g) of the Food Stamp Act of 1977, as amended, 7 U.S.C. 2029) the saving from workfare are to be shared with the political subdivisions by reimbursing them for their administrative costs beyond the usual 50% but only up to their actual, unreimbursed costs. It is conceivable that the amount of the claimed reimbursement could exceed the reimbursement to which the political subdivision is entitled in any fiscal quarter or fiscal year. This could happen if many workfare participants with high food stamp benefits suddenly begin to work at a new or reopened factory, for example. If the reimbursement exceeds the unreimbursed expenses for the year, the Federal government could remain indebted to the political subdivision indefinitely, with little or no control over the funding. If the period of time is too short, such as a quarter, the political subdivision might lose some of the reimbursement.

To avoid this problem, the Department is limiting reimbursement to the political subdivision's actual unreimbursed expenses in the fiscal year in which the participant begins the job which results in savings. For example, if a participant begins working in August, 1983, the Department would reimburse the project area's unreimbursed administrative expenses for fiscal year 1983.

Miscellaneous Provisions

The Department is not changing the definition of reimbursable expenses contained in 7 CFR 273.22(g)(1). Nor does the Department propose any additional reporting requirements for political subdivisions. The claim for enhanced funding would be combined with the request for normal reimbursement from the Department.

Correction

The Department is also correcting three errors which it made in its recent publication of the Optional Workfare Program final rule (47 FR 44692, October 8, 1982). First, at 7 CFR 273.22 (b)(3), there is a requirement that a workfare plan be combined with the State agency's State Plan of Operation. The Department's intention was to have the workfare plan incorporated into the plan of operation when the State agency sponsors workfare. The Department also intended to have the workfare plan appended to the plan of operation when the political subdivision sponsors workfare.

The distinction is a necessary one. A State agency is liable for compliance with its plan of operations. However, the Department cannot require the State agency to be liable when a political subdivision does not comply with its own plan.

However, in writing the final rule, the Department inadvertently made the State agency liable for the political subdivision's compliance, and removed the State agency's liability for its own compliance. To correct this error, the Department is revising 7 CFR 273.22 (b)(3).

This error also appeared in the amending of 7 CFR 272.2(a)(2) in the October 8, 1982 rulemaking. The Department further erred in its November 19, 1982 rulemaking by deleting the incorrect, newly added provision altogether. The Department is therefore adding the corrected provision to the regulations in this rulemaking.

A third revision is being made at 7 CFR 273.22(e)(1)(i). The previous language could have been interpreted as permitting those recipients who were subject to the work incentive program (WIN) under Title IV of the Social Security Act but otherwise exempt from workfare to be subject to workfare. The paragraph has been revised to clarify the legislative intent that only those WIN registrants who would not otherwise be exempt from workfare might be subject to workfare under certain conditions. This revision precludes those WIN registrants who are younger than 18 years of age, 60 years or older, or responsible for the care of a child under six years of age from being subject to workfare.

Implementation

In accordance with Pub. L. 97-253, section 193(b), the enhanced funding is available back to October 1, 1982. If a political subdivision is otherwise entitled, it can claim enhanced reimbursement if a workfare participant begins a regular, nonworkfare job, on or after October 1, 1982.

List of Subjects

7 CFR Part 272

Alaska, Civil rights, Food stamps, Grant programs/social programs, Reporting and recordkeeping requirements.

7 CFR Part 273

Administrative practice and procedures, Aliens, Claims, Food stamps, Fraud, Grant programs/social programs, Penalities, Reporting and recordkeeping requirements, Social security, Students.

For the reasons set forth in the preamble, the Department is amending Parts 272 and 273 of Chapter II, Subtitle B, Title 7, Code of Federal Regulations, as follows:

PART 272—REQUIREMENTS FOR PARTICIPATING STATE AGENCIES

1. A new paragraph (g)(57) is added to § 272.1 as follows:

§ 272.1 General terms and conditions.

* * * * *

(g) *Implementation.* * * *

(57) The provisions of Amendment 240 shall be effective on January 11, 1983. The enhanced funding, which the amendment implements, is available to political subdivisions retroactive to October 1, 1982. The enhanced funding is available to a political subdivision for a workfare participant who begins working on or after October 1, 1982.

2. In § 272.2, two new sentences are added to the end of paragraph (a)(2) to read as follows:

§ 272.2 Plan of operation.

(a) *General Purpose and Content.* * * *

(2) *Content.* * * * The State agency shall either include the Workfare Plan in its State Plan of Operation or append the Workfare Plan to the State Plan of Operation, as appropriate, in accordance with § 273.22(b)(3) of this chapter. The Workfare Plan shall be submitted separately, in accordance with § 273.22(b)(1) of this chapter.

* * * * *

PART 273—CERTIFICATION OF ELIGIBLE HOUSEHOLDS

3. In § 273.22, paragraph (b)(3) is revised, paragraph (e)(1)(i) is revised, and a new paragraph (g)(4) is added. The amendments read as follows:

§ 273.22 Optional workfare program.

* * * * *

(b) *Program Administration.* * * *

(3) When a State agency chooses to sponsor a workfare program by submitting a plan to FNS, it shall incorporate the approved plan into its State Plan of Operations. When a political subdivision chooses to sponsor a workfare program by submitting a plan to FNS, the State agency shall be responsible as a facilitator in the administration of the program by disbursing Federal funding and meeting the requirements identified in paragraph (d) of this section. Upon notification that FNS has approved a workfare plan submitted by a political subdivision in its State, the State agency shall append that political subdivision's workfare plan to its own State Plan of Operations.

* * * * *

(e) *Household Responsibilities.*

(1) * * *

(i) Those recipients exempt from work registration requirements due to being subject to the work incentive program (WIN) under Title IV of the Social Security Act shall be subject to workfare if they are currently involved less than 20 hours a week in WIN. Those recipients involved 20 hours a week or more may be subject to workfare at the option of the political subdivision.

* * * * *

(g) *Federal Financial Participation.* * * *

(4) *Sharing workfare savings.*

(i) *Entitlement.* A political subdivision is entitled to share in the benefit reductions which occur when a workfare participant begins employment while participating in workfare for the first time, or within thirty days of ending the first participation in workfare.

(A) To begin employment means to appear at the place of employment and to begin working.

(B) First participation in workfare means performing work for the first time in a particular workfare program. The only break in participation which shall not end first participation shall be due to the participant's taking a job which does not affect the household's allotment by an entire month's wages and which is followed by a return to workfare.

(ii) *Calculating the benefit reductions.* The political subdivision shall calculate benefit reductions from each workfare participant's employment as follows.

(A) Unless the political subdivision knows otherwise, it shall presume that the benefit reduction equals the difference between the last allotment issued before the participant began the new employment and the first allotment which reflects a full months wages, earned income deduction, and dependent care deduction attributable to the new job.

(B) If the political subdivision knows of other changes beside the new job, which affect the household's allotment after the new job began, the political subdivision shall obtain the first allotment affected by an entire month's wages from the new job. The political subdivision shall then recalculate the allotment to account for the wages, earned income deduction, and dependent care deduction attributable to the new job. In recalculating the allotment the political subdivision shall also replace any AFDC grant received after the new job with the one received in the last month before the new job began. The difference between the first allotment that accounts for the new job and the recalculated allotment shall be the benefit reduction.

(C) The political subdivision's share of the benefit reduction is three times this difference, divided by two.

(D) If, during these procedures, an error is discovered in the last allotment issued before the new employment began, that allotment shall be corrected before the savings are calculated.

(iii) *Accounting.* The reimbursement from workfare shall be reported and paid as follows:

(A) The political subdivision shall report its enhanced reimbursement to the State agency in accordance with paragraph (g)(3) of this section.

(B) The Food and Nutrition Service shall reimburse the political subdivision in accordance with paragraph (g)(2) of this section.

(C) The political subdivision shall, upon request, make available for review sufficient documentation to justify the amount of the enhanced reimbursement.

(D) The Food and Nutrition Service shall reimburse only the political subdivision's reimbursed administrative costs in the fiscal year in which the workfare participant began new employment and which are acceptable according to paragraph (g)(1) of this section.

* * * * *

(91 Stat. 958 (7 U.S.C. 2011–2029))

(Catalogue of Federal Domestic Assistance Programs No. 10.551, Food Stamps)

Dated: January 5, 1983.

Robert E. Leard,

Acting Administrator, Food and Nutrition Service.

[FR Doc. 83-555 Filed 1-10-83; 8:45 am]

BILLING CODE 3410-30-M

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7 CFR Parts 274 and 282

[Amdt. No. 226]

Food Stamp Program; New York City Food Stamp Replacement Issuance Procedures and Rapid Access Reconciliation System

AGENCY: Food and Nutrition Service, USDA.

ACTION: Final rulemaking.

SUMMARY: This final rule would continue until further notice the authority for operation of New York City's Food Stamp Replacement Authorization to Participate (ATP) Issuance Procedure and Rapid Access Reconciliation System. The Food and Nutrition Services' October 17, 1980, emergency final rules implemented this system as an unfunded demonstration project (45 FR 69169) which would operate for two years. Proposed rules for an ongoing system were published October 15, 1982 (47 FR 46099). The system has virtually eliminated ATP losses caused by recipients fraudulently requesting and negotiating replacement ATP's. This final rule is necessitated because of the two-year limit that was placed on the demonstration project.

EFFECTIVE DATE: This rule is effective January 11, 1983.

FOR FURTHER INFORMATION CONTACT: James I. Porter, Supervisor, Mid-Atlantic/Northeast Section, State Evaluation Branch, State Operations Division, Family Nutrition Programs, Food and Nutrition Service, USDA, Alexandria, Virginia, 22302; (703) 756–3951.

SUPPLEMENTARY INFORMATION:

Classification: This rule has been reviewed with regard to the requirements of Excutive Order 12291, and it had been determined that this is not a major rule as defined by that order. It is not likely to result in an annual effect on the economy of $100 million or more. The State agency, when continuing the operation of the Rapid Access System, will not incur any increase in program administration costs.

This rule is not likely to result in a major increase in costs or prices for consumers, individual industries, Federal, State or local Government agencies or geographic regions. Because this final rule will not affect the business community, it would not result in significant adverse effects on competition, employment, investment, productivity, innovation or on the ability of United States based enterprises to compete with foreign based enterprises in domestic or export markets.

Regulatory Flexibility Act

This rule has also been reviewed with regard to the requirement of Pub. L. 96–354, and the Administrator of the Food and Nutrition Service has determined it does not have a significant economic impact on a substantial number of small entities. The rule has no impact whatsoever on small businesses or small organizations. The primary impact is on the New York State agency which operates the program in New York City and on individuals requesting replacement of a nondelivered, stolen or destroyed ATP. Since the system has been in operation for almost two years, there will be no increased economic costs.

Introduction

On October 15, 1982, the Department issued proposed regulations for the New York City Food Stamp Replacement Issuance Procedures and Rapid Access System. This system commonly referred to as Rapid Access was developed as the result of the Department's concern over the amount of Federal dollars being lost due to the fraudulent issuance of food stamp ATP's. The system was first demonstrated in New York City as a two-year test project. Regulations creating the test project were published on October 17, 1980.

Comments

Only five comments were received as the result of the October 15, 1982, proposed rulemaking. Four comments strongly favored the system. Two of these came from New York State and New York City which both went into detail as to the effectiveness of Rapid Access. The City also detailed how the system's effect on recipients was minimal. Two other comments came from the Food and Nutrition Service's Midwest and Southeast Regional Offices. These offices both recommended that the proposed rules be amended to allow other State agencies to adopt Rapid Access, if a State agency considered it useful in reducing ATP issuance fraud.

This suggestion has not been adopted since it was not contemplated in the proposed rule. The Department is considering proposing rules under which other jurisdictions could implement special procedures to prevent replacement issuance losses.

One comment from a citizen in California opposed Rapid Access on the grounds that the system was injurious to recipients. As stated in the preamble to the proposed rules, the survey conducted into the effect Rapid Access has on recipients did not indicate that it placed an excessive burden on recipients.

The Food and Nutrition Service has made two minor clarifications in the final rules. These clarifications are designed to add greater precision to some timeframes. Two sections are affected. In Section 7 CFR 274.2(j)(1)(iv)(D) it has been specified that, if appropriate, a replacement will be immediately authorized by the Fraud Prevention Unit.

Section 7 CFR 274.2(j)(1)(iii) has been clarified to state that by the closure of the fifth business day following the date a recipient requested replacement, the State agency shall check the affidavit against a listing of redeemed ATP's for recipients served by a particular office. This clarification allows the State agency five full business days to check the list of redeemed ATP's.

A full discussion of the system operations and regulatory variances can be obtained from the proposed rules which were published on October 15, 1982 (47 FR 46099).

New York City recipients and food stamp officials are fully familar with the operation of the Rapid Access System because it has been in effect as a demonstration project for the past two years. No significant changes in the procedures or requirements are brought about by this rulemaking. In addition, it is necessary to provide uninterrupted authority to continue the System in order to avoid a costly interruption of System's operation. For these reasons, good cause is found pursuant to 5 U.S.C. 553(d) for the publication of this rule less than 30 days prior to the effective date.

Note.—This action does not contain reporting and recordkeeping requirements subject to approval by OMB under the Paperwork Reduction Act.

List of Subjects

7 CFR Part 274

Administrative practice and procedure, Food stamps, Grant programs/social programs, Reporting and recordkeeping requirements.

7 CFR Part 282

Food stamps, Government contracts, Grant program/social programs, Research.

Accordingly, 7 CFR Parts 274 and 282 are amended as follows:

PART 274—ISSUANCE AND USE OF FOOD COUPONS

1. A new paragraph (j) is added to § 274.2 as follows:

§ 274.2 Issuance systems.

* * * * *

(j) New York City Food Stamp Replacement Issuance Procedures and Rapid Access Reconciliation System. Due to New York City's particularly severe problem with excessive losses caused by food stamp fraud, this unique food stamp issuance and reconciliation system has been developed for use in New York City.

(1) *Replacement of a stolen or destroyed ATP.* ATP's will be valid for eight calendar days from the scheduled date of delivery. The recipients can only request a replacement ATP after four business days following the scheduled date of delivery of the ATP.

(i) On or after the fourth business day following the date the ATP was scheduled to be delivered, the recipient may request a replacement ATP at the local certification office by completing an affidavit reporting nonreceipt or destruction of his/her ATP.

(ii) The local certification office shall check the affidavit against a listing of ATP's that were issued to recipients served by that office.

(A) If the listing shows that the recipient has not been issued an ATP, and the household is certified to receive benefits, the certification office shall determine why the ATP was not issued and provide immediate authorization for issuance of an ATP.

(B) If the listing shows that the recipient was issued an ATP, the certification office shall hold the affidavit in suspense for five business days to allow for the original ATP to expire. The recipient shall be instructed to return to the certification office after the passage of five business days.

(iii) By the close of the fifth business day following the date a recipient requested the replacement, the certification office shall check the affidavit against a listing of redeemed ATP's for recipients served by that office.

(A) If the recipient's ATP is not on the listing, a replacement shall be authorized immediately by the certification office.

(B) If the recipient's ATP is on the listing (i.e. the ATP is shown to have been redeemed), the recipient shall be referred to New York City's central Fraud Prevention Unit.

(iv) The Fraud Prevention Unit shall compare the signature of the recipient requesting the replacement against the signature on a photocopy of the redeemed ATP.

(A) If the signatures match, the replacement request shall be denied. The recipient may request an immediate review by the Fraud Prevention Unit supervisor. If the recipient is dissatisfied with the supervisor's determination, he/she may request a fair hearing.

(B) If the signatures do not match, the Fraud Prevention Unit shall check a photocopy of the redeemed ATP for the reconciliation number written on the back of the ATP by the issuance agency at the time of redemption. This number is taken from the recipient's food stamp identification card.

(C) If the reconciliation number on the identification card of the recipient requesting the replacement is the same as the reconciliation number on the redeemed ATP, the request for replacement shall be denied, again subject to supervisory review and a fair hearing at the request of the recipient as provided in paragraph (j)(iv)(A) of this section.

(D) If neither the signature nor the reconciliation number match, a replacement shall be immediately authorized by the Fraud Prevention Unit.

(v) In instances in which a recipient reports both his/her ATP as nondelivered, or destroyed and food stamp identification card as lost, stolen, or destroyed the requirement that the reconciliation number on the identification card of the recipient must be different from the reconciliation number on the redeemed ATP may be waived.

(vi) In cases where a recipient's eight-day ATP card has expired, the recipient may exchange the expired ATP for immediate replacement by the eligibility worker. That replacement ATP shall be valid to the end of the month or for 20 days if issued after the 25th of the month.

(2) *Right of Appeal.* Recipients being denied a replacement ATP shall be informed of their right of appeal.

(i) When denied a replacement for an ATP reported as lost or stolen, the recipient may request an internal supervisory examination of the determination.

(ii) If dissatisfied with the review, the recipient may request a fair hearing.

PART 282—DEMONSTRATION, RESEARCH, AND EVALUATION PROJECTS

§ 282.15 [Removed and Reserved]

2. The text of § 282.15 is removed and the number is reserved for future use.

(91 Stat. 958 (7 U.S.C. 2011–2029))

(Catalog of Federal Domestic Assistance Program No. 10.551 Food Stamps)

Dated: January 5, 1983.

Robert E. Leard,

Acting Administrator, Food and Nutrition Service.

[FR Doc. 83–554 Filed 1–10–83; 8:45 am]

BILLING CODE 3410-30-M

Agricultural Marketing Service

7 CFR Part 987

Domestic Dates Produced or Packed in Riverside County, California; Amendment of Container Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule amends the container requirements prescribed for pitted DAC dates of any variety handled in the United States under the Federal marketing order for California dates. This action will allow handlers to pack and sell pitted DAC dates in 7-ounce plastic containers. This action is based upon a unanimous recommendation of the California Date Administrative Committee. The Committee works with the USDA in administering the date marketing order program.

EFFECTIVE DATE: January 11, 1983.

FOR FURTHER INFORMATION CONTACT: J. S. Miller, Chief, Specialty Crops Branch, Fruit and Vegetable Division, AMS, USDA, Washington, D.C. 20250 (202) 447–5697.

SUPPLEMENTARY INFORMATION: This final action has been reviewed under USDA guidelines implementing Executive Order 12291 and Secretary's Memorandum 1512–1 and has been classified a "non-major" rule under criteria contained therein.

William T. Manley, Deputy Administrator, Agricultural Marketing Service, has determined that this action will not have a significant economic impact on a substantial number of small entities because it would result in only minimal costs being incurred by the 17 regulated handlers.

It is found that good cause exists for not postponing the effective time of this action unitil 30 days after publication in the Federal Register (5 U.S.C. 553) because: (1) A recent test-marketing conducted by the Committee demonstrated that the 7-ounce containers would be well received by consumers and had the potential for increasing pitted date sales; (2) this action relieves restrictions on handlers by allowing them to market pitted dates in the United States in another plastic container, and must be effective promptly to achieve its objective of increasing pitted date sales; (3) no useful purpose would be served by delaying the effective date of this action; and (4) handlers have been aware of this action and have had ample time to prepare for operation thereunder.

Notice inviting written comments on this action was published in the Federal Register on December 2, 1982 (47 FR 54307). None were received.

This action would amend § 987.112a(b)(3)(ii) of Subpart—Administrative Rules (7 CFR 987.101–987.172; 47 FR 4489; 23416) to authorize the marketing of pitted DAC dates in the United States in 7-ounce plastic containers. This section is issued under §§ 987.12, 987.43, and 987.48 of the marketing agreement and Order No. 987 (7 CFR Part 987), both as amended, regulating the handling of domestic dates produced or packed in Riverside County, California. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

Section 987.112a(b)(3) prescribes consumer sizes of plastic containers, in terms of net weight content, that handlers must use when they package DAC dates in such containers for handling in U.S. markets.

Section 987.112a was amended May 28, 1982 (47 FR 23416) by the addition of a new paragraph (4) to paragraph (b) providing for market testing of container types and sizes. The purpose of that action was to allow the Committee to implement market research projects on new container types and sizes and evaluate the market effects of these new containers in a timely fashion.

Pursuant to that authority, the Committee test-marketed 7-ounce plastic containers of pitted DAC dates to determine consumer acceptance for a period which ended September 30, 1982. The new container was well received by consumers and the industry believes its continued use could further pitted date sales. Acceptance by consumers of the 7-ounce plastic containers was sufficient to support a change in the container regulations for pitted DAC dates to include this size along with the current container sizes prescribed in § 987.112a(b)(3)(ii).

After consideration of all relevant matter presented, including that in the notice, the information and recommendation submitted by the Committee, and other available information, it is further found that the amendment of § 987.112a(b)(3)(ii) of Subpart—Administrative Rules (7 CFR 987.101–987.172; 47 FR 4489; 23416) to add the 7-ounce plastic container along with the current container sizes prescribed in that subparagraph, will tend to effectuate the declared policy of the act.

List of Subjects in 7 CFR Part 987

Marketing agreements and orders, Dates, California.

PART 987—[AMENDED]

§ 987.112a [Amended]

Therefore, § 987.112a(b)(3)(ii) of Subpart—Administrative Rules (7 CFR 987.101–987.172; 47 FR 4489; 23416) is amended by inserting the words "seven ounces", between the words "for pitted dates, of either", and "ten ounces,".

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

Dated: January 5, 1983.

D. S. Kuryloski,

Deputy Director, Fruit and Vegetable Division.

[FR Doc. 83-711 Filed 1-10-83; 8:45 am]

BILLING CODE 3410-02-M

Farmers Home Administration

7 CFR Part 1945

Emergency Loans

AGENCY: Farmers Home Administration, USDA.

ACTION: Final rule.

SUMMARY: The Farmers Home Administration (FmHA) amends its regulations to clarify the emergency loan (EM) disaster designation/authorization process. This action is needed to implement administrative changes desired by FmHA. The intended effect of this action is to correct deficiencies and to restore fiscal integrity to the program.

EFFECTIVE DATE: January 11, 1983.

FOR FURTHER INFORMATION CONTACT: Keith L. Smalley, Emergency Loan Officer, Emergency Division, Farmers Home Administration, USDA, Room 5344-S, Washington, D.C. 20250, Telephone 202–382–1632.

SUPPLEMENTARY INFORMATION: Information collection requirements contained in this regulation (Sections 1945.19(c), 1945.20(b), 1945.20(c), 1945.20(d), 1945.20(e) and 1945.25(b)) 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 No. 0575–0054. This action has been reviewed under USDA procedures established in Secretary's Memorandum 1512–1 which implements Executive Order 12291 and has been determined to be nonmajor. It has been determined to be nonmajor because there is not an annual effect on the economy of $100 million or more; or a major increase in cost or prices for consumers; individual industries; Federal, State, or local government agencies; or geographic regions; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of the United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The Catalog of Federal Domestic Assistance number for emergency loans is 10.404.

This action does not directly affect any FmHA programs or projects that are subject to A–95 clearinghouse review.

This document has been reviewed in accordance with 7 CFR Part 1901, Subpart G, "Environmental Impact Statement". It is the determination of FmHA that this action does not constitute a major Federal action significantly affecting the quality of the human environment and in accordance with the National Environmental Policy Act of 1969, Public Law 91–190, an Environmental Impact Statement is not required.

Need for Governmental Action

The method of EM disaster designation/authorization needs revision to provide for more uniform coordination of the process. Clarification is needed in the methodology used to establish eligibility for EM loans. Under the present system State Directors may authorize EM loans even though a request has been made to the President for a disaster declaration or to the Secretary for a disaster designation for the area.

The present regulations do not define the criteria to be used to determine when a county has been substantially affected by a natural disaster. These amendments to the regulations will define "substantially affected" as physical losses or as an overall 30 percent production loss in the county. The 30 percent requirement is based on a review of the annual fluctuations in the national gross crop receipts for the previous 10-year period, i.e., 1970 through 1979, as provided by the Economic Research Service of the USDA. Those figures indicate a range of total gross crop receipts from $20.976 billion to $62.820 billion per year, a variation of 33.2 percent from the 10-year average of $41.946 billion. Based on this documented history of fluctuation from year to year in the annual gross crop production receipts, the Secretary has determined that a reasonable definition for "substantially affected" is not less than a 30 percent loss in annual gross dollar volume.

This revision will clarify when the Secretary will make EM loans available in a county which has been substantially affected by a disaster.

In addition, these revisions to the regulations will authorize the Administrator who is more in touch with designation requests than State Directors, to make EM loans available after the President or the Secretary has made a determination.

The Administrator's authority to make EM loans available in a county may be exercised when less than 10 percent of the farmers in a county have suffered qualifying losses and adequate credit is not available to them. A county does not have to be substantially affected in order for the Administrator to make EM loans availabe in that county. Informal surveys made by FmHA in recent months indicate that when more than 10 percent of the farmers in a county are affected by a natural disaster, it is probable that the overall production loss in the county will exceed 30 percent. However, in order to make loans available in counties where a county has not sustained an overall 30 percent loss but more than 10 percent of the farmers have qualifying losses, these revisions to the regulations allow the Administrator to call such counties to the Secretary's attention and to ask that the Secretary make an exception to the designation criteria and consider such counties for designation.

The time frames for receiving EM designation/authorization requests and applications for EM loans presently do not allow for the decisions in regard to such requests to be made based on current timely information. Therefore, these time frames need to be shortened.

These amendments to the regulations will clarify the designation/authorization process and provide for a uniform method of administering the Emergency Natural Disaster Assistance program in a more effective, efficient manner.

A proposed rule was published in the **Federal Register** (47 FR 39532) on September 8, 1982. That proposal provided for a 60-day comment period. The comment period ended November 8, 1982. In response to the notice of proposed rulemaking, only one written comment was received, which was considered in this final rule.

The comment was from another Federal Agency and called attention to the Memorandum of Understanding between the Small Business Administration (SBA) and Farmers Home Administration (FmHA) and the provision that SBA will accept an application to restore agricultural losses only when accompanied by a proper referral letter from an FmHA County Office. This comment is valid and therefore reference to accepting EM applications from those who have previously applied to SBA is deleted.

The following Sections of Part 1945 Subpart A are amended as follows:

1. Section 1945.5 is revised to add the Statistical Reporting Service (SRS) to the list of abbreviations.

2. Section 1945.6 is revised to add the definition of a county and to define "substantially affected" as it applies to damage in a county by a natural disaster. The definition as it applies to production losses to individual farmers is removed. Paragraph (a) through (g) are redesignated. The dates for receiving EM applications have been changed from 9 to 6 months and the reference to accepting applications from applicants who have previously applied to SBA is removed.

3. Section 1945.18 is revised to remove the reference to a comparable political subdivision.

4. Section 1945.19(b) is revised to clarify County Emergency Board's (CEB's) and State Emergency Board's (SEB's) responsibility for assessing and reporting the occurrence of a natural disaster. The Boards will no longer make recommendations regarding the implementation of USDA disaster programs.

5. Section 1945.20 is revised to give the Administrator the authority to authorize State Directors to make EM loans available and to establish the criteria for such authorizations.

6. Section 1945.20(a)(1)(i) is revised to remove paragraph (G).

7. Section 1945.20(a)(2)(i) is revised to reflect change in § 1945.20(a)(1)(i).

8. Section 1945.20(a)(3)(v) is removed to delete reference to Exhibit A.

9. Section 1945.20(b) is revised to provide that the Secretary may designate a county for EM loans when the county(ies) has been substantially affected by a natural disaster.

10. Section 1945.20(b)(1)(i) is revised by adding the word "and" at the end of the sentence.

11. Section 1945.20(b)(1)(ii) is revised to delete confirmation of the Governor's request in writing.

12. Section 1945.20(b)(1)(iii) is removed.

13. Section 1945.20(c) is completely revised and titled, "Reconsideration by the Secretary." State Director authority to authorize EM loans is deleted.

14. Section 1945.20(d) is completely revised to delete reference to subsequent natural disasters. This paragraph is retitled, "Request for Secretary to make an exception to designation criteria," and provides that the Administrator may request the Secretary to make an exception to the designation requirements for a Secretarial designation as set forth in this regulation where unusual circumstances exist as a result of the natural disaster.

15. Section 1945.20(e) is completely revised and titled, "Authorization by the Administrator." This paragraph provides the criteria under which the Administrator may authorize that EM loans be made available in a county.

16. Section 1945.20 (f), (g), and (h) are redesignated from (e), (f) and (g), respectively, and are revised to reflect the other changes in § 1945.20.

17. Section 1945.21(a) is revised to provide that the Administrator or designee will provide weekly reports of declaration/designation/authorization actions to those listed.

18. Section 1945.21(a)(3), (4) and (5) are removed.

19. Section 1945.21(b)(3) is revised to reflect current terminology being used by FCIC.

20. Section 1945.27(b) and (c) are revised to change the title of "FCIC Regional Director" to "FCIC Field Operations Office Director." Paragraph(d) is revised to change the term "FCIC staff" to "FCIC Insurance Representative."

21. Section 1945.31 is revised to provide a follow-up for corrective

actions needed as identified by Emergency Loan Assessment Teams.

22. Section 1945.35(e) is added to this section to establish information that will be provided to the Budget Division to obtain funding for EM training.

List of Subjects in 7 CFR Part 1945

Agriculture, Disaster assistance, Intergovernmental relations.

Part 1945, Subpart A of Chapter XVIII, Title 7, Code of Federal Regulations is amended as follows:

PART 1945—EMERGENCY

Subpart A—Disaster Assistance—General

1. In § 1945.5, paragraph (o) is redesignated as (p) and a new paragraph (o) is added to read as follows:

§ 1945.5 Abbreviations.

* * * * *

(o) SRS—State Statistical Office of the USDA Statistical Reporting Service.

* * * * *

2. In § 1945.6, paragraphs (a) through (g) are redesignated as (b) through (h), a new paragraph (a) is added and (f) and (g) are revised to read as follows:

§ 1945.6 Definitions.

* * * * *

(a) *County.* A local administrative subdivision of a State or a similar political subdivision of the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, and the Commonwealth of the Nothern Mariana Islands.

* * * * *

(f) *Substantially affected.* A county is substantially affected by a disaster when the following kinds of losses occur:

(1) *Production losses.* A reduction of at least 30 percent in the normal year dollar value of all cash crops, including hay and pasture, produced in a county. Normal year value will be determined by establishing a normal year yield and price. Normal year yield will be the average yield of the 5 years immediately preceding the disaster year for each cash crop, including hay and pasture, grown in the county. The price will be the average commodity prices for the 36 months immediately preceding the disaster year for each crop. Yields and prices used to establish the value of normal year production will be obtained from the Statistical Reporting Service (SRS). Yields used to establish the disaster year's production will be obtained from Damage Assessment Reports (DAR) which are prepared by the USDA County and State Emergency Boards. Prices used to establish the value of disaster year production will be the same as used to establish normal year values. In cases where crops produced and/or prices are not available from SRS, the information will be obtained from other reliable sources. Production losses to livestock and poultry enterprises will usually be based on loss of feed crops grown on the farm and pasture to be grazed. In isolated cases, natural disasters can cause reductions in quantity and/or quality of products produced per animal or in weight gain and/or natural increase in numbers of animals. In such cases, production losses will be determined as set forth in this paragraph.

(2) *Physical losses.* Damage to or destruction of physical farm property including farmland (except sheet erosion); structures on the land such as buildings fences, dams, etc.; machinery, equipment, and tools; livestock; livestock products; poultry; poultry products; harvested crops; and supplies, which, if not repaired or replaced, would make it impossible for farmers affected by the disaster to continue operating their farms on a sound basis.

(g) *Termination date.* The date specified in a disaster declaration/designation/authorization which establishes the final date after which EM actual loss loan applications can no longer be accepted. For both physical and production losses, the termination date will be 6 months from the date of the disaster declaration/designation/authorization.

* * * * *

3. In § 1945.18, the introductory paragraph is revised to read as follows:

§ 1945.18 United States Department of Agriculture (USDA) Emergency Boards.

There is a USDA Emergency Board established by the Secretary to serve every State and every county in the United States. The Boards are responsible for reporting the occurrence of and assessing the damage caused by natural disasters as required to ensure that the Department's disaster programs are implemented where needed; to coordinate the Department's emergency disaster programs with those of other Federal Departments and Agencies; and to provide personnel, as needed and requested by FEMA, to help staff disaster assistance centers in major disaster areas.

* * * * *

4. In § 1945.19, paragraph (b) is revised to read as follows:

§ 1945.19 Reporting natural disasters.

* * * * *

(b) *Responsibility for assessing and reporting disasters.* USDA SEBs and CEBs representing their member agencies are best qualified at the State and County levels to accomplish the assessment of rural property and agricultural production losses resulting from a disaster. These Boards are charged with the responsibility of reporting the occurrence of and assessing the damage caused by natural disasters and will perform this responsibility under policies and procedures as set forth in the Emergency Operations Handbook (EOH).

* * * * *

5. In § 1945.20 paragraphs (a)(1)(i)(G), (a)(3)(v), and (b)(1)(iii) are removed and the introductory paragraph to the section, paragraphs (a)(1)(i), (a)(1)(i) (E) and (F), (a)(2)(i), (a)(3) (iii) and (iv), the introductory paragraph to paragraph (b), paragraphs (b)(1) (i) and (ii), the introductory paragraph to paragraph (b)(3), paragraphs (b)(3)(i), (c), and (d), are revised, paragraphs (e), (f), and (g) are redesignated as (f), (g), and (h) respectively and revised, and a new paragraph (e) is added to read as follows:

§ 1945.20 Making EM loans available.

EM loans are made available in counties named by: FEMA as eligible for Federal assistance under a major disaster or emergency declaration by the President; the Secretary of Agriculture in any county where unusual and adverse weather conditions have substantially affected agriculture; and the FmHA Administrator when fewer than 10 percent of the farmers in any given county have suffered qualifying losses.

(a) *Declaration by the President.* * * *

(1) * * *

(i) Notify the State Director and the Director of the Finance Office by telephone and confirm by electronic mail. The notification will contain:

* * * * *

(E) The termination date for accepting applications; and

(F) The disaster declaration number (Examples: Major Disaster, M491; or Presidential Emergency, E061).

* * * * *

(2) * * *

(i) Notify the appropriate County Supervisor (s) to make EM loans available in the declared counties, and confirm this notification by a State Supplement containing information listed in subparagraphs (a)(1)(i) (A) through (F) of this section;

* * * * *

(3) * * *

* * * * *

(iii) Arrange and conduct meetings with local agricultural lenders and agricultural leaders within 10 working days after the disaster declaration/designation/authorization date to explain the purpose of and the assistance available under the EM loan program; and

(iv) Be available to help staff the FEMA disaster assistance centers, when requested to do so.

(b) *Designation by the Secretary of Agriculture.* When a natural disaster has affected farmers and the farmers affected want a County (ies) designated by the Secretary, a written request from the Governor or Indian Tribal Council must be received by the Secretary within 3 months from the last day of the occurrence of the natural disaster. The Governor or Tribal Council should send a copy of the request to the FmHA State Director. When the Secretary finds that unusual and adverse weather conditions have substantially affected agriculture, the Secretary may designate a county (ies) as a disaster area.

(1)* * *

(i) Acknowledge the Governor's request on behalf of the Secretary and if any delay is anticipated in processing the request, state the reasons for such delay and when action will be taken; and

(ii) Notify the State Director by phone of the Governor's request.

* * * * *

(3) The National Office will immediately analyze and verify losses reported on the DAR along with the State Director's recommendations and promptly forward a written report to the Secretary along with supporting information for approving, denying, or delaying making a decision on the requested designation. The Administrator may ask the Secretary to make an exception to the designation criteria in accordance with paragraph (d) of this section.

(i) If the Secretary denies the designation request, the Governor and the Administrator will be notified and the notice will set forth the reason(s) for denial. The National Office will provide the same information to the State Director. If a Governor or Tribal Council wants the Administrator to consider authorizing loans in an area which the Secretary has declined to designate, a separate request must be received by the Administrator, in accordance with paragraph (e) (2) of this section.

* * * * *

(c) *Reconsideration by the Secretary.* When a Governor's or Tribal Council's request for designation has been rejected by the Secretary because the county did not suffer substantial losses, the Governor or Tribal Council may request the Secretary to reconsider the decision. The request for reconsideration must be made within 30 days from the date of rejection of the initial request by the Secretary. Designation after reconsideration will be based on a finding that:

(1) 10 percent or more of the farmers in said county have suffered qualifying losses. (The farmers in a county will be the total number of farm operators indicated in the most recent U.S. Census of Agriculture. Subpart D of this Part explain how to determine if a farmer has suffered a qualifying loss.); and

(2) Adequate credit from other sources is not available. The documentation necessary for reconsideration will be obtained as set forth in § 1945.20 (e) (2) (i) of this Subpart.

(d) *Request for Secretary to make an exception to designation criteria.* When a Governor's request to the Secretary for designation has been reviewed and it has been determined that the county did not suffer substantial losses, the Administrator may request the Secretary to make an exception to the "substantial loss" requirement and the Secretary may do so, if the following conditions exist:

(1) Unusual and extenuating circumstances have been found to exist, i.e., farmers producing only a single crop have suffered disaster-related losses; and

(2) Such farmers are unable to get credit from other sources; and

(3) The number of such farmers must be equal to 10 percent or more of the farmers in the county (ies) and must have suffered qualifying losses. The documentation necessary for an exception request will be obtained as set forth in § 1945.20 (e) (2) (i) of this Subpart.

(e) *Authorization by the Administrator.* (1) The Administrator may authorize the State Director to make EM loans available when it is determined that unusual and adverse weather conditions have resulted in the following:

(i) Less than 10 percent of the farmers (the farmers will be the total number of farm operators in the latest U.S. Census of Agriculture) in the county have sustained qualifying losses as defined in Subpart D of this Part; and

(ii) Adequate credit is not available to farmers in the county.

(2) The authority of the Administrator to authorize EM loans will be exercised only after the Governor, county governing body, or an Indian Tribal Council has requested the Administrator to make EM assistance available. In order for the request to be considered by the Administrator, the request must be received within 3 months from the last day of the occurrence of the natural disaster. A copy of the request should be sent to the FmHA State Director.

(i) The Administrator upon receipt of a request from a Governor, county governing body, or Indian Tribal Council, will request the State Director to survey farmers and lending institutions in the county to determine the following:

(A) The number of farmers who have sustained qualifying losses; and

(B) The number of farmers other lenders in the county cannot continue to finance.

(ii) The State Director upon receipt of the Administrator's request for a survey will expeditiously gather and compile the information requested and submit it to the Administrator along with his/her recommendation. The survey will be conducted in a manner jointly agreed upon by the Administrator and the State Director.

(iii) The National Office will review the results of the survey and notify the State Director by electronic mail of the Administrator's decision as to whether or not EM loans will be made available. The Administrator's authorization will not be given until the Secretary has made a decision if it is anticipated that the Secretary will receive or has received a request from a Governor for designation for the same or similar disasters which occurred at the same time or during the same period of time. State Directors will be authorized in most cases to make EM loans available when localized disasters such as hail, wind, floods, etc., occur in a county(ies) not being considered by the Secretary.

(3) In cases where the Administrator has authorized the State Director to make loans available in a county where it was determined at the outset that less than 10 percent of the farmers suffered qualifying losses, and the State Director later finds after processing of applications begins that 10 percent or more of the farmers are eligible for an EM loan(s), the State Director must send the Administrator a list of additional farmers (10 percent or more) who have sustained qualifying losses and have been determined to be eligible for EM loans. The Administrator without further review of the situation will acknowledge receipt of the list by electronic mail and the State Director may then make EM loans to the listed farmers.

(4) The Administrator, upon authorizing the State Director to make EM loans available, will issue the following:

(i) The State Director authorization number (SDAN) (Example: N181);

(ii) The incidence period for the disaster; and

(iii) The termination date for accepting applications.

(5) The State Director upon receiving written authorization by electronic mail from the Administrator will notify:

(i) Appropriate County Supervisor(s) to commence processing EM loan applications in the authorized county(ies);

(ii) The SEB chairperson; and

(iii) The news media with appropriate announcements.

(6) The National Office will notify the Secretary of Agriculture and the Director of the Finance Office of the action taken by the Administrator.

(7) Upon notification from the State Director that EM loans are authorized in a county, the County Supervisor will pursue the course of action described in paragraph (a)(3) of this section.

(f) *Continuing disaster conditions.* EM actual loss loans will be available when there is a continuation of the disaster conditions beyond the incidence period originally established for the disaster(s), such as, drought, flood, etc., in any area eligible for EM actual loss loans under paragraphs (a), (b) or (c) of this section. When a disaster(s) continues, the actions required by paragraph (g) of this section will be taken.

(g) *Extension of termination dates.* Termination dates originally established at the time EM loans are made available by the Secretary or the Administrator may be extended by the Administrator when justified. When continuing disasters, or losses or damages resulting from the original disaster which were not readily determinable at the time, are confirmed at a later date, the termination date may be extended. Extensions may be authorized for specified periods as determined appropriate by the Administrator based on the State Director's recommendations; and will usually not exceed 60 days. Extensions of termination dates will be processed as follows:

(1) The County Supervisor will notify the State Director of the need for an extension.

(2) The State Director will make his/her recommendation to the Administrator along with a request for an extension of the termination date; and

(3) The Administrator will provide the State Director with a new incidence period and termination date, when justified.

(h) *Limitations.* Actions authorized by paragraphs (b), (c), (d), (e), (f), and (g) of this seciton cannot be taken if more than 6 months have passed since the original natural disaster occurred, except when the actions required by paragraph (b)(2) of this section have been delayed. Then the authorization must be no later than 9 months after the natural disaster. However, if the Administrator finds that there are circumstances which prevented a timely response to a request for a disaster designation/authorization, requests for designation/authorization may be accepted by the Secretary or Administrator up to 12 months after the occurrence of the natural disaster.

6. In § 1945.21 paragraphs (a)(3), (a)(4), and (a)(5) are removed and paragraphs (a) and (b)(3) are revised to read as follows:

§ 1945.21 Notification and coordination requirements.

* * * * *

(a) *By the National Office.* The Administrator or designee will:

(1) Submit weekly reports to the following, informing them of the past week's disaster declaration/designation/authorization actions taken by FmHA. If no actions are taken in any particular week, negative reports will be made:

(i) The Secretary of Agriculture or the Secretary's designee;

(ii) The Director of the FmHA Finance Office;

(iii) The FEMA;

(iv) The SBA Central Office;

(v) The ASCS National Office;

(vi) The FCIC National Office;

(vii) The OMB;

(viii) The National Oceanic and Atmospheric Administration; and

(ix) The Office of Governmental and Public Affairs.

(2) The weekly reports will contain the following information:

(i) The date of the declaration, designation, or authorization;

(ii) The name(s) of the county(ies) determined eligible for the EM loan program;

(iii) The nature of the damages and losses; and

(iv) The termination date for accepting EM loan applications.

(b) *By the State Director.*

* * * * *

(3) Contact the FCIC Field Operations Office Director to review the Memorandum of Understanding between FCIC and FmHA, Exhibit A of Subpart N of Part 2000 of this Chapter (a copy of which is available in any FmHA office), and arrive at a mutual understanding as to how FCIC indemnity payments are to be handled in conjunction with the processing of EM actual loss loans so that duplication of benefits for the same losses are not received by disaster victims;

* * * * *

7. In § 1945.27 paragraphs (b), (c), and (d) are revised to read as follows:

§ 1945.27 Relationship between FCIC and FmHA.

* * * * *

(b) *Annual meeting with FCIC.* FmHA State Directors will meet with FCIC Field Operations Office Directors at least once each year to review the Memorandum of Understanding and rededicate their efforts and those of their respective Agency employees to comply with the agreements contained in the Memorandum of Understanding.

(c) *Contact after EM actual loss loans are made available.* After each disaster when EM Loans are made available, State Directors are required to promptly contact the FCIC Field Operations Office Director to review the Memorandum of Understanding and agree on how each agency will fulfill its responsibilities in dealing with the disaster situation.

(d) *Notification to County Offices.* State Directors will provide instructions for actions to be taken by County Supervisors in maintaining a good working relationship with FCIC Insurance Representatives.

8. Section 1945.31 is revised to read as follows:

§ 1945.31 FmHA Emergency Loan Assessment Teams (ELAT).

The State Director will deploy ELATs on a continuing basis to the designated areas to monitor EM loan processing activities in order to minimize loan errors, especially in loss calculations and eligibility determinations. Such teams will be composed of State Office Farmer Programs staff members, District Directors or Assistant District Directors, Office Management Assistants/Program Review Assistants, and auditors from the Office of Inspector General if they desire to participate. The team leader will keep the State Director informed by telephone and by submission of weekly written reports, setting forth the problems discovered and the corrective actions taken or to be taken. The State Director will keep all County and District offices in the designated area of the State informed of the common problems found by the team and require appropriate corrective action to be taken by the county offices. Such actions will be monitored by the District Director and reported to the State Director when corrective measures have been completed. State Directors will monitor the handling of this quality control measure and will forward a copy of the ELAT team leader's report to the Administrator, attention EM Division.

9. Section 1945.35 is amended by adding paragraph (e) to read as follows:

§ 1945.35 Special EM loan training.

* * * * *

(e) *Funding.* Travel for the two-day session required in paragraph (b) of this section may be funded from a special purpose account with advance approval from the Budget Division. The following information must be provided to the Budget Division when a request is made for these additional travel funds:

(1) Number of sessions.

(2) Categories, by number, of personnel attending each session.

(3) Estimated cost per session.

(7 U.S.C. 1989; 7 CFR 2.23; 7 CFR 2.70)

Dated: December 6, 1982.

Charles W. Shuman,

Administrator, Farmers Home Administration.

[FR Doc. 83-704 Filed 1-10-83; 8:45 am]

BILLING CODE 3410-07-M

DEPARTMENT OF THE INTERIOR

Minerals Management Service

10 CFR Parts 375, 376, 378, 390 and 391

30 CFR Parts 259, 260, 261, 262 and 263

Transfer and Redesignation of Department of Energy Regulations Governing Minerals Leasing

AGENCY: Minerals Management Service, Interior.

ACTION: Final rule; transfer and redesignation of regulations.

SUMMARY: This rule transfers to 30 CFR Chapter II minerals leasing regulations which were promulgated by the Department of Energy (DOE) pursuant to the authority of the DOE Organization Act (DOE Act) but which are not the responsibility of the Department of the Interior (DOI). These changes are made necessary by the repeal of DOE's authority in the area of minerals leasing. Substantive changes to newly redesignated 30 CFR Part 260 are proposed in a separate rulemaking document published elsewhere in this issue of the Federal Register.

EFFECTIVE DATE: January 11, 1983.

FOR FURTHER INFORMATION CONTACT: David A. Schuenke, telephone (703) 860-7916, (FTS) 928-7916.

SUPPLEMENTARY INFORMATION: Section 302(b) of the DOE Act, Pub. L. 95-91, 42 U.S.C. 7152(b), had transferred to the Secretary of Energy certain authority previously held by the Secretary of the Interior under the Outer Continental Shelf Lands Act (OCSLA), 43 U.S.C. 1331 *et seq.*, as amended by Pub. L. 95-372, 92 Stat. 462, and other statutes. As a result, the Secretary of Energy was authorized to promulgate minerals leasing regulations that (1) foster competition, (2) implement alternative bidding systems, (3) establish diligence requirements relating to energy resource development on federal lands, (4) set rates of production, and (5) specify the procedures, terms, and conditions for the acquisition and disposition of Federal royalty interests taken in kind. In exercising its authority under the DOE Act, DOE promulgated regulations codified at Title 10 of the Code of Federal Regulations (CFR). (See 45 FR 9530, 9532, 9539, February 12, 1980; 45 FR 84932, December 23, 1980, and 45 FR 36800, May 30, 1980.)

Congress passed Pub. L. 97-100 on December 23, 1981, which, among other things, repealed section 302(b) of the DOE Act, thus revesting in the Secretary of the Interior all authority to implement and administer the regulations described above. In response to the transfer of statutory authority back to DOI, this rule is being issued to transfer to DOI 10 CFR Parts 375 (Mineral Leasing: General), 376 (Outer Continental Shelf Oil and Gas Leasing), 390 (Accounting Procedures for Determining Net Profit Share Payment for Outer Continental Shelf Oil and Gas Leases), 391 (Acquistion and Disposition of Federal Royalty Interests Taken in Kind), and 378 (Coal Leasing) and redesignate them as 30 CFR Parts 259, 260, 261, 262, and 263, respectively.

Newly redesignated Part 259 (formerly 10 CFR Part 375), which contains a general description of DOE's authority in the minerals leasing area, also is being revised in this rule to remove unnecessary provisions and retain only the definitions which remain applicable. Since Congress repealed DOE's authority, the "Applicability" and "Authority" sections describing DOE's general authority are being removed from this part.

Newly redesignated Part 263 (formerly 10 CFR Part 378) is also removed since corresponding provisions have already been adopted by the Bureau of Land Management, DOI. (See 47 FR 819, January 7, 1982; and 47 FR 33114, July 30, 1982.) All substantive provisions contained in newly redesignated Part 263 already are incorporated in 43 CFR Part 3400 and 30 CFR Part 211, and Part 263 would be duplicative and unnecessary.

Other minor, nonsubstantive changes have been made as necessary to effect the transfer of functions from DOE to DOI. Substantive provisions remain unaffected by this document.

Procedural Matters

Administrative Procedure Act

The DOI for good cause finds that it is unnecessary under the Administrative Procedure Act, 5 U.S.C. 553(b)(B), to propose these changes for public comment. Substantive provisions of the regulations are unaffected by their transfer from Title 10 to Title 30 of the CFR. Accordingly, proposed rulemaking is unnecessary.

Pursuant to 5 U.S.C. 553(d), DOI has determined to make this rule effective immediately upon publication in the Federal Register. No substantive changes are being effected by the transfer of these regulations from Title 10 to Title 30 of the CFR.

Substantive changes to newly redesignated Part 260 (formerly 10 CFR Part 376) are proposed in a separate rulemaking document published elsewhere in this issue of the Federal Register.

Executive Order 12291; Regulatory Flexibility Act of 1969; National Environmental Policy Act (NEPA)

The DOI has determined that because this rule is principally a redesignation of existing regulations and initiates no substantive changes, it is not a major action for purposes of Executive Order 12291. Because no proposed rulemaking was issued with respect to this matter, a regulatory flexibility analysis is not required by the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* The DOI has also determined that pursuant to NEPA 42 U.S.C. 4321 *et seq.*, an environmental impact statement is not required.

Paperwork Reduction Act of 1980

The information collection requirements contained in newly redesignated 30 CFR Parts 259, 260, 261, 262, and 263 will be submitted to the Office of Management and Budget for approval as required by 44 U.S.C. 3502 *et seq.*

Drafting Information

This document was drafted by Neil Stoloff, Offshore Rules and Operations Division, Minerals Management Service.

List of Subjects

30 CFR Part 259

Continental shelf, Mineral royalties, Oil and gas exploration.

30 CFR Part 260

Continental shelf, Mineral royalties, Oil and gas exploration.

30 CFR Part 261

Accounting, Continental shelf, Mineral royalties, Oil and gas exploration.

30 CFR Part 262

Continental shelf, Mineral royalties, Oil and gas exploration, Small businesses.

30 CFR Part 263

Coal, Mineral royalties, Public lands.

Dated: December 3, 1982.

Daniel N. Miller,

Assistant Secretary.

Redesignation of Regulations

10 CFR Parts 375, 376, 390, 391, and 378—[Redesignated as 30 CFR Parts 259, 260, 261, 262, and 263 respectively].

1. Parts 375, 376, 390, 391, and 378 of 10 CFR Chapter II are transferred to 30 CFR Chapter II and redesignated as Parts 259, 260, 261, 262, and 263, respectively.

PART 263 [REMOVED]

2. Newly redesignated Part 263 is removed.

3. Newly redesignated Part 259 is revised to read as follows:

PART 259—MINERAL LEASING: DEFINITIONS

Sec.
259.001 Purpose and scope.
259.002 Definitions.

Authority: Pub. L. 83–212, 67 Stat. 462, 43 U.S.C. 1331 *et seq.*, as amended by Pub. L. 95–372, 92 Stat. 629.

§ 259.001 Purpose and scope.

The purpose of this Part 259 is to define various terms appearing in Parts 260, 261 and 262 of this chapter.

§ 259.002 Definitions.

For purposes of Parts 260, 261, and 262 of this chapter:

"Area" or "region" means the geographic area or region over which the MMS designated official has jurisdiction, unless the context in which those words are used indicates that a different meaning is intended.

"Designated Official" means a representative of DOI subject to the direction and supervisory authority of the Director, MMS, and the appropriate Regional Manager of the MMS authorized and empowered to supervise and direct all oil and gas operations and to perform other duties prescribed in 30 CFR Part 250 (offshore).

"Director" means Director, MMS, DOI.

"DOI" means the Department of the Interior, including the Secretary of the Interior, or his or her delegate.

"Federal lease" means an agreement which, for any consideration, including, but not limited to, bonuses, rents or royalties conferred, and convenants to be observed, authorizes a person to explore for, or develop, or produce (or to do any or all of these) oil and gas, coal, oil shale, tar sands, and goethermal resources on lands or interests in lands under Federal jurisdiction.

"Gas" means natural gas as defined by the Federal Energy Regulatory Commission.

"MMS" means Minerals Management Service.

"OCS" means the Outer Continental Shelf, which includes all submerged lands (1) that lie seaward outside of the area of lands beneath navigable waters as defined in the Submerged Lands Act (Pub. L. 31–35, 67 Stat. 29, (43 U.S.C. 1301)) and (2) of which the subsoil and seabed appertain to the United States are subject to its jurisdiction and control.

"OCSLA" means the Outer Continental Shelf Lands Act, as amended (Act of August 7, 1953, Ch. 345, 67 Stat. 462, 43 U.S.C. 1331 *et seq.*, as amended by Pub. L. 95–372, 92 Stat. 629).

"Oil" means a mixture of hydrocarbons that exists in a liquid or gaseous phase in an underground reservoir and which remains or becomes liquid at atmospheric pressure after passing through surface separating facilities, including condensate recovered by means other than a manufacturing process.

PARTS 260, 261, and 262—[AMENDED]

4. All references to "Executive Order 12009" and "Pub. L. 95–91, 42 U.S.C. 7152 *et seq.*" (the DOE Organization Act) contained in the Authority citations for newly redesignated Parts 260, 261 and 262, are removed.

5. All references to "Pub. L. 95–91, 42 U.S.C. 7152 *et seq.*" and "the DOE Act" in newly redesignated Parts 260, 261 and 262, are replaced by "OCSLA, 43 U.S.C. 1331 *et seq.*, as amended by Pub. L. 95–372, 92 Stat. 629" wherever they appear.

6. All references to "DOE", "USGS" or "Bureau of Land Management" in newly redesignated Parts 260, 261 and 262 (except in newly redesignated §§ 262.002, 262.110(c)(1), 262.140(a)(2) and (b)(2)) are revised to read "MMS" wherever they appear.

§ 260.111 [Amended]

7. Section 260.111 is amended as follows:

a. The first sentence in newly redesignated § 260.111(a) is amended by removing the language:

(a) * * * and making recommendations to DOI regarding" and "and in reviewing lease terms and conditions prior to determining whether to exercise its section 303(c)(1) DOE Act disapproval authority.

* * * * *

b. Newly redesignated §260.111(b) is revised to read as follows:

* * * * *

(b) In performing the analysis referred to in paragraph (a), MMS may, in its discretion, take into account the following in relation to their impact upon the purposes and policies enumerated in paragraph (a) of this section.

* * * * *

c. Newly redesignated paragraph 260.111(c) is amended by removing the language "after consultation with DOE,".

§ 262.110 [Amended]

8. The first sentence in newly redesignated § 262.110(a) is amended by removing the following language:

(a) * * *, after consultation with the Secretary of Energy.

* * * * *

[FR Doc. 83–693 Filed 1–10–83; 8:45 am]

BILLING CODE 4310-MR-M

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 329

Eligibility for NOW Accounts; Amendment

AGENCY: Federal Deposit Insurance Corporation ("FDIC").

ACTION: Final rule.

SUMMARY: Applicable provisions of the Garn-St Germain Depository Institutions Act of 1982 amended existing federal law to allow public units that are not operated primarily for religious, philanthropic, charitable, educational, fraternal, or other similar purposes to hold interest-bearing deposits subject to withdrawal by negotiable or transferable instrument for the purpose of making transfers to third parties ("NOW accounts"). Therefore, the FDIC's regulations are being amended to reflect this statutory change.

EFFECTIVE DATE: January 11, 1983.

FOR FURTHER INFORMATION CONTACT: F. Douglas Birdzell, Counsel or Fredric H. Karr, Attorney, (202) 389–4171, Federal Deposit Insurance Corporation,

550 17th Street, N.W., Washington, D.C. 20429.

SUPPLEMENTARY INFORMATION: Section 706 of the Garn-St Germain Depository Institutions Act of 1982 allows all public units to maintain NOW accounts. Since Part 329 of FDIC's regulations currently prohibits the establishment of NOW Accounts by public units as such, it is necessary to amend the relevant provisions of Part 329 to conform the regulations to the new law. However, the amendments go only to NOW account eligibility for public units. They have no effect on other eligibility restrictions.

The proposed amendment which would permit the maintenance of NOW accounts by public units merely conforms FDIC regulations to the provisions of existing law enacted as section 706 of the Garn-St Germain Depository Institutions Act of 1982. Accordingly, the Board of Directors of the Federal Deposit Insurance Corporation finds that the notice and public procedure provisions of 5 U.S.C. 553(b) are unnecessary and that said amendment may be adopted without general notice of proposed rule making and public participation.

The Board of Directors further finds that the proposed amendments relieve restrictions and that deferral of the effective date pursuant to 5 U.S.C. 553(d) is therefore unnecessary.

List of Subjects in 12 CFR Part 329

Banks, banking.

PART 329—INTEREST ON DEPOSITS

Part 329 of chapter III of title 12 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Part 329 reads as follows:

Authority: Secs. 9 and 18, Pub. L. 797, 64 Stat. 881, 891 (12 U.S.C. 1819 and 1828); sec. 303, Pub. L. 96-221, 94 Stat. 146 (12 U.S.C. 1832).

2. Section 329.1 is amended by revising paragraph (e)(2)(ii) to read as follows:

§ 329.1 Definitions.

* * * * *

(e) * * *

(2) * * *

(ii) No insured nonmember bank or insured nonmember mutual savings bank shall maintain an interest-bearing deposit for a corporation, partnership, association, or other organization under paragraph (e)(1)(ii) of this section if such deposit is subject to withdrawal by negotiable or transferable instrument for the purpose of making transfers to third parties.

* * * * *

§ 329.103 [Amended]

3. In Part 329, § 329.103 is amended by removing paragraph (d) thereof, and redesignating paragraph (e) as paragraph (d).

* * * * *

By Order of the Board of Directors, December 20, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 83-710 Filed 1-10-83; 8:45 am]

BILLING CODE 6714-01-M

DEPARTMENT OF COMMERCE

Office of the Secretary

15 CFR Part 19

Federal Interaction With Voluntary Standards Bodies; Procedures

AGENCY: Office of the Secretary, Commerce.

ACTION: Withdrawal of previously published procedures on federal interaction with voluntary standards bodies.

SUMMARY: The Department of Commerce published in the **Federal Register** on January 6, 1981 (46 FR 1574), "Procedures on Federal Interaction With Voluntary Standards Bodies," to become effective on February 5, 1981. The effective date of these procedures was postponed several times and then in a notice published on June 29, 1981 (46 FR 33238), the effective date was postponed until further notice. The procedures were published in response to paragraph 7a of Office of Management and Budget (OMB) Circular A-119, entitled "Federal Participation in the Development and Use of Voluntary Standards," issued on January 17, 1980.

On August 12, 1981, the President's Task Force on Regulatory Relief identified the Circular as a candidate for review to assure that it imposed no unnecessary burdensome or counterproductive requirements. As a result of the review, a proposed revision of Circular A-119 was published on April 20, 1982, (47 FR 16919) and was issued in final form by OMB on October 26, 1982 (47 FR 49496, dated November 1, 1982). The revised Circular has eliminated the need for the procedures previously published by the Department. Therefore, the Department is withdrawing the procedures published on January 6, 1981 (46 FR 1574), identified as 15 CFR Part 19.

EFFECTIVE DATE: January 11, 1983.

FOR FURTHER INFORMATION CONTACT: Dr. Stanley I. Warshaw, Director, Office of Product Standards Policy, National Bureau of Standards, Washington, D.C. 20234, telephone (301) 921-3751.

SUPPLEMENTARY INFORMATION: The Department of Commerce issued, on December 31, 1980, Part 19 of Title 15 CFR, entitled "Federal Interaction With Voluntary Standards Bodies; Procedures." The procedures set out in Part 19 were published in the **Federal Register** on January 6, 1981 (46 FR 1574). These procedures were issued in response to paragraph 7a of OMB Circular A-119, entitled "Federal Participation in the Development and Use of Voluntary Standards." The procedures covered the listing and delisting of voluntary standards bodies and their standards developing groups as well as a voluntary dispute resolution service for the rapid handling of procedural complaints by interested parties against voluntary standards bodies listed by the Department of Commerce. In response to President Reagan's memorandum of January 29, 1981, entitled "Postponement of Pending Regulations," a notice published in the **Federal Register** on February 10, 1981, announced that the effective date of the procedures was postponed to March 30, 1981 (46 FR 11657).

During the period of postponement ordered in the President's memorandum of January 29, 1981, comments were received questioning the appropriateness of the procedures. A decision was therefore made to reexamine the procedures and the effective date was postponed again until April 29, 1981, in order to consider the comments received. Notice of this decision was published in the **Federal Register** on March 30, 1981 (46 FR 19227). In the same issue of the **Federal Register**, the Department solicited public comment on two alternatives concerning the final effective date of the procedures (46 FR 19266). The first alternative involved the indefinite suspension of the procedures pending completion of the reexamination, while the second alternative involved the implementation of the procedures on an interim basis during the period of reexamination.

The Department received 130 comments in response to the March 30, 1981, notice. In order to allow sufficient time for the analysis of these comments, the Department delayed the effective date of the procedures until June 29, 1981, in a notice published in the Federal Register on April 29, 1981 (46 FR 23922).

The Department, after considering all of the comments filed in response to the March 30 notice, announced, in a notice published in the Federal Register on June 29, 1981 (46 FR 33238), that the procedures were being suspended pending the completion of the reexamination of those procedures.

On August 12, 1981, the President's Task Force on Regulatory Relief identified the Circular as a candidate for review to assure that it imposed no unnecessary burdensome or counterproductive requirements. As a result of the review, a revision of Circular A-119 was proposed on April 20, 1982 (47 FR 16919), and issued in final form on October 26, 1982 (47 FR 49496, dated November 1, 1982).

The revised Circular has deleted the provisions that were in the earlier version of the Circular that called for the establishment of procedures for listing of voluntary standards bodies and their standards-developing groups, and for the establishment of a voluntary dispute resolution service for the handling of procedural complaints by interested parties against voluntary standards bodies listed by the Department. Therefore, there is no longer any justification for these procedures and they are hereby withdrawn.

Dated: January 6, 1983.

D. Bruce Merrifield,

Assistant Secretary for Productivity, Technology and Innovation.

[FR Doc. 83-750 Filed 1-10-83; 8:45 am]

BILLING CODE 3510-18-M

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 1

Monthly and Confirmation Statements

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rule.

SUMMARY: The Commodity Futures Trading Commission ("Commission") has amended § 1.33(a) of its regulations (17 CFR 1.33(a)) to provide that a futures commission merchant ("FCM") no longer is required to furnish monthly statements to a commodity futures or option customer whose account has neither open positions at the end of the statement period nor any credits or debits to its account balance since the prior statement period, provided that such customer still receives, at least once every three months, an account statement containing the information specified in § 1.33(a). The Commission is also making a minor technical revision to § 1.33 to reflect this rule amendment.

EFFECTIVE DATE: February 10, 1983.

FOR FURTHER INFORMATION CONTACT: Bruce A. Beatus, Esq., Legal Section, Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street, N.W., Washington, D.C. 20581. Telephone: (202) 254-8955.

SUPPLEMENTARY INFORMATION: On October 26, 1982, the Commission published a proposal to amend § 1.33(a) of its regulations which requires FCMs to furnish monthly statements containing certain specified information to their customers (47 FR 47418).[1] Specifically, the proposal would amend § 1.33(a) to provide that FCMs no longer be required to furnish monthly statements to a commodity or option customer whose account has neither open positions at the end of the statement period nor any credits or debits to the account balance since the previous statement period, provided that such customer still receives, at least once every three months, an account statement containing the information specified in § 1.33(a).

In response to the proposal, the Commission received four comments: one from a commodity exchange; one from a futures industry trade association; one from a securities industry trade association; and one from an FCM. All four commentators agreed with the Commission's proposal and requested the Commission to adopt the amendment to § 1.33(a) promptly in the form proposed. In this connection, the commentators all stated that the cost of compliance with § 1.33(a) in regard to accounts which have experienced no trading activity nor any credits or debits to the account balance since the previous reporting period is substantial, and that amending the rule as proposed would result in streamlining the reporting requirements for FCMs without diminishing customer protection in any way.

The Commission has carefully considered these comments and as a result has determined to amend § 1.33(a) in the form proposed. The Commission is adopting this amendment because it believes that its recordkeeping requirements for FCMs should be designed to provide meaningful information on a timely basis to the Commission and should not impose unwarranted burdens. The receipt of an account statement as prescribed by §1.33(a) on at least a quarterly basis will enable customers to verify the accuracy of the FCMs accounting and to inform themselves of any balance which the FCM might be carrying in their accounts. In addition, this modification will conform the Commission's monthly statement requirements to those currently existing in the securities industry.[2] Finally, the amendment to § 1.33(a) will not interfere with a customer's ability to detect unauthorized trading in its account because the Commission's proposal does not alter the existing requirement contained in paragraph (b) of § 1.33 that FCMs promptly confirm all commodity futures or option transactions effected for customers. Accordingly, the Commission is hereby adopting the proposed amendment to § 1.33(a), as well as making a minor technical revision to § 1.33(e) to reflect this rule amendment.

I. Regulatory Flexibility Act

In the proposal, the Chairman of the Commission certified that if the proposed amendment to § 1.33(a) where adopted, it would not have a significant economic impact on a substantial number of small entities. Therefore, based upon the reasons previously enumerated in the proposal, pursuant to Section 3(a) of the Regulatory Flexibility Act, Pub. L. No. 96-354, 94 Stat. 1168 (5 U.S.C. 605(b)), the Chairman, on behalf of the Commission, certifies that § 1.33(a), as amended, will not have a

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[1] The Commission notes that it has recently amended § 1.33 in connection with its adoption of final rules to expand the three-year commodity option pilot program to permit and govern the trading of options on physicals on domestic exchanges. While most of these changes are technical in nature, § 1.33(a) has been amended to require FCMs to provide to their futures customers a monthly activity statement which contains, among other items, information relating to financial charges and credits during the preceding month. *See* 47 FR 56996, 57008 (December 22, 1982). The Commission further notes that it has published a notice of proposed rulemaking in the Federal Register requesting public comment as to whether it should further amend § 1.33(a)(1)(iv) to require the inclusion of commissions and fees in the monthly statements provided to futures customers. *See* 47 FR 57055 (December 22, 1982).

[2] *See, e.g.,* Rule 15c3-2 of the Securities and Exchange Commission's regulations which provides that, in connection with customers' free credit balances, statements of account be sent not less frequently than once every three months. 17 CFR 240.15c3-2(1982).

significant economic impact on a substantial number of small entities.

II. Paperwork Reduction Act

As noted in the proposal,[3] Commission regulation 1.33(a) was previously issued a control number, 3038-0024, pursuant to the Paperwork Reduction Act of 1980 Pub. L. 96-511, 94 Stat. 2812 (44 U.S.C. 3501 *et seq.*). As stated then, rather than increasing a paperwork burden, this amendment reduces an existing recordkeeping obligation. A discussion of this fact and a copy of the proposal was provided to the Office of Management and Budget.

List of Subjects in 17 CFR Part 1

Records, Futures commission merchants.

PART 1—[AMENDED]

In consideration of the foregoing and pursuant to the authority contained in the Commodity Exchange Act and, in particular, Sections 2(a)(1), 4b, 4c, 4g and 8a, thereof, 7 U.S.C. 2, 6b, 6c, 6g and 12a, the Commission hereby amends Chapter I, Part 1 of Title 17 of the Code of Federal Regulations by amending § 1.33 by revising paragraph (a) introductory text and paragraph (e) as follows:

§ 1.33 Monthly and confirmation statements.

(a) Monthly Statements. Each futures commission merchant must promptly furnish in writing to each commodity customer and to each option customer, as of the close of the last business day of each month or as of any regular monthly date selected, except for accounts in which there are neither open positions at the end of the statement period nor any changes to the account balance since the prior statement period, but in any event not less frequently than once every three months, a statement which clearly shows:

* * * * *

(e) *Recordkeeping.* Each futures commission merchant shall retain, in accordance with § 1.31, a copy of each statement and confirmation required by this § 1.33.

* * * * *

Issued in Washington, D.C., on January 6, 1983 by the Commission.

Jane K. Stuckey,

Secretary of the Commission.

[FR Doc. 83-719 Filed 1-10-83; 8:45 am]

BILLING CODE 6351-01-M

[3] 47 FR at 47419.

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 4

[T. D. 83-11]

Special Tonnage Tax and Light Money; Payment Exemption; Republic of Vanuatu

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: This rule amends the Customs Regulations by adding the Republic of Vanuatu to the list of nations whose vessels are exempted from the payment of any higher tonnage duties than are applicable to vessels of the United States and from the payment of light money. Satisfactory evidence has been furnished by the Department of State that no discriminating duties of tonnage or imposts are imposed in ports of the Republic of Vanuatu upon vessels belonging to citizens of the United States or on their cargoes. This document provides reciprocal privileges to vessels registered in the Republic of Vanuatu.

EFFECTIVE DATE: July 30, 1980.

FOR FURTHER INFORMATION CONTACT: John A. Mathis, Carriers, Drawback and Bonds Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229 (202-566-5706).

SUPPLEMENTARY INFORMATION:

Background

Generally, the United States imposes regular and special tonnage taxes, and a duty of a specified amount per ton, known as "light money," on all foreign vessels which enter United States ports (46 U.S.C. 121, 128). However, vessels of a foreign nation may be exempted from the payment of special tonnage taxes and light money upon presentation of proof satisfactory to the President that no discriminatory duties of tonnage or imposts are imposed by that foreign nation on United States vessels or their cargoes (46 U.S.C. 141). The President has delegated the authority to grant this exemption to the Secretary of the Treasury. Further, under Treasury Department Order No. 165-25, dated August 5, 1982, the Secretary of the Treasury has delegated to the Commissioner of Customs the authority to grant this exemption and prescribe regulations relating to § 4.22, Customs Regulations (19 CFR 4.22), which lists those nations whose vessels have been exempted from the payment of any higher tonnage duties than are applicable to vessels of the United States and from the payment of light money. Subsequently, by Customs Delegation Order No. 66 (T.D. 82-201), dated October 13, 1982, the Commissioner delegated this authority to the Assistant Commissioner (Commercial Operations). Authority to grant this exemption and to amend § 4.22 was delegated from the Assistant Commissioner (Commercial Operations), to the Director, Office of Regulations and Rulings who then redelegated this authority to the Director, Regulations Control and Disclosure Law Division.

By letter dated July 28, 1982, the Department of State advised Customs that satisfactory evidence exists that no discriminating duties of tonnage or imposts are imposed or levied in ports of the Republic of Vanuatu upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported into the Republic of Vanuatu on vessels from the United States. Consequently, the Department of State recommended that the Republic of Vanuatu be added, effective July 30, 1980, the date it came into existence, to the list of nations whose vessels are exempted from the payment of the U.S. special tonnage tax and light money.

Declaration

Therefore, by virtue of the authority vested in the President by section 4228 of the Revised Statutes, as amended (46 U.S.C. 141), and delegated to the Secretary of the Treasury By Executive Order No. 10289, September 17, 1951, as amended by Executive Order No. 10882, July 18, 1960 (3 CFR, Parts 1959-1963 Comp., Ch. II), and pursuant to the authorization provided by Treasury Department Order No. 101-5 (47 FR 2449), Treasury Department Order No. 165-25, (47 FR 37993), Customs Delegation Order No. 66 (T.D. 82-201), and further delegated to the Director, Regulations Control and Disclosure Law Division, I declare that the foreign discriminating duties of tonnage and imposts within the United States are suspended and discontinued, in respect to vessels of the Republic of Vanuatu and the produce, manufactures, or merchandise imported into the United States in such vessels from the Republic of Vanuatu or from any other foreign country.

This suspension and discontinuance shall take effect from July 30, 1980, in respect to vessels of the Republic of Vanuatu, and shall continue only for so long as the reciprocal exemptions of vessels wholly belonging to citizens of the United States and their cargoes shall be continued.

List of Subjects in 19 CFR Part 4

Customs duties and inspection, Cargo vessels, Maritime carriers, Vessels.

Amendment to the Regulations

To reflect the reciprocal privileges granted to vessels registered in the Republic of Vanuatu, the list in § 4.22, Customs Regulations (19 CFR 4.22), of nations whose vessels are exempted from the payment of any higher tonnage duties than are applicable to vessels of the United States and from the payment of light money, is amended by adding the Republic of Vanuatu in appropriate alphabetical order.

(R.S. 251, as amended, 4219, as amended, 4255, as amended, 4228, as amended, section 3, 23 Stat. 119, as amended, section 624, 46 Stat. 759 (19 U.S.C. 66, 1624, 46 U.S.C. 5, 121, 128, 141))

Inapplicability of Public Notice and Delayed Effective Date Requirements

Because this amendment merely implements a statutory requirement and involves a matter in which the public is not particularly interested, pursuant to 5 U.S.C. 553(b)(B), notice and public procedure thereon are unecessary. Further, for the same reasons, good cause exists for dispensing with a delayed effective date under 5 U.S.C. 553(d)(1).

Inapplicability of The Regulatory Flexibility Act

This document is not subject to the provisions of sections 603 and 604 of title 5, United States Code, as added by section 3 of Pub. L. 96–354, the "Regulatory Flexibility Act." That Act does not apply to any regulation such as this for which a notice of proposed rulemaking is not required by the Administrative Procedure Act (5 U.S.C. 551 *et seq.*) or any other statute.

Executive Order 12291

This amendment does not meet the criteria for a major regulation as defined in section 1(b) of E.O. 12291. Accordingly, a regulatory impact analysis is not required.

Drafting Information

The principal author of this document was James S. Demb, Regulations Control Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices of the Customs Service and the Departments of State and Treasury participated in its development.

Dated: January 4, 1983.

B. James Fritz,

Director, Regulations Control and Disclosure Law Division.

[FR Doc. 83–727 Filed 1–10–83; 8:45 am]

BILLING CODE 4820-02-M

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19 CFR Part 24

[T.D. 83–14]

Customs Regulations Amendments Relating to Due Date of Customs Bills

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: The Customs Regulations presently provide that a bill for duties, taxes, or other charges owed to the Customs Service is payable upon receipt by the debtor. However, the United States Court of Customs and Patent Appeals recently affirmed a lower court decision holding, in effect, that payment of additional Customs duties are no longer due upon receipt of the bill, but can be delayed until certain administrative remedies have expired. Accordingly, it is necessary to amend the Customs Regulations in light of this holding.

EFFECTIVE DATE: January 11, 1983.

FOR FURTHER INFORMATION CONTACT: Robert B. Hamilton, Accounting Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229 (202–566–2596).

SUPPLEMENTARY INFORMATION:

Background

Part 24, Customs Regulations (19 CFR Part 24), contains the Customs financial and accounting procedures. Specifically, § 24.3(e), Customs Regulations, (19 CFR 24.3(e)), states that a bill for duties, taxes, or other charges is due and payable upon receipt thereof by the debtor.

However, the United States Court of International Trade in *Heraeus-Amersil, Inc.*, v. *United States*, 2 CIT ——, 515 F. Supp. 770 (1981), held that any liquidated duties, charges, or exactions are not due and payable at liquidation, but rather at the time of the filing of the action or at the expiration of the statute of limitations if no action is filed. The United States Court of Customs and Patent Appeals affirmed this decision in *United States* v. *Heraeus-Amersil, Inc.*, Appeal No. 81–19 (February 18, 1982). Therefore, it is necessary to amend § 24.3(e) in light of this holding to provide that bills for supplemental duty shall be due upon the expiration of the protest period when no protest is filed, or 180 days after the denial of a protest.

Inapplicability of Public Notice and Delayed Effective Date Requirements

Because this is a technical amendment required to be made in light of the holding of a court, pursuant to 5 U.S.C. 553(b)(B), notice and public procedure thereon are impracticable, unnecessary, and contrary to public interest. Further, for the same reasons, good cause exists for dispensing with a delayed effective date under 5 U.S.C. 553(d)(3).

Regulatory Flexibility Act

This document is not subject to the provisions of sections 603 and 604 of Title 5, United States Code, as added by section 3 of Pub. L. 96–354, the "Regulatory Flexibility Act." That Act does not apply to any regulation such as this for which a notice of proposed rulemaking is not required by the Administrative Procedure Act (5 U.S.C. 551 *et seq.*), or any other statute.

Executive Order 12291

This document does not meet the criteria for a "major rule" as specified in section 1(b) of E.O. 12291. Accordingly, no regulatory impact analysis has been prepared.

Drafting Information

The principal author of this document was Charles D. Ressin, Regulations Control Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

Federal Register Thesaurus

On January 22, 1981, the Office of the Federal Register published a final rule (47 FR 7162) which requires agencies to identify major topics and categories of persons affected in their regulations by using standard terms established in the Federal Register Thesaurus of Indexing Terms.

Accordingly, the index term listed below is applicable to this regulatory project:

List of Subjects in 19 CFR Part 24

Accounting.

Amendments to the Regulations

Parts 24, Customs Regulations (19 CFR

Part 24), is amended as set forth below:

William von Raab,
Commissioner of Customs.

Approved December 20, 1982.

John M. Walker, Jr.,
Assistant Secretary of the Treasury.

PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURES

Section 24.3(e) Customs Regulations (19 CFR 24.3(e), is revised to read as follows:

§ 24.3 Bills and accounts; receipts.

* * * * *

(e) A bill for duties, taxes, or other charges is due and payable upon receipt thereof by the debtor, except for a bill for supplemental duties which shall be due upon the expiration of the protest period when no protest is filed, or 180 days after the denial of the protest.

(R.S. 251 as amended, R.S. 3009, 3473, section 1, 36 Stat. 965, as amended, section 648, 48 Stat. 762, as amended (19 U.S.C. 66, 197, 198, 1648))

[FR Doc. 83-723 Filed 1-10-83; 8:45 am]

BILLING CODE 4820-02-M

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19 CFR Part 177

[T.D. 83-13]

Customs Regulations Amendments Relating to Country-of-Origin Determinations

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations to reflect the Government procurement provisions of the "Trade Agreements Act of 1979." The amendments establish a procedure whereby any party-at-interest to a Government procurement may request the issuance of country-of-origin advisory rulings and final determinations relating to Government procurement for the purpose of granting waivers of certain "Buy American" restrictions for products of eligible countries.

EFFECTIVE DATE: This rule is effective on February 10, 1983.

FOR FURTHER INFORMATION CONTACT: Benjamin Mahoney, Entry Procedures and Penalties Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229 (202-566-5778).

SUPPLEMENTARY INFORMATION:

Background

The "Trade Agreements Act of 1979," Pub. L. 96-39, 93 Stat. 144 (the "Act"), approves and implements the trade agreements negotiated by the United States in the Tokyo Round of Multilateral Trade Negotiations. The Act consists of 11 separate titles. This document relates only to those aspects of Title III of the Act, "Government Procurement," which affect Customs activities (section 301 *et seq.*, 93 Stat. 236 *et seq.*, 19 U.S.C. 2511 *et seq.*)

Title III of the Act, which implements the Agreement on Government Procurement, permits the President to waive those portions of U.S. law or practice, most notably the Buy American Act (41 U.S.C. 10a *et seq.*) which discriminate against the procurement of products of designated countries. Designated countries are those which are parties to the Agreement on Government Procurement, which provide reciprocal procurement benefits to the United States, or which are least developed countries. The Act permits the President to prohibit Federal Government procurement of products from non-designated countries. Furthermore, the Act authorizes the President to withdraw or to limit waivers or designations previously granted.

A waiver can only apply to goods which are the products of a country designated by the President under section 301(b) of the Act. In order to implement this provision, section 305(b) of the Act provides that the Secretary of the Treasury shall provide country-of-origin advisory rulings and final determinations on whether a product is or would be a product of a designated country. The rule of origin to be applied is specified in section 308(4)(B) of the Act. Judicial review of these final determinations is provided for in section 1001 of the Act (28 U.S.C. 1581(e)).

On April 9, 1981, Customs published a notice in the **Federal Register** (46 FR 21194), proposing to amend Part 177, Customs Regulations (19 CFR Part 177), to implement Title III of the Act. The only comment received in response to the notice was from the embassy of a foreign government. During the course of the interagency evaluation of this comment, the United States Trade Representative (USTR) raised questions which necessitated significant changes to the proposed rule. Because of the substantial modifications, Customs determined that the proposed rule should be republished thereby providing another opportunity for public comment. Accordingly, on June 16, 1982, a second notice of proposed rulemaking was published in the **Federal Register** (47 FR 25975). The comments received and the changes made as a result are discussed below.

Discussion of Public Comments and Changes

Who May Request Rulings and Determinations

The commenter on the first proposed rule objected to proposed section 177.24 which would have limited the parties who could file a ruling request to "a foreign manufacturer, producer, or exporter, or a United States importer of merchandise, or by a duly authorized attorney or agent on their behalf." The commenter believed that the proposed rule should be broadened to include interested parties so that a foreign embassy could intervene on behalf of one of its nationals.

The USTR was of the opinion that proposed §§ 177.23 and 177.24 were too narrow in their coverage and should be amended to include all "parties-at-interest" as defined in section 1001(b)(4)(B) of the Act. Section 1001(b)(4)(B) (codified at 28 U.S.C. 1581(e), 2631(e), and 2631(k)(2)) relates to the jurisdiction of the Court of International Trade to review final determinations made under the provisions of section 305(b)(1) of the Act. Section 1001(b)(4)(B) in pertinent part states that:

* * * The Customs Court (the Court of International Trade was substituted by the "Customs Courts Act of 1980," Pub. L. 96-417) shall have exclusive jurisdiction of any civil action brought by a party-at-interest to review a final determination made under section 305(b)(1) of the Trade Agreements Act of 1979. For purposes of this subsection, the term "party-at-interest" means—

(1) A foreign manufacturer, producer, or exporter, or a United States importer of merchandise which is the subject of a final determination under section 305(b) of the Trade Agreements Act of 1979,

(2) A manufacturer, producer, or wholesaler in the United States of a like product,

(3) United States members of a labor organization or other association of workers whose members are employed in the manufacture, production, or wholesale in the United States of a like product, and

(4) A trade or business association a majority of whose members manufacture, produce, or wholesale a like product in the United States.

After publication of the first proposed rule, the USTR advised Customs that section 1001 was intended to cover any party-at-interest. The second proposed rule modified the definition to conform to USTR's position. None of the commenters objected to the interpretation of the term "party-at-interest" set forth in the second notice. Accordingly, the definition is adopted in the final rule as it was set forth in § 177.22(d) of the second notice.

Fraudulent Claims

Traditionally, Customs has not gone beyond the facts presented in a ruling request to verify the truth of the claims presented therein. In the second notice it was stated that Customs does not intend to alter this procedure for country-of-origin final determinations. Although Customs recognizes that disputes may arise as a result of allegations or complaints that certain processing or manufacturing claimed to have been performed in a designated country is not, in fact, being done there, it was stated that Customs position would be that a party raising such a claim was not requesting a final determination within the meaning of the Act but alleging a fraudulent practice. Customs authority under the Act relates only to issuing rulings and not to investigating complaints of a factual nature such as verifying that processing or manufacturing is or is not being done in a designated foreign country. Accordingly, it was Customs position in the second notice that alleged claims of fraudulent practices will be referred to the procuring agency involved for appropriate processing.

All of the commenters addressing the problem of fraudulent claims stated that Customs should help ascertain facts as to whether a party-at-interest's claim of origin is, in fact, true. In fact, one commenter asserted that Customs is required to undertake a factual investigation of whether processing or manufacturing is or is not being done in a designated foreign country. Customs does not agree with this commenter. The relevant provision of the Act provides that:

> * * * the Secretary of the Treasury shall provide for the prompt issuance of advisory rulings and final determinations on whether * * * an article is or would be a product of a foreign country or instrumentality * * * (19 U.S.C. 2515 (b)(1)).

The Act does not specify the manner in which Customs must make these determinations. Under the proposed regulations the requester would verify that his claims are truthful and the procuring agency would be responsible for investigating allegations of fraud. Nowhere does the Act tie the imposition of civil or criminal penalties with Customs responsibility for investigating such violations. Customs does not believe the procuring agencies assumption of the responsibility for investigating allegations of fraudulent practice contravenes the Act. Therefore, Customs does not believe any change to the proposed regulation is required. The fact that under the proposed regulations the procuring agency would have the primary responsibility for investigating allegations that the facts presented to Customs relating to the country of origin are false (*i.e.* fraudulent claims) does not prevent Customs from cooperating with procuring agencies in uncovering fraudulent claims. As a matter of policy Customs will cooperate with the procuring agencies in every way possible to uncover fraudulent claims and assist in the investigation of fraudulent claims that are uncovered.

Issuance of Rulings—Time Period—Insufficient Information

The commenter on the first notice stated that proposed section 177.28, relating to advisory rulings, and proposed section 177.29, relating to appeals, provided that the failure of the Director, Entry Procedures and Penalties Division, Headquarters, U.S. Customs Service, to issue an advisory ruling within 25 days or to render a final determination on an appeal within 30 days, would automatically result in a decision that the article is not or would not be considered to be a product of the claimed country. The commenter concluded that such a procedure would leave the party requesting a ruling or appeal with no knowledge of why the request or appeal had been denied. The commenter believed that in some cases the requester could be subject to an adverse ruling as a result of delay or oversight on the part of Customs. The commenter felt that a written response outlining the specific reasons why Customs does not consider the merchandise to be a product of the foreign country would provide the requester with an opportunity to make adjustments in its process of manufacture so that a favorable ruling could be obtained. The USTR echoed the commenters views and suggested that the time frames set forth in the proposed rule be deleted.

Since international obligations of the U.S. do not require the time constraints Customs originally proposed, and budgetary limitations would render them unrealistic in any event, Customs deleted the time constraints in the second notice.

Several commenters on the second notice recommended that the final rule include a 25 day time period in which Customs must issue an advisory ruling or final determination. The Act (19 U.S.C. 2515) requires that Customs promptly issue advisory rulings and final determinations but does not impose a specific time limit. Since the time required to promptly issue an advisory ruling or a final determination will depend on the circumstances and issues raised by the requester, Customs still does not believe a specific time limit would be appropriate. However, section 177.28 of the final rule has been revised to indicate that Customs will "promptly" issue advisory rulings and final determinations.

The same commenters stated that an exemption to the "Buy America" provisions should not be granted if there is insufficient information to issue an advisory ruling or a final determination. Under the proposed regulations Customs would not issue a final determination if the request does not include the information required. Since neither an advisory ruling nor a refusal on Customs part to issue a final determination would bind the United States on a determination of products eligible for a Presidential waiver under 19 U.S.C. 2511(a), Customs refusal to issue final determinations would not constitute waivers of the Buy American Act. Therefore, the concerns of the commenters do not appear to be relevant to the regulations as currently drafted.

After consideration of the comments received and further review of the matter, it has been determined to adopt the proposal, with a single modification noted above.

Executive Order 12291

These amendments do not meet the criteria for a major rule as defined in section 1(b) of E.O. 12291. Accordingly, a regulatory impact analysis is not required.

Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to an initial and final regulatory flexibility analysis (5 U.S.C. 603, 604) are not applicable to this proposal because the rule will not have a significant economic impact on a substantial number of small entities. Any economic impact flows directly from the Trade Agreement Act of 1979 and not the proposed implementation regulations. The implementing regulations are not expected to have significant secondary or incidental effects on a substantial number of small entities or impose, or otherwise cause a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities.

Accordingly, it is certified under the provisions of section 3 of the Regulatory Flexibility Act (5 U.S.C. 605(b)) that the rule will not have a significant economic impact on a substantial number of small entities.

Drafting Information

The principal author of this document was John E. Elkins, Regulations Control Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices, the Treasury Department, and the USTR participated in its development.

List of Subjects in 19 CFR Part 177

Administrative practices and procedures, Country-of-origin rulings, Government procurement.

Amendments to the Regulations

Part 177, Customs Regulations (19 CFR Part 177), is amended as set forth below.

George C. Corcoran, Jr.,
Acting Commissioner of Customs.

Approved December 23, 1982.

John M. Walker, Jr.,
Assistant Secretary of the Treasury.

PART 177—ADMINSTRATIVE RULINGS

1. Part 177 is amended by adding a subpart designation before § 177.1 to read as follows:

Subpart A—General Ruling Procedure

2. A new Subpart B is added to Part 177 to read as follows:

Subpart B—Government Procurement; Country-of-Origin Determinations

Authority: R.S. 251, as amended (19 U.S.C. 66), Sec. 624, 46 Stat. 759 (19 U.S.C. 1624); Pub. L. 96-39, 93 Stat. 144.

§ 177.21 Applicability

This subpart applies to the issuance of country-of-origin advisory rulings and final determinations relating to Government procurement under Title III, "Trade Agreements Act of 1979," Pub. L. 96-39, 93 Stat. 144, for the purpose of granting waivers of certain "Buy American" restrictions in U.S. law or practice for products for eligible countries. This subpart is intended to be applied consistent with the Federal Procurement Regulations (41 CFR Part 1-6) and the Defense Acquisition Regulation (32 CFR Section VI).

§ 177.22 Definitions.

(a) *Country of origin.* For the purpose of this subpart, an article is a product of a country or instrumentality only if (1) it is wholly the growth, product, or manufacture of that country or instrumentality, or (2) in the case of an article which consists in whole or in part of materials from another country or instrumentality, it has been substantially transformed into a new and different article of commerce with a name, character, or use distinct from that of the article or articles from which it was so transformed. The term "instrumentality" shall not be construed to include any agency or division of the government of a country, but may be construed to include such arrangements as the European Economic Community.

(b) *Advisory ruling.* An advisory ruling is a non-binding, non-reviewable written statement issued by the Director, Entry Procedures and Penalties Division, Headquarters, U.S. Customs Service, which does no more than call attention to a well established interpretation or principal of law relating to the country of origin, without applying it to a particular set of facts. Customs will issue an advisory ruling in response to a request for a final determination if:

(1) The request suggests that general information, rather than a final determination, is actually being sought,

(2) The request is incomplete or otherwise fails to meet the requirements set forth in § 177.25(a), or

(3) The ruling requested cannot be issued for any other reason, and Customs believes that the general information supplied by an advisory ruling may be of some benefit to the party making the request. An advisory ruling is not a ruling issued prior to importation under 28 U.S.C. 1581(h).

(c) *Final determination.* A final determination is a binding judicially reviewable statement issued by the Director, Office of Regulations and Rulings, Headquarters, U.S. Customs Service, in response to a written request submitted under the provisions of this subpart that interprets and applies the provisions of law and regulation relating to the country of origin to a specific set of facts. A final determination may be issued to a party-at-interest prior to actual entry of the merchandise.

(d) *Party-at-interest.* For purposes of this subpart the term party-at-interest means—

(1) A foreign manufacturer, producer, or exporter, or a United States importer of merchandise which is the subject of a final determination under this subpart,

(2) A manufacturer, producer, or wholesaler in the United States of a like product,

(3) United States members of a labor organization or other association of workers whose members are employed in the manufacture, production, or wholesale in the United States of a like product, and

(4) A trade or business association a majority of whose members manufacture, produce, or wholesale a like product in the United States.

§ 177.23 Who may request a country-of-origin advisory ruling or final determination.

A country-of-origin advisory ruling or final determination may be requested by:

(a) A foreign manufacturer, producer, or exporter, or a United States importer of merchandise,

(b) A manufacturer, producer, or wholesaler in the United States of a like product,

(c) United States members of a labor organization or other association of workers whose members are employed in the manufacture, production, or wholesale in the United States of a like product, or

(d) A trade or business association a majority of whose members manufacture, produce, or wholesale a like product in the United States.

§ 177.24 By whom request is filed.

A request may be filed by an individual or organization listed in § 177.23 or by a duly authorized attorney or agent on behalf of the individual or organization. A request filed by a corporation shall be signed by a corporate officer, and a request filed by a partnership shall be signed by a partner.

§ 177.25 Form and content of request.

(a) A request for an advisory ruling shall be in writing and shall contain such information as will enable Customs to provide the requester with the applicable principle of law or well established interpretation relating to the particular country of origin.

(b) A request for a final determination shall be in writing and shall contain the following information:

(1) The name of the requester, the requester's principal place of business, and a statement that the requester is authorized to file the request under the provisions of § 177.24;

(2) a description of the existing article for which a country-of-origin determination is requested;

(3) The country or instrumentality an article is claimed to be the product of;

(4) Such further information as will enable Customs to determine if an article is a product of a specific country or instrumentality, and;

(5) If applicable, the specific procurement for which the final determination is requested.

§ 177.26 Where request filed.

The request shall be filed with the Director, Office of Regulations and Rulings, Headquarters, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229.

§ 177.27 Oral discussion of issues.

Any party authorized to request a ruling under the provisions of § 177.23 may request an opportunity for oral discussion of the issues presented in the request. The oral discussion of issues will be governed by the provisions of § 177.4

§ 177.28 Issuance of advisory rulings and final determinations.

(a) Pursuant to a request for an advisory ruling which meets the requirements of this subpart, Customs will promptly issue an advisory ruling.

(b) Pursuant to a request for a final determination which meets the requirements of this subpart, Customs will promptly issue a final determination. If the request does not meet the requirements of this subpart Customs may decline to issue a final determination or may issue instead an advisory ruling.

(c) Requests for final determinations which include the information set forth in § 177.25(b)(5) (relating to a specific procurement) will be considered by Customs before all other requests (advisory rulings and final determinations).

§ 177.29 Publication of notice of final determinations.

Notice of all final determinations shall be published in the **Federal Register** within 60 days of the date the final determination is issued.

§ 177.30 Review of final determinations.

Any party-at-interest listed in § 177.22(d) may seek judicial review of a final determination within 30 days after publication of such determination in the **Federal Register**, and may seek judicial review of a refusal to issue a final determination within 30 days after such refusal. The Court of International Trade shall have exclusive jurisdiction to review a final determination or a refusal to issue a final determination made under this subpart.

§ 177.31 Reexamination of final determinations.

A party-at-interest, other than the party-at-interest which requested and received the initial final determination, may ask Customs to consider the matter anew and issue, on an expedited basis, a new final determination. Such a request shall specifically identify the previous final determination. Upon receipt of such a request, Customs will issue a new final determination within five working days of receipt of the request unless (a) the previous final determination was the subject of a contested lawsuit timely filed in the Court of International Trade under 28 U.S.C. 1581(e) or, (b) the merchandise at issue in the initial final determination was tendered and deemed responsive to the request for proposals or an invitation for bids in a competitive procurement subject to the Buy American Act (41 U.S.C. 10a *et seq.*) and a contract under such procurement was let. Any new final determination issued under this section shall be published in accordance with § 177.29 and is reviewable under § 177.30.

[FR Doc. 83-722 Filed 1-10-83; 8:45 am]

BILLING CODE 4820-02-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 135

[Docket No. 79P-0441]

Frozen Desserts; Standards of Identity for Goat's Milk Ice Cream, Goat's Milk Frozen Custard, and Goat's Milk Ice Milk; Confirmation of Effective Date

AGENCY: Food and Drug Administration.

ACTION: Final rule; confirmation of effective date.

SUMMARY: The Food and Drug Administration (FDA) is confirming the effective date for compliance with the standards of identity for goat's milk ice cream, goat's milk frozen custard, and goat's milk ice milk.

DATES: Effective July 1, 1985, for all affected products initially introduced or initially delivered for introduction into interstate commerce on or after this date. Voluntary compliance may have begun November 22, 1982.

FOR FURTHER INFORMATION CONTACT: Eugene T. McGarrahan, Bureau of Foods (HFF-215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-245-1155.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of September 21, 1982 (47 FR 41525), FDA issued a final rule establishing standards of identity for goat's milk ice cream and goat's milk frozen custard (21 CFR 135.115), and for goat's milk ice milk (21 CFR 135.125) cross-referenced to the standards of identity for ice cream and frozen custard (21 CFR 135.110), and for ice milk (21 CFR 135.120), respectively. Any person who would be adversely affected by the regulation could have, at any time on or before October 21, 1982, filed written objections to the final regulation and requested a hearing on the specific provisions to which there were objections. No objections or requests for a hearing were received.

List of Subjects in 21 CFR Part 135

Food standards, Frozen desserts, Ice cream.

Therefore, under the Federal Food, Drug, amd Cosmetic Act (secs. 401, 701(e), 52 Stat. 1046, 70 Stat. 919 as amended (21 U.S.C. 341, 371(e))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), notice is given that the effective date for compliance with the standards of identity for goat's milk ice cream and goat's milk frozen custard (21 CFR 135.115), and for goat's milk ice milk (21 CFR 135.125) as established in the **Federal Register** of September 21, 1982 (47 FR 41525) is July 1, 1985. Voluntary compliance may have begun November 22, 1982.

Dated: December 30, 1982.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 83-620 Filed 1-10-83; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Fair Housing and Equal Opportunity

24 CFR Part 115

[Docket No. R-83-984]

Recognition of Substantially Equivalent Laws

AGENCY: Office of the Assistant Secretary for Fair Housing and Equal Opportunity, HUD.

ACTION: Final rule.

SUMMARY: This rule amends 24 CFR Part 115 which provides for recognition by the Department of those State and local fair housing laws which provide rights and remedies substantially equivalent to those provided by Title VIII of the Civil Rights Act of 1968. The amendment

grants recognition to one additional jurisdiction that meets the legal and performance standards for recognition.

EFFECTIVE DATE: Upon expiration of the first period of 30 calendar days of continuous session of Congress after publication, but not before further notice of the effective date is published in the Federal Register.

FOR FURTHER INFORMATION CONTACT: Steven J. Sacks, Director, Federal, State and Local Programs Division, Room 5214, Department of Housing and Urban Development, 451 7th Street, S.W., Washington, D.C. 20410 (202) 426-3500. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: On May 12, 1982, the Department of Housing and Urban Development published in the Federal Register (47 FR 20317) a notice of proposed rulemaking that pursuant to Section 810(c) of Title VIII of the Civil Rights Act of 1968, as amended, it was proposing to grant recognition to the fair housing laws of one State and twenty-one localities as being substantially equivalent to Title VIII. The evaluation of the fair housing laws of these jurisdictions was conducted in accordance with the provisions of 24 CFR Part 115, with particular reference to §§ 115.2(a), 115.3 and 115.8. In the notice of proposed rulemaking on May 12, 1982, those sections were set forth to give appropriate information to all parties with an interest in HUD's proposed action.

All interested persons and oprganizations were invited to submit written comments on or before June 11, 1982. Only one comment was received within the comment period, with respect to the City of New Haven, Connecticut, which raised two primary concerns: the limits on jurisdiction of the City of New Haven under State law when the Connecticut Commission on Human Rights and Opportunities is involved, and the performance capability of the City of New Haven to effectively administer its law in accordance with HUD standards. Inasmuch as this comment raised unresolved issues, the City of New Haven, Connecticut was not included for recognition in the final rule published August 4, 1982. On June 18, 1982, the Office of General Counsel reaffirmed its concurrence in the Regional Counsel's conclusion that the Ordinance of New Haven was legally sufficient and the issues raised did not affect their initial determination of legal sufficiency.

On August 9, 1982, the HUD Office of Regional Fair Housing and Equal Opportunity conducted an on-site performance reassessment and determined that the New Haven, Connecticut Commission on Equal Opportunities had taken actions necessary to correct deficiencies cited in HUD's original performance assessment and in the respondent's comments. On the basis of the above, it has been determined that the issues have been resolved in favor of New Haven, Connecticut as a substantially equivalent jurisdiction. Therefore, this amendment grants recognition to the City of New Haven, Connecticut.

This rule does not constitute a "major rule" as that term is defined in section 1 (b) of the Executive Order on Federal Regulation issued by the President on February 17, 1981. Analysis of the rule indicates that it does not (1) have an annual effect on the economy of $100 million or more; (2) cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; or (3) have a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

A Finding of No Significant Impact with respect to the environment has been made in accordance with 24 CFR 50.30 (c), that implements Section 102 (2) (C) of the National Environmental Policy Act 1969, 42 U.S.C. 4332. The Finding of No Significant Impact is available for public inspection and copying during regular business hours in the office of the Rules Docket Clerk, Room 10278, 451-7th Street, S.W., Washington, D.C. 20410.

Pursuant to the provisions of 5 U.S.C. 605 (b) (the Regulatory Flexibility Act), the Undersigned hereby certifies that this rule will not have a significant economic impact on a substantial number of small entities. It imposes no requirements on the jurisdiction, nor will its issuance have any impact on the private sector.

This rule was listed as item FH&EO-5-82 under the Office of FH&EO in the Department's Semiannual Agenda of Regulations published pursuant to Executive Order 12291 and the Regulatory Flexibility Act on October 28, 1982 (47 FR 48443).

The Catalog of Federal Domestic Assistance Program Titles and numbers are Equal Opportunity in Housing and Fair Housing Assistance Program, 14.400, 14.401.

List of Subjects in 24 CFR Part 115

Fair housing, Intergovernmental relations.

PART 115—RECOGNITION OF SUBSTANTIALLY EQUIVALENT LAWS

Accordingly, 24 CFR 115.11 is revised to read as follows:

§ 115.11 Jurisdictions with substantially equivalent laws.

The following jurisdictions are recognized as providing rights and remedies for alleged discriminatory housing practices substantially equivalent to those in the Act, and complaints will be referred to the appropriate State or local agency as provided in § 115.6.

States

Alaska	Montana
California	Nebraska
Colorado	Nevada
Connecticut	New Hampshire
Delaware	New Jersey
Illinois	New Mexico
Indiana	New York
Iowa	Oregon
Kansas	Pennsylvania
Kentucky	Rhode Island
Maine	South Dakota
Maryland	Virginia
Massachusetts	Washington
Michigan	West Virginia
Minnesota	Wisconsin

Localities

Phoenix, AR	Minneapolis, MN
New Haven, CT	Kansas City, MO
District of Columbia	Lincoln, NE
Clearwater, FL	Omaha, NE
Jacksonville, FL	New York City, NY
Orlando, FL	Charlotte, NC
St. Petersburg, FL	Mecklenburg County, NC
Bloomington, IL	New Hanover County, NC
Evanston, IL	Raleigh, NC
Springfield, IL	Philadelphia, PA
Columbus, IN	Pittsburgh, PA
Fort Wayne, IN	Sioux Falls, SD
Gary, IN	Knoxville, TN
South Bend, IN	Seattle, WA
Iowa City, IA	Tacoma, WA
Kansas City, KS	Beckley, WV
Salina, KS	Charleston, WV
Wichita, KS	Huntington, WV
Howard County, MD	Beloit, WI
Montgomery County, MD	
Prince George's County, MD	

(Sec. 810(c) of the Civil Rights Act of 1968 (42 U.S.C. 3610); Section 7(d) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(d)))

Dated: January 3, 1983.

Antonio Monroig,

Assistant Secretary for Fair Housing and Equal Opportunity.

[FR Doc. 83-754 Filed 1-10-83; 8:45 am]

BILLING CODE 4210-28-M

Office of Assistant Secretary for Housing—Federal Housing Commissioner

24 CFR Part 200

[Docket No. R-82-962]

Method of Computing Interest on Defaulted Loans

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

ACTION: Final rule.

SUMMARY: This rule amends the regulations governing claims collection to require that interest on all claims held by the Federal Housing Commissioner be calculated in accordance with the so called "U.S. Rule". Under the existing regulations, the "U.S. rule" is not applicable to interest on defaulted Title I Property improvement loans.

EFFECTIVE DATE: Upon expiration of the first period of 30 calendar days of continuous session of Congress after publication, subject to waiver, but not before further notice of the effective date is published in the **Federal Register.**

FOR FURTHER INFORMATION CONTACT: John L. Brady, Director, Office of Title I Insured Loans, Room 9160, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410, Telephone (202) 755-6680. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: This final rule permits HUD to calculate interest on all claims held by the Federal Housing Commissioner, including interest on defaulted property improvement loans insured under Title I of the National Housing Act, in accordance with the "U.S. Rule". After this rule's effective date, application of payments in accordance with the "U.S. Rule" will affect not only Title I loans which are assigned to the Commissioner prospectively, but also those defaulted loans which were assigned before the effective date of this rule. However, amounts already paid on loans assigned before the effective date of this rule will not be recomputed according to the "U.S. Rule".

Regulations issued jointly by the General Accounting Office and the Department of Justice, pursuant to the Federal Claims Collection Act of 1966, prescribe the so-called "U.S. Rule" for the calculation of interest on delinquent debts and debts being paid in installments (4 CFR 102.12).

HUD's regulations currently make these standards applicable to all administrative claims collection activity of the Federal Housing Commissioner, except for defaulted property improvement loans under Title I of the National Housing Act which are assigned to the Commissioner.

Under the "U.S. Rule", installment payments are applied first to accrued interest and then to principal. 24 CFR 200.905 provides a different method for calculating interest on defaulted Title I property improvement loans assigned to the Commissioner where collection is made under a payment plan providing for regular installment payments. The regulation requires that "in such instances, amounts received shall be applied first to satisfy the principal of the debt. Subsequent payments shall be applied to the interest obligation, calculated on the basis of declining principal balances without charging interest on interest balances."

Property improvement loans were excepted from the "U.S. Rule" because of the manual accounting system in use and the high volume of loans and payments. However, HUD is now in the process of contracting for an automated commercial loan accounting system which will eliminate the justification for the present exception of Title I loans from the preferred "U.S. Rule".

Accordingly, on February 17, 1982, HUD published a proposed rule (at 47 FR 6893) to remove the exception for Title I loans. No comments were received during the public comment period. HUD is now adopting this final rule to effect the proposed amendment, without any substantial change.

Even though this rule will become effective on a certain date (as provided above under "Effective Date"), its implementation will be phased in over a period of time, as the automated loan accounting system becomes operational in each HUD Region. The contractor who will operate the new loan accounting system is under contract with HUD to begin operation on January 31, 1983. The effect of the phased implementation is that for a period of several months payments made by borrowers in some geographical areas will be applied under the "U.S. Rule" while payments made by borrowers in other areas will be applied in accordance with the procedures in effect before this final rule. This has been determined to be most cost effective way to implement this rule. It is anticipated that the "U.S. Rule" will be applied nationwide to all assigned loans by September, 1983. All debtors will be notified in advance of the new method of applying their payments.

Section 7(o)(3) of the Department of HUD Act (42 U.S.C. 3535(o)(3)) provides for a delay in effectiveness for a period of 30 calendar days of continuous session of Congress after publication, unless waived by the Chairmen and Ranking Minority Members of the Senate Committee on Banking, Housing and Urban Affairs and the House Committee on Banking, Finance and Urban Affairs. The Secretary has requested such waivers by the Chairmen and Ranking Minority Members but, at the time of publication of this final rule, it is not known whether or when such waivers will be granted. Further notice of the effective date will be published in the **Federal Register.**

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations in 24 CFR Part 50, which implements Section 102(2)(C) of the National Envrionmental Policy Act of 1969. The Finding of No Significant Impact is available for public inspection during regular business hours in the Office of the Rules Docket Clerk, Office of the General Counsel, Room 10278, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410.

This rule does not constitute a "major rule" as that term is defined in section 1(b) of Executive Order 12291 on Federal Regulation issued by the President on February 17, 1981. Analysis of the rule indicates that it does not (1) have an annual effect on the economy of $100 milllion or more; (2) cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) have a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

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

The Catalog of Federal Domestic Assistance program numbers and titles are: 14:110, Mobile Home Loan Insurance—Financing Purchase of Mobile Homes as Principal Residence of Borrowers; and 14.142, Property Improvement Insurance for Improving All Existing Structures and Building of New Non-Residential Structures.

This rule was listed as Item C 31. H-43-81 under the Office of Housing in the Department's Semiannual Agenda of Regulations published in the **Federal Register** on August 17, 1981 (46 FR

41708), pursuant to Executive Order 12291 and the Regulatory Flexibility Act.

List of Subjects in 24 CFR Part 200

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

PART 200—INTRODUCTION

Subpart R—Claims Collection Standards

Accordingly, 24 CFR Part 200, Subpart R, is amended by revising § 200.900 and § 200.905, as follows:

§ 200.900 General Collection Standards.

The general standards and procedures governing the collection, compromise, termination, and referral to the Department of Justice of claims for money and property are prescribed in the regulations issued jointly by the General Acounting Office and the Department of Justice pursuant to the Federal Claims Collection Act of 1966 (4 CFR Parts 101-105). These standards are applicable to the administrative claims collection activities of the Commissioner. (Also see 24 CFR Part 17, Subpart B, for Departmental collection regulations.)

§ 200.905 Collection of Title I accounts.

Amounts received in connection with Title I claims which have been or will be assigned to the United States of America pursuant to § 201.11 of this chapter shall be applied according to the so-called "U.S. Rule" as prescribed in § 102.10 of the joint regulations of the General Accounting Office and the Department of Justice (4 CFR 102.10). However, amounts already paid on loans assigned prior to [the effective date of this rule] will not be recomputed according to the "U.S. Rule". The implementation of this section will be accomplished in phases, so that conversion to the "U.S. Rule" will occur as the automated loan accounting system becomes operational in each HUD Region. Prior to such implementation, amounts received under payment plans providing for regular installment payments will be applied in accordance with the formula stated in 24 CFR 200.905 as in effect prior to [the effective date of this rule]. All debtors will receive timely advance notice regarding the method of applying their payments on assigned Title I loans.

(Sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)))

Dated: December 28, 1982.

Philip Abrams,

Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 83-709 Filed 1-10-83; 8:45 am]

BILLING CODE 4210-27-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 31

[T.D. 7868]

Employment Taxes; Applicable on or After January 1, 1955; Deposit of Taxes; Department of Defense

AGENCY: Internal Revenue Service, Treasury.

ACTION: Final regulations.

SUMMARY: This document removes obsolete Employment Tax Regulations which extended until September 30, 1982, the time by which the Department of Defense was required to make deposits of employment taxes.

DATE: Removal of the regulations is effective February 9, 1983.

FOR FURTHER INFORMATION CONTACT: Barry L. Wold of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224 (Attention: CC:LR:T) (202-566-3828).

SUPPLEMENTARY INFORMATION:

In General

On Tuesday, August 31, 1982, the **Federal Register** published amendments to the Employment Tax Regulations (26 CFR Part 31) under section 6302 of the Internal Revenue Code of 1954 (47 FR 38284). Those regulations extended until September 30, 1982, the time by which the Department of Defense was required to make deposits of certain withheld income taxes, FICA taxes, Railroad retirement taxes, and FUTA taxes which, without those regulations, would have been required to be deposited before September 30, 1982. This regulation removes those regulations, which became obsolete on October 1, 1982, from the Employment Tax Regulations.

Non-Applicability of Executive Order 12291

The Treasury Department has determined that this final regulation is not subject to review under Executive Order 12291 or the Treasury and OMB implementation of the Order dated April 28, 1982.

Regulatory Flexibility Act

Pursuant to 5 U.S.C. 605(b), the Secretary of the Treasury has certified that the requirements of the Regulatory Flexibility Act do not apply to this final regulation as it will not have a significant economic impact on a substantial number of small entities.

Drafting Information

The principal author of this regulation is Barry L. Wold of the Legislation and Regulation Division of the Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulation on matters of both substance and style.

List of Subjects in 26 CFR Part 31

Employment taxes, Income taxes, Lotteries, Railroad retirement, Social security, Unemployment tax, Withholding.

PART 31—[AMENDED]

Adoption of Amendments to the Regulations

§ 31.6302(c)-5 [Removed]

Accordingly, the Employment Tax Regulations (26 CFR Part 31) are amended by removing § 31.6302(c)-5 (relating to use of Government depositaries by the Department of Defense).

This Treasury decision is issued under the authority contained in sections 6302 and 7805 of the Internal Revenue Code of 1954 (68A Stat. 775, 26 U.S.C. 6302; 68A Stat. 917, 26 U.S.C. 7805).

Roscoe L. Egger, Jr.,

Commissioner of Internal Revenue.

Approved: December 28, 1982.

David G. Glickman,

Acting Assistant Secretary of the Treasury.

[FR Doc. 83-605 Filed 1-10-83; 8:45 am]

BILLING CODE 4830-01-M

DEPARTMENT OF JUSTICE

Parole Commission

28 CFR Part 2

Paroling, Recommitting and Supervising Federal Prisoners

Correction

In FR Doc. 82-33881, beginning on page 56334 in the issue for Thursday, December 16, 1982, please note the following correction:

On page 56341, in the third column, the table "Salient Factor Score (SFS 81)" contains several errors. The corrected text is published below.

SALIENT FACTOR SCORE (SFS 81)

Item A: Prior Convictions/Adjudications (Adult or Juvenile)	———
None	=3
One or two	=2
Three or more	=1
Four or more	=0
Item B: Prior Commitment(s) of More Than 30 Days (Adult or Juvenile)	———
None	=2
One or two	=1
Three or more	=0
Item C: Age at Current Offense/Prior Commitments	———
Age at commencement of the current offense:	
26 years of age or more	=*2
20–25 years of age	=*1
19 years of age or less	=0
Item D: Recent Commitment Free Period (3 years)	———
No prior commitment of more than thirty days (adult or juvenile) or released to the community from last such commitment at least three years prior to the commencement of the current offense	=1
Otherwise	=0
Item E: Probation/Parole/Confinement/Escape Status Violator This Time	———
Neither on probation, parole, confinement, or escape status at the time of the current offense; nor committed as a probation, parole, confinement, or escape status violator this time	=1
Otherwise	=0
Item F: Heroin/Opiate Dependence	———
No history of heroin/opiate dependence	=1
Otherwise	=0
Total Score	———

*EXCEPTION: If five or more prior commitments of more than thirty days (adult or juvenile), place an "x" here —— and score this item ...... =0.

NOTE.—For purpose of the Salient Factor Score, an instance of criminal behavior resulting in a judicial determination of guilt or an admission of guilt before a judicial body shall be treated as a conviction, even if a conviction is not formally entered.

BILLING CODE 1505-01-M

DEPARTMENT OF DEFENSE

Department of the Air Force

32 CFR Part 850

Information Security Program

AGENCY: Department of the Air Force, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Air Force is amending its security regulations by removing Part 850—Information Security Program of Chapter VII, Title 32. The source document, Air Force Regulation (AFR) 205–1 has been revised. It is intended for internal guidance and has limited applicability to the general public. This action is a result of departmental review in an effort to insure that only regulations which substantially affect the public are maintained in the Air Force portion of the Code of Federal Regulations.

EFFECTIVE DATE: January 11, 1983.

FOR FURTHER INFORMATION CONTACT: SMSgt Dvorak, HQ Air Force Office of Security Police, SPIB, Kirtland AFB, NM 87117, (505) 264–9446.

SUPPLEMENTARY INFORMATION:

List of Subjects in 32 CFR Part 850

Classified informtion, Photographs, Recordings, Defense communications, National security information.

PART 850—[REMOVED]

Accordingly, 32 CFR is amended by removing Part 850.

(10 U.S.C. 8012)

Winnibel F. Holmes,

Air Force Federal Register Liaison Officer.

[FR Doc. 83–668 Filed 1–10–83; 8:45 am]

BILLING CODE 3910–01–M

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

Acadia National Park, Maine; Snowmobile Regulations

AGENCY: National Park Service, Interior.

ACTION: Final rule.

SUMMARY: On March 15, 1982, the National Park Service, Department of the Interior, published in the **Federal Register** (47 FR 11040) a proposed rule to designate those routes within Acadia National Park where snowmobiles may be used for recreational purposes. This proposal was made available for public review and comment for a period of thirty (30) days following publication in the **Federal Register**, ending on April 14, 1982. All comments received were considered during preparation of the final rule. As a result of this rulemaking process, the final regulation is published to provide for the preservation and enjoyment of Acadia National Park, 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.

EFFECTIVE DATE: February 10, 1983.

FOR FURTHER INFORMATION CONTACT: Ronald N. Wrye, Superintendent, Acadia National Park, P.O. Box 177, Bar Harbor, Maine 04609, Telephone: (207) 288–3338.

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 (Use of Off-Road Vehicles on Public Lands) the Secretary of the Interior issued a Departmental Memorandum of 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 of 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 the visitors to see, sense, and enjoy the special qualities of the park in winter. Snowmobiling 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. The policy also states that: "In those very limited places where unique local conditions prevail, snowmobiling for limited distances on abandoned roads, fire breaks or trails may continue only if necessary as connectors between routes or areas that are otherwise in accord with the policy." This exemption will apply at Acadia National Park in those two locations where snowmobiles will be permitted on short sections of the historic carriage road system normally closed to motorized travel in order to bypass a section of plowed roadway on the main loop road and in the second instance to permit safe travel around a lake during those periods when there may be insufficient ice on the lake to support snowmobiles safely. Routes and water surfaces to be designated for snowmobile use shall be promulgated as special regulations in the Code of Federal Regulations.

Snowmobiles have been used for transportation and recreation in Acadia National Park since they first became generally available to the public in the early 1960's. Levels of snowmobile use in the park have varied markedly from winter to winter due to the great variance in snow cover from year to year. This situation is typical of coastal areas in Maine. Snowmobiling grew rapidly in popularity in the park through the sixties and reached a peak in the early seventies. Since the early seventies snowmobiling has diminished significantly in popularity. This is due, presumably, to the higher costs associated with buying and operating the machines today. Undoubtedly the "newness" or novelty of the sport which caused the rapid growth of the sixties is now diminished, and in turn this circumstance is accounting for a slower rate of recruitment into this form of recreation.

A companion development to the decline of snowmobiling has been the tremendous increase in popularity of cross-country skiing. During the past several winters skiers have increasingly outnumbered snowmobilers in the park. This trend is expected to continue for the immediate future due to the relatively low expense of skiing and the present rapid recruitment into the sport which can be attributed at least in part to the same "novelty" attraction that snowmobiling enjoyed in the sixties.

Snowmobiles and cross-country skiers have historically shared many of the same routes on the roadways of the park. There have been no serious conflicts or incidents resulting from this mixing of motorized and non-motorized sport. A significant proportion of cross-country skiers do have a definite preference to ski where there are no snowmobiles with the resultant noise and disturbance.

Acadia National Park offers an ideal opportunity to meet the desires of both snowmobilers and those skiers who prefer to go where there are no snow machines. This opportunity is presented by the 46-mile network of well maintained historic carriage roads. With the exception of the two sections mentioned earlier amounting to 2.4 miles this road system is closed to all motorized travel and available for the quieter pursuits of skiing, snowshoeing, and hiking. In summary, under the proposed regulation, there will be a total of 57 miles of roads available for both snowmobiling and skiing and an additional 43 miles of road for skiers from which snowmobiles are excluded. Public reaction to this arrangement indicates that it is a circumstance which is satisfactory to both the skiing and snowmobiling communities.

The use and impacts of snowmobiles in Acadia National Park have been monitored by rangers in the field for approximately twenty years. During this period there have been no recorded instances of disturbance of wildlife by snowmobiles traveling on designated routes. In some instances there has been minor injury to small trees and shrubs growing on or near road shoulders. This vegetative damage has been deemed to be insignificant and infrequent.

Snowmobiles are widely used on both public and private lands surrounding the park. They may be driven both on and of roads, and in the case of private lands, permission must be obtained by the landowner. Snowmobiles may not be operated on plowed public roads except to cross or to bypass bridges and culverts. Most of the snowmobile use outside the park is off-road use with some special trails maintained for this purpose.

This regulation is necessary to comply with Servicewide policy. Its promulgation also responds to public interest in the continuation of the use of snowmobiles as a means of viewing and enjoying Acadia National Park when weather conditions are such that the motor roads are closed to public automobile travel.

Information on designated routes will be available to the public by handouts and maps available at Park Headquarters and on a large wooden map layout erected in the Visitor Center Park Area.

Public Participation

The policy of the National Park Service is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. During the thirty (30) day public review and comment period, the National Park Service received two written comments regarding the proposed rule both supporting the proposal. Favorable comments were received from the International Snowmobile Industry Association and the State of Maine Department of Conservation. Consequently, the rule promulgated here is the same as the one proposed.

Drafting Information

The following persons participated in the writing of this regulation: Norman H. Dodge, Chief Ranger and W. Lowell White and Warner M. Forsell, respectively the former Superintendent and Operations Supervisor of Acadia National Park.

Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et. seq.*

Compliance with Other Laws

The Department of the Interior has determined that this document is not a "major rule" under E.O. 12291, and certifies that this document 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.*) Snowmobiling is not an extensive activity in this area. The majority of use is expected from a local snowmobiling population who are the owners of some 500 registered snowmobiles in the Hancock County/ Acadia area. These rules impose no substantial costs on small entities. There may be a limited positive effect on local repair shops, filling stations, parts stores, and retail outlets for snowmobiles.

In accordance with the National Environmental Policy Act, 42 U.S.C. 4332, the National Park Service has prepared an environmental assessment, which is available at the address noted above.

Authority

Section 3 of the Act of August 25, 1916, 39 Stat. 535 as amended (16 U.S.C. 3).

List of Subjects in 36 CFR Part 7

National park.

In consideration of the foregoing, Part 7 of Title 36 of the Code of Federal Regulations is amended by adding § 7.56 to read as follows:

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SERVICE

§ 7.56 Acadia National Park.

(a) *Designated Snowmobile Routes*—The designated routes for snowmobile shall be:

(1) Park Loop Road (except section from Stanley Brook intersection north to the gate at Penobscot Mountain Parking Area) and connecting roads as follows: Paradise Hill Road (Visitor Center to Junction Park Loop Road); Stanley Brook Road; Ledgelawn Extension Road; Sieur

de Monts (gate to Loop Road); West Street; Cadillac Mountain Summit Road; entrance roads to Wildwood Stable.

(2) Portions of Carriage Paths as follows: A section of Carriage Path 1.8 miles in length from the parking area at the north end of Eagle Lake down the east side of the lake to connection with Park Loop Road at Bubble Pond Rest Area. A section of Carriage Path 0.6 miles in length from Wildwood Stable to connection with Park Loop Road south of the entrance road to Penobscot Mountain Parking Area.

(3) Hio Truck Road from Seawall Campground north to State Route 102.

(4) The paved camper access roads within Seawall Campground.

(5) Marshall Brook Truck Road from Seal Cove Road to Marshall Brook.

(6) Seal Cove Road from Park Boundary in Southwest Harbor to State Route 102 in Seal Cove.

(7) Western Mountain Road from Park Boundary west of Worcester Landfill to Seal Cove Pond.

(8) The two crossroads connecting Western Mountain Road and Seal Cove Road.

(9) Long Pond Truck Road including Spur Road to Pine Hill.

(10) Lurvey Spring Road from Junction with Long Pond Road in Southwest Harbor to intersection with Echo Lake Beach Road.

(11) The Echo Lake Entrance Road from State Route 102 to Echo Lake Beach Parking Area.

Dated: December 6, 1982.

J. Craig Potter,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 83-718 Filed 1-10-83; 8:45 am]

BILLING CODE 4310-70-M

VETERANS ADMINISTRATION

38 CFR Part 21

Veterans Education; Additional Eligibility Period

AGENCY: Veterans Administration.

ACTION: Final regulations.

SUMMARY: These final regulations implement some sections of the Veterans' Health Care, Training and Small Business Loan Act of 1981 and the Veterans' Compensation, Education and Employment Amendments of 1982. These laws provide an additional period of eligibility for some Vietnam Era veterans with basic eligibility for educational assistance under chapters 34 and 36, title 38, United States Code.

EFFECTIVE DATE: January 1, 1982.

FOR FURTHER INFORMATION CONTACT: June C. Schaeffer (225), Assistant Director for Policy and Program Administration, Education Service, Department of Veterans Benefits, Veterans Administration, 810 Vermont Avenue, NW., Washington, DC 20420 (202-389-2092).

SUPPLEMENTARY INFORMATION: On pages 50925 and 50926 of the **Federal Register** of November 10, 1982 there was published a notice of intent to amend Part 21 to provide an additional period of eligibility for educational assistance allowance for some Vietnam Era veterans.

Interested people were given 30 days in which to submit comments. The Veterans Administration received one oral comment from the staff of the Senate Veterans' Affairs Committee. The staff suggested that § 21.1044(e) be rewritten to make it clearer. The Veterans Administration has adopted the suggestion.

Section 21.1042 is amended to show that § 21.1044 provides an exception to the general rule that veterans have 10 years from their date of discharge to use their entitlement to educational assistance allowance.

Section 21.1044 is added to state the criteria a Vietnam Era veteran must meet in order to get an additional period of eligibility. This policy change is required by law.

The Veterans Administration has determined that these regulations do not contain a major rule as that term is defined by Executive Order 12291, Federal Regulation. The annual effect on the economy will be less than $100 million. The regulations will not result in any major increases in costs or prices for anyone. They will have no significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The Administrator of Veterans' Affairs hereby certifies that these regulations will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601-612. These regulations are exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604. This certification is based on the fact that these regulations will affect only individual benefit recipients. They will have no significant impact on small entities, i.e., small businesses, small private and non-profit organizations, and small governmental jurisdictions.

The Catalog of Federal Domestic Assistance number for the program affected by these regulations is 64.111.

List of Subjects in 38 CFR Part 21

Civil rights, Claims, Education, Grant programs—education, Loan programs—education, Reporting and recordkeeping requirements, Schools, Veterans, Veterans' Administration, Vocational education, Vocational rehabilitation.

Approved: December 28, 1982.

By direction of the Administrator.

Everett Alvarez, Jr.,

Deputy Administrator.

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

The Veterans Administration amends 38 CFR Part 21 as follows:

1. In § 21.1042, paragraphs (a) and (b) are revised to read as follows:

§ 21.1042 Ending dates of eligibility.

The ending date of eligibility will be determined as follows:

(a) *General.* Except as otherwise provided in this section and as provided by §§ 21.1043 and 21.1044, the Veterans Administration will not provide educational assistance to a veteran after the earlier of the following:

(1) Ten years from his or her last discharge or release from active duty after January 31, 1955, or

(2) December 31, 1989. (38 U.S.C. 1662; Pub. L. 97-72, 95 Stat. 1047)

(b) *Correction of military records.* If the veteran becomes eligible for educational assistance as the result of a correction of military records under 10 U.S.C. 1552, or a change, correction or modification of a discharge or dismissal under 10 U.S.C. 1553, or other corrective action by competent military authority, the Veterans Administration will not provide educational assistance later than 10 years after the date his or her discharge or dismissal was changed, corrected or modified (except as provided by § 21.1043 or § 21.1044), or December 31, 1989, whichever is the earlier. (38 U.S.C. 1662; Pub. L. 97-72, 95 Stat. 1047)

* * * * *

2. Section 12.1044 is added to read as follows:

§ 21.1044 Additional period of eligibility.

A veteran who meets the basic eligibility criteria found in § 21.1040 has an additional period of eligibility if he or she also meets the requirements of this section. (38 U.S.C. 1662(a); Pub. L. 97-72, 95 Stat. 1047)

(a) *Service requirements. (1) The veteran must have*

(i) Served at least 1 day on active duty after August 4, 1964 and before May 8, 1975, and

(iii) Received an unconditional discharge or release under conditions other than dishonorable from the period of service upon which the additional eligibility period is based.

(2) In determining whether this requirement is met, the Veterans Administration will use the criteria stated in § 21.1040(d). (38 U.S.C. 1662(a); Pub. L. 97-72, 95 Stat. 1047)

(b) *Entitlement requirement.* The veteran must have unused entitlement to educational assistance allowance. (38 U.S.C. 1662(a); Pub. L. 97-72, 95 Stat. 1047)

(c) *Time and length of additional eligibility period.* (1) If the ending date of the veteran's period of eligibility or extended period of eligibility as determined by § 21.1042 or § 21.1043 is before January 1, 1982, the beginning date of the additional eligibility period will be—

(i) The first date of attendance or training as certified by the school or training establishment, or

(ii) January 1, 1982, whichever is later.

(2) If the ending date of the veteran's period of eligibiity or extended period of eligibility as determined by § 21.1042 or § 21.1043 is after December 31, 1983, the beginning date of the additional eligibility period will be—

(i) The first date of attendance or training as certified by the school or training establishment, or

(ii) The first day following the end of the veteran's period of eligibility or extended period of eligibility, whichever is later.

(3) The ending date of an additional eligibility period is—

(i) The last day of attendance or training as certified by the school or the training establishment, or

(ii) December 31, 1984, whichever is earlier. (38 U.S.C. 1662(a); Pub. L. 97-72, 95 Stat. 1047; Pub. L. 97-306)

(d) *Permissible programs.* (1) During the period or eligibility the veteran may only pursue—

(i) A program of apprenticeship or other on-job training;

(ii) A course pursued in residence leading to a vocational objective;

(iii) A correspondence course leading to a vocational objective;

(iv) A correspondence-residence course leading to a vocational objective; or

(v) A program of secondary education.

(2) During this period of additional eligibility the veteran may not pursue—

(i) A flight training course;

(ii) A course leading to a standard college degree; or

(iii) A program of secondary education if he or she already has a secondary school diploma or an equivalency certificate.

(3) If the veteran pursues a program of secondary education, his or her monthly educational assistance allowance must be based upon the tuition and fees charged to the veteran for the course as provided in 38 U.S.C. 1691(b)(2). (38 U.S.C. 1662(a); Pub. L. 97-72, 95 Stat. 1047)

(e) *Need requirements—vocational or occupational objective.* (1) The Veterans Administration may disallow a claim for an additional eligibility period to permit the veteran to pursue an approved vacational objective or a program of apprenticeship or other on-job training only if—

(i) The veteran does not meet the requirements of either § 21.1040 or the requirements of paragraph (a) or (b) of this section, or

(ii) The veteran's course or program does not meet the requirements of paragraph (d) of this section, or

(iii) The Veterans Administration determines, based upon an examination of the veteran's employment and training history, that the veteran is not in need of the program or course in order to obtain a reasonably stable employment situation consistent with the veteran's abilities and aptitudes.

(2) The Veterans Administration will determine that a veteran does not need his or her selected program or course only if—

(i) The veteran, on the day he or she files an application—

(A) Is employed in an occupation which requires more than 2 years of specific vocational preparation or training; and

(B) Has maintained that employment for a period of 6 or more consecutive months immediately preceding the day he or she filed an application for the additional period of eligibility; and

(ii) The Veterans Administration finds the veteran's current employment is consistent with his or her aptitudes and abilities. (38 U.S.C. 1662(a); Pub. L. 97-72, 95 Stat. 1047, Pub. L. 97-306)

(f) *Requirements—secondary school diploma.* The veteran may pursue a program of secondary education during the additional eligibility period provided he or she does not have a secondary school diploma or an equivalency certificate. (38 U.S.C. 1662(a); Pub. L. 97-72, 95 Stat. 1047)

(g) *Limitations.* If a veteran becomes disabled during the additional eligibility period, he or she may not qualify under § 21.1043 for an extension of the additional eligibility period past December 31, 1984. (38 U.S.C. 1662(a); Pub. L. 97-306)

[FR Doc. 83-690 Filed 1-10-83; 8:45 am]

BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 123

[SW-9-FRL 2283-1]

California; Phase II, Component A; Interim Authorization of the State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency.

ACTION: Final approval.

SUMMARY: The State of California has applied for Interim Authorization Phase II, Component A to operate a permit program in lieu of the Federal program for hazardous waste tank, container, and waste pile storage facilities. EPA has reviewed California's application for Phase II Interim Authorization, Component A, and has determined that California's hazardous waste program is substantially equivalent to the Federal program covered by Component A except for hazardous waste surface impoundments. The State of California is hereby granted Interim Authorization for Phase II, Component A, to operate the State's hazardous waste program covered by this component in lieu of the Federal program for hazardous waste tank, container, and waste pile storage facilities.

EFFECTIVE DATE: January 11, 1983.

FOR FURTHER INFORMATION CONTACT: Alexis Strauss, Toxics and Waste Programs Branch, U.S.E.P.A., Region 9, 215 Fremont Street, San Francisco, CA 94105, Telephone: (415) 974-8126.

SUPPLEMENTARY INFORMATION: In the May 19, 1980, Federal Register (45 FR 33063), the Environmental Protection Agency promulgated regulations, pursuant to Subtitle C of the Resource Conservation and Recovery Act of 1976 (as amended) to protect human health and the environment from the improper management of hazardous waste. Included in these regulations, which became effective November 19, 1980, were provisions for a transitional stage in which States would be granted interim program authorization. The interim authorization program is being implemented in two phases, corresponding to the two stages in which an underlying Federal program has taken effect.

The State of California received Interim Authorization for Phase I on June 4, 1981.

In the January 26, 1981, **Federal Register** (46 FR 7965), the Environmental Protection Agency announced the availability of portions of the second phase of Interim Authorization. EPA made available the second phase of Interim Authorization in components, in order to proceed with authorizing State programs as expeditiously as possible, and because some of the standards for hazardous waste treatment, storage and disposal facilities (40 CFR Part 264) have been promulgated at different times. On June 2, 1982, EPA published a notice in the **Federal Register** (47 FR 23955) inviting the public to comment on the California application for Phase II Component A Interim Authorization at a public hearing of July 8, 1982. This notice also invited the public to submit written comments on the California application to Region 9 by the close of the public hearing. At the hearing, the written comment period was extended to July 18, 1982.

Discussion

The State of California submitted its draft application for Phase II Component A Interim Authorization on Decemer 22, 1981. The draft application did not include coverage of surface impoundments. EPA has announced in the **Federal Register** on July 24, 1981 (46 FR 38313) that it proposed to temporarily suspend the regulations for existing storage surface impoundments, pending EPA review of their cost effectiveness. Based upon the uncertainties regarding the federal program, the State elected not to cover this category of facilities in its Phase II Component A application. On July 26, 1982, EPA formally amended its regulations to allow States to apply for Phase II Component A Interim Authorization without addressing surface impoundments.

EPA reviewed the State's draft application and prepared comments. Several issues were identified to assist the State in preparing its final Phase II Component A application. The issues were: how trade secret permit information would be forwarded to EPA; the possible involvement of the State Water Resources Control Board in the development and enforcement of permit conditions; how the State would handle permits by-rule and permit variances; the need for a specific commitment in the Authorization Plan to develop equivalent standards to 40 CFR Part 264 Subparts A-H; how the State would handle the granting of interim-status to facilities which do not qualify under RCRA Section 3005; how the State would impose financial responsibility requirements on facilities; and modification of permits when new information is received. The State submitted its complete application on May 14, 1982. In the final application, and subsequent clarifications and errata sheets, California addressed EPA's concerns in the following manner.

1. Trade secret permit information: the State modified its permit procedures to ensure EPA will receive the complete permit application, including any information declared a trade secret. EPA will handle the information in accordance with 40 CFR Part 2.

2. Role of State Water Resources Control Board: the Department of Health Services will be solely responsible for the issuance and enforcement of RCRA permits issued to Phase II Component A facilities. Any permit condition developed by the State Water Resources Control Board would address issues or requirements beyond those required by RCRA.

3. Permit-by-rule and permit variances: the California Attorney General's statement clarified that the State did not use permits-by-rule; the Memorandum of Agreement was amended to include a commitment from the State to use its variance procedure in a manner consistent with federal requirements.

4. Authorization Plan: the plan was amended to include a specific commitment to develop regulations equivalent to 40 CFR Part 264, Subparts A-H.

5. Interim status: the Memorandum of Agreement was amended, such that the State will follow equivalent procedures to the federal requirements in granting interim-status to facilities which would not qualify under Section 3005 of RCRA.

6. Financial responsibility requirements: under the statutory mandate of the California Health and Safety Code § 25159.6, the State sent a letter to all facilities on August 1, 1982, informing them of its intent to commence enforcement of the federal financial responsibility requirements on September 1, 1982, pending adoption of state regulations.

7. Modification of permits: this issue was clarified with the submittal of additional information in the revised statement from the Attorney General.

Responsiveness Summary

Region 9 conducted a public hearing on the California application for Phase II Component A authorization on July 8, 1982, in San Francisco. The hearing was attended by approximately 40 persons, of which only one person made a presentation at the hearing and subsequently submitted written comments. Four additional written comments were received during the public comment period. All comments were reviewed and considered in reaching the decision on California's application.

All persons who submitted comments favored the delegation of regulatory authority to States, however, four persons felt the State's current program was not adequate to provide for effective, efficient control over hazardous waste, and that approval of the application would be premature. The general areas of concern were: The universe of hazardous waste covered by the State's program was broader than that covered by the federal program, and did not include a degree-of-hazard scheme; the State program did not contain specific regulatory standards for the issuance of permits to facilities; and the State's implementation of its Phase I program needed improvement. EPA's response to these general concerns is as follows:

1. Universe of waste: federal regulations clearly allow State programs to be more stringent than the federal program. In addition, the degree-of-hazard scheme is not a mandatory requirement for Phase II interim authorization, as the federal program has no such requirement.

2. Specific regulatory standards: state programs may be authorized to operate components of the RCRA permit program even if they do not have explicit regulatory standards comparable to 40 CFR Part 264 for permit issuance. According to the RCRA Phase II State Interim Authorization Guidance Manual (dated November 3, 1981), the state must demonstrate adequate authority and regulations to issue and enforce permits with terms and conditions substantially equivalent to those that would be issued under the Federal program. In order to meet this test, the state's application must include the six conditions specified in the above-referenced manual. EPA's review of the State's application indicated that the State of California has met all conditions specified.

3. Phase I program: EPA believes that implementation of the California program remains substantially equivalent to the Federal program, and the problems to date have been relatively minor in scope. EPA has continued to work extensively with the State, since its receipt of Phase I authorization, to remedy some of the difficulties encountered and to improve implementation of the Phase I program. The implementation criticisms

mentioned in the public comment would not warrant denial of the Phase II, Component A application.

Decision

I have determined that California's program is substantially equivalent to the Federal program for hazardous waste tank, container, and waste pile storage facilities as defined in 40 CFR Part 123, Subpart F. In accordance with Section 3006 (c) of RCRA, the State of California is hereby granted Interim Authorization to operate its hazardous waste program in lieu of Phase II, Component A of the Federal hazardous waste program for the permitting of storage and treatment facilities except for surface impoundments which will remain under the Federal program.

Authority

This notice is issued under the authority of Section 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6912(a), 6926, 6974(b).

Compliance With Executive Order 12291

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

Certification Under the Regulatory Flexibility Act

Pursuant to the provision of 5 U.S.C. 605(b), I hereby certify this authorization will not have a significant economic impact upon a substantial number of small entities. The authorization effectively suspends the applicability of certain federal regulations in favor of the State program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. This rule, therefore, does not require a regulatory flexibility analysis.

List of Subjects in 40 CFR Part 123

Hazardous materials, Indian lands, Reporting and recordkeeping requirements, Waste treatment and disposal, Water pollution control, Water supply, Intergovernmental relations, Penalties, Confidential business information.

Dated: December 10, 1982.

Sonia F. Crow,

Regional Administrator.

[FR Doc. 83-609 Filed 1-10-83; 8:45 am]

BILLING CODE 6560-50-M

Proposed Rules

Federal Register
Vol. 48, No. 7
Tuesday, January 11, 1983

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 ENERGY

Office of Conservation and Renewable Energy

10 CFR Parts 456 and 458

[Docket Nos. CAS-RM-80-123 and CAS-RM-80-125]

Residential Conservation Service Federal Standby Plan and Commercial and Apartment Conservation Service Program; Cancellation of Public Hearing

AGENCY: Energy Department.

ACTION: Cancellation of public hearing.

SUMMARY: The Department of Energy hereby cancels the public hearing on the proposed rules for the Residential Conservation Service Federal Standby Plan and Commercial and Apartment Conservation Service Program scheduled for January 13 and 14, 1983 in Portland, Oregon. The hearing is cancelled due to lack of public interest in making oral presentations at that particular hearing. The hearings scheduled for Dallas, Texas (January 10–11) and Washington, D.C. (January 19–21) will be held as scheduled. Interested persons who are affected by this cancellation are encouraged to submit written comments.

DATES: As stated in the notices of proposed rulemaking published on November 24, 1982 (47 FR 53236) and on November 26, 1982 (47 FR 53634) written comments on these two notices must be received by 4:30 p.m., February 2, 1983.

ADDRESS: Send Comments to the Department of Energy, Conservation and Renewable Energy, Office of Hearings and Dockets, Mail Stop 6B-025, Room 5F-078, 1000 Independence Avenue, S.W., Washington, D.C. 20585, Attention: CAS-RM-80-123 or CAS-RM-80-125, (202) 252-9319.

FOR FURTHER INFORMATION CONTACT: Mark Friedrichs, Building Services Division, CE-115, Office of Buildings Energy Research and Development, Conservation and Renewable Energy, Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585, (202) 252-1650.

Issued in Washington, D.C., January 6, 1983.

Joseph J. Tribble,
Assistant Secretary, Conservation and Renewable Energy.

[FR Doc. 83-611 Filed 1-10-83; 8:45 am]
BILLING CODE 6450-01-M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[Docket No. 9146]

Xidex Corp.; Proposed Consent Agreement With Analysis To Aid Public Comment

Correction

In FR Doc. 82-34924, appearing at pages 32-37 in the issue for Monday, January 3, 1983, make the following changes:

1. In the **DATE** line, the comment deadline should be "March 4, 1983".
2. On page 32, middle column, the third line of **SUPPLEMENTARY INFORMATION,** after the figure "46", add "and §".
3. On page 33, in the first column, add "II" just before the last paragraph begins.
4. On page 34, in the third column, the 9th line from the bottom, add "to" after the word "transmitted".

BILLING CODE 1505-01-M

DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 260

Outer Continental Shelf Oil and Gas Bidding Systems

AGENCY: Minerals Management Service, Interior.

ACTION: Proposed rule.

SUMMARY: This proposed rule would remove provisions relating to the use of variable net profit share and work commitment bidding systems in the award of Federal oil and gas leases on the Outer Continental Shelf (OCS). The Department of the Interior (DOI) has determined that the purposes of the OCS Lands Act would not be served by the use of these bidding systems.

DATE: Comments must be hand delivered or postmarked no later than February 10, 1983.

ADDRESSES: Written comments must be mailed or hand delivered to the Minerals Management Service, U.S. Department of the Interior, Room 6A110, 12203 Sunrise Valley Drive, Mail Stop 646, Reston, Virginia 22091, Attention: David A. Schuenke. Copies of all written comments submitted will be available for public review at the same address.

FOR FURTHER INFORMATION CONTACT: David A. Schuenke, telephone (703) 860-7916, (FTS) 928-7916.

SUPPLEMENTARY INFORMATION: Section 8(a) of the OCS Lands Act, 43 U.S.C. 1331 *et seq.*, as amended, 92 Stat. 629, authorizes the Secretary of the Interior (Secretary) to implement alternative bidding systems for the award of Federal oil and gas leases on the OCS. This authority had been transferred to the Secretary of Energy by section 302(b) of the Department of Energy (DOE) Organization Act, 42 U.S.C. 7152(b), 91 Stat. 578.

On December 19, 1980, the U.S. District Court for the District of Columbia (D.C.) issued an order, in compliance with an opinion of the U.S. Court of Appeals for the D.C. Circuit (*Energy Action Educational Foundation* v. *Andrus*, 654 F. 2d 735, 1980), requiring DOE to promulgate regulations implementing the bidding systems described at 43 U.S.C. 1337(a)(1) (E) and (G). Pursuant to the court order, DOE promulgated regulations (46 FR 29680, June 2, 1981, and 46 FR 35614, July 9, 1981) which were codified at 10 CFR Parts 376 and 390. Those regulations established two new bidding systems for use in lease sales of oil and gas tracts on the OCS: "variable net profit share" and "variable work commitment" bidding systems.

The variable net profit share bidding system would use a percentage of net profits as the bid variable (the basis for award of Federal OCS oil and gas leases) and would require payment of a fixed cash bonus for each tract. This system also would require payment of an annual rental and make use of accounting procedures codified at 10 CFR Part 390 (since redesignated as described below), established to determine net profit share payments due the United States.

The variable work commitment bidding system would use a dollar value exploration work commitment as the bid variable. The system would require payment of a fixed royalty, a fixed cash bonus, and an annual rental for each tract and make use of the accounting procedures codified at 10 CFR Part 390 (since redesignated as described below) to identify, measure, and allocate the exploration expenditures to be applied in satisfaction of the work commitment.

To date, neither of these bidding systems has been used in the award of Federal oil and gas leases on the OCS.

On December 1, 1981, the U.S. Supreme Court issued a decision (*Watt v. Energy Action Educational Foundation*, 454 U.S. 151 (1981)) reversing the order of the U.S. Court of Appeals insofar as that order required the Secretary of the Interior to experiment with the bidding systems described above.

On December 23, 1981, Congress passed Public Law 97–100, 95 Stat. 1391, repealing section 302(b) of the DOE Organization Act, cited above. Repeal by Congress of section 302(b) revests in the Secretary of the Interior all authority to implement and administer alternative bidding systems for Federal leases on the OCS. In a final rulemaking document published elsewhere in this issue of the Federal Register, DOI redesignated and transferred to 30 CFR Title II the regulations which had been promulgated by DOE pursuant to the authority of section 302(b) of the DOE Organization Act, cited above. Accordingly, former 10 CFR Parts 376 and 390 have been redesignated as 30 CFR Parts 260 and 261.

On the basis of detailed internal analysis and review of the public comments submitted in the DOE rulemaking described above, DOI has determined that the two bidding systems which incorporate work commitment and net profit share as bid variables are costly, inefficient, and counterproductive. (For a detailed discussion of the issues surrounding these bidding systems, see "II. Analysis of Public Comments", 46 FR 29682, June 2, 1981, and 46 FR 35615, July 9, 1981.) Consequently, in order to ensure that the Secretary's choices of bidding systems include only those which will best accomplish the purposes and policies of the OCS Land Act, DOI is proposing to remove the provisions relating to work commitment and variable net profit share bidding systems. Specifically, DOI is proposing to remove paragraphs (a)(5) and (a)(6) from 30 CFR 260.110.

The current regulations shall remain in effect pending final promulgation of these proposed rules.

The DOI has determined that this document is not a major rule under Executive Order 12291 and certifies that this document 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.*). This determination is based on the fact that oil and gas operations on the OCS are complex undertakings generally engaged in by enterprises that are not considered small entities. Accordingly, no small entities of any type are likely to be significantly affected by the proposed rules.

Because the choice of bidding systems is within the sole discretion of the Secretary and DOI believes it would not constitute prudent management of the Nation's resources to utilize either of the bidding systems proposed to be removed, neither of these bidding systems has been nor is intended to be selected. The proposed rule would therefore have no effect on the selection of bidding systems nor any effect on costs, prices, competition, employment, investment, productivity, innovation, or the ability of domestic producers to compete with foreign-based enterprises.

Paperwork Reduction Act

As proposed, 30 CFR Part 260 does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

Drafting Information

This document was drafted by Neil Stoloff, Offshore Rules and Operations Division, Minerals Management Service.

List of Subjects in 30 CFR Part 260

Continental shelf, Mineral royalties, Oil and gas exploration.

Dated: December 3, 1982.

Daniel N. Miller,

Assistant Secretary.

PART 260—[AMENDED]

For the reasons set forth in the preamble, 30 CFR Part 260 is proposed to be amended as follows:

§ 260.110 [Amended]

Section 260.110 *Bidding systems*, is proposed to be amended by removing paragraphs (a)(5) and (a)(6).

[FR Doc. 83-694 Filed 1-10-83; 8:45 am]

BILLING CODE 4310-MR-M

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 946

Public Comment Period and Opportunity for Public Hearing on a Modification to the Virginia Permanent Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule; public comment period and opportunity for public hearing.

SUMMARY: OSM is announcing procedures for the public comment period and for a public hearing on the substantive adequacy of a program amendment to Virginia's reclamation bonding regulations submitted by Virginia.

This notice sets forth the times and locations that the Virginia program and proposed amendment are available for public inspection, the comment period during which interested persons may submit written comments on the proposed program elements, and information pertinent to the public hearing.

DATES: Written comments must be received on or before 4:00 p.m. on February 10, 1983, to be considered in the Director's decision on whether to approve the proposed amendment. A public hearing on the modification will be held from 10:00 a.m.–12:00 p.m. on February 7, 1983.

Any person interested in making an oral or written presentation at the hearing should contact Mr. Ralph Cox at the address and phone number below by the close of business on January 24, 1983.

ADDRESSES: Written comments should be mailed or hand delivered to: Ralph Cox, Director, Virginia Field Office, Office of Surface Mining Reclamation and Enforcement, P.O. Box 626, Big Stone Gap, Virginia 24219, Telephone: (703) 523–4303.

The public hearing will be held at the Lebanon Area office, Office of Surface Mining Reclamation and Enforcement, Conference Room, Flannagan and Carroll Streets, Lebanon, Virginia 24266.

Copies of the Virginia program, the proposed modifications to the program, a listing of any scheduled public meetings and all written comments received in response to this notice will be available for review at the OSM Offices and the Office of State regulatory authority listed below, Monday through Friday, 8:00 a.m. to 4:00 p.m., excluding holidays:

Office of Surface Mining Reclamation and Enforcement, Room 5315, 1100 "L" Street, N.W., Washington, D.C. 20240

Office of Surface Mining Reclamation and Enforcement, Highway 23, South, Big Stone Gap, Virginia 24219

Office of Surface Mining Reclamation and Enforcement, Flannagan and Carroll Streets, Lebanon, Virginia 24266

Virginia Division of Mined Land Reclamation, 622 Powell Avenue, Drawer U, Big Stone Gap, Virginia 24219

FOR FURTHER INFORMATION CONTACT: Ralph Cox, Director, Virginia Field Office, Office of Surface Mining, P.O. Box 626, Big Stone Gap, Virginia 24219, Telephone: (703) 523-4303.

SUPPLEMENTARY INFORMATION: If no one has contacted Mr. Cox to express an interest in participating in the hearing by that date, the hearing will not be held. If only one person has so contacted Mr. Cox, a public meeting, rather than a hearing, may be held and the results of the meeting included in the Administrative Record.

On March 3, 1980, the Secretary of the Interior received a proposed regulatory program from the Commonwealth of Virginia. On October 22, 1980, following a review of the proposed program as outlined in 30 CFR Part 732, the Secretary approved in part and disapproved in part the proposed program (45 FR 69977-70000). Virginia resubmitted its proposed regulatory program on August 13, 1983, and after a subsequent review, the Secretary approved the program subject to the correction of nineteen minor deficiencies. The approval was effective upon publication of the notice of conditional approval in the December 15, 1981 Federal Register (46 FR 61088-61115).

Information pertinent to the general background, revisions, modifications, and amendments to the proposed permanent program submission, as well as the Secretary's findings, the disposition of comments and a detailed explanation of the conditions of approval of the Virginia program can be found in the December 15, 1981 Federal Register (46 FR 61088-61115).

On July 8, 1982, Virginia submitted to OSM a proposed program amendment consisting of a General Assembly bill passed on an emergency basis creating the Coal Surface Mining Reclamation Fund (Fund) and promulgated regulations to implement the legislation (Administrative Record No. VA 401). The proposed program amendment creates and implements an alternative reclamation bonding system in the Virginia program. On September 21, 1982, the Director of OSM approved the program amendment (47 FR 41556-41558).

On December 20, 1982, Virginia submitted to OSM, a proposed program amendment to its reclamation bonding regulations (Administrative Record No. VA 450). The proposed amendment to the Virginia regulations would suspend Section V800.11(c)(i). This suspension would allow incremental bonding under the Fund as is already allowed under Virginia's standard bonding system.

The Director now seeks public comment on the adequacy of this program amendment.

Additional Determinations

Pursuant to Section 702(d) of the Surface Mining Control and Reclamation Act of 1977, 30 U.S.C. 1292(d), no environmental impact statement need be prepared for this rulemaking.

On August 28, 1981, the Office of Management and Budget (OMB) granted OSM an exemption from Sections 3, 4, 6 and 8 of Executive Order 12291 for all State program actions taken to approve or conditionally approve State regulatory programs, actions or amendments. Therefore, this rule is exempt from a Regulatory Impact Analysis and regulatory review by OMB.

Pursuant to the Regulatory Flexibility Act, Pub. L. 96-354, I have certified that this proposed rule will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 30 CFR Part 946

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Dated: January 4, 1983.

J. Steven Griles,

Acting Director, Office of Surface Mining Reclamation and Enforcement.

[FR Doc. 83-604 Filed 1-10-83; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF EDUCATION

34 CFR Part 510

Bilingual Education: Training Projects Program

AGENCY: Department of Education.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Secretary proposes to amend regulations for the Bilingual Education Training Projects Program to provide for further consideration of the need for the proposed activities in making grant award decisions under the Training Projects Program. Section 721(c) of the Bilingual Education Act provides that, in determining the distribution of funds under the Act, the Secretary gives priority to areas having the greatest need for programs assisted under the Act. The proposed amendments wuld add new factors that the Secretary would consider in determining the need for programs proposed by applicants under the Training Projects Program.

DATE: Comments must be received on or before February 25, 1983.

ADDRESSES: Comments should be addressed to Mr. Jesse M. Soriano, Director, Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education (Room 421, Reporters Building), 400 Maryland Avenue, SW., Washington, D.C. 20202.

FOR FURTHER INFORMATION CONTACT: Mr. Harry G. Logel, Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education (Room 421, Reporters Building), 400 Maryland Avenue, SW., Washington, D.C. 20202. Telephone (202) 447-9273.

SUPPLEMENTARY INFORMATION: The authority for the Bilingual Education Training Projects Program is the Bilingual Education Act, Title VII of the Elementary and Secondary Education Act, as amended by the Education Amendments of 1978, Pub. L. 95-561.

Section 721(c) of the Bilingual Education Act (the Act) provides that, in determining the distribution of funds under the Act, the Secretary gives priority to areas having the greatest need for programs assisted under the Act. The regulations published on September 2, 1981 explain how the Secretary implements the priority to assist areas with the greatest need.

The Secretary proposes to amend the regulations to establish additional factors that the Secretary would consider in determining the need for the proposed activities. Under the proposed regulations, the Secretary would consider the past and present assistance provided under the Training Projects Program to address the needs of the language group(s) and area(s) that the applicant proposes to serve. The Secretary also would consider the absence of training programs in the area which address the needs of the language group(s) that the applicant proposes to serve. Finally, the Secretary would consider the extent to which the proposed project addresses a specific need for training not addressed by existing projects. The reader should review the proposed regulations for a complete list of the factors that the Secretary would consider in determining the need for the training project in the area to be served by the applicant.

The Secretary also proposes to establish a cut-off score, as in the regulations governing the Bilingual Education Basic Projects Program (34 CFR 501.31(a)), to ensure the quality of the applications selected for funding.

The entire § 510.34 has been republished for the reader's better understanding of the new provisions.

Executive Order 12291

These proposed regulations have been reviewed in accordance with Executive Order 12291.

They are classified as non-major because they do not meet the criteria for major regulations established in the order.

Regulatory Flexibility Act Certification

The Secretary certifies that these proposed regulations will not have a significant economic impact on a substantial number of small entities. Approximately 200 applicants sought assistance in fiscal year 1982. These regulations establish additional factors for consideration in making awards. They will not have a significant economic impact on any applicants or grantees.

Invitation To Comment

Interested persons are invited to submit comments and recommendations regarding these proposed regulations. Written comments and recommendations may be sent to the address given at the beginning of this document. All comments submitted on or before February 25, 1983, will be considered before the Secretary issues final regulations.

All comments submitted in response to these proposed regulations will be available for public inspection, during and after the comment period, in Room 421, Reporters Building, 7th and D Streets, SW., Washington, D.C., between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday of each week except Federal holidays.

To assist the Department in complying with the specific requirements of Executive Order 12291 and the Paperwork Reduction Act of 1980 and their overall requirement of reducing regulatory burden, public comment is invited on whether there may be further opportunities to reduce any regulatory burdens found in these proposed regulations.

Assessment of Educational Impact

The Secretary particularly requests comments on whether the regulations in this document would require transmission of information that is being gathered by, or is available from, any other agency or authority of the United States.

List of Subjects in 34 CFR Part 510

Bilingual education, Colleges and universities, Education, Elementary and secondary education, Grant programs—education, Teachers.

Citation of Legal Authority

A citation of statutory or other legal authority is placed in parentheses on the line following each substantive provision of these final regulations.

(Catalog of Federal Domestic Assistance No. 84.003, Bilingual Education Program)

Dated: January 5, 1983.

T. H. Bell,

Secretary of Education.

The Secretary proposes to amend Part 510 of Title 34 of the Code of Federal Regulations as follows:

PART 510—BILINGUAL EDUCATION: TRAINING PROJECTS PROGRAM

Section 510.34 is revised to read as follows:

§ 510.34 What factors does the Secretary consider in awarding grants?

(a) The Secretary establishes a cut-off score which an application must meet, based on the applicable selection criteria in 34 CFR 510.31 (for applications proposing to provide training programs at institutions of higher education), 34 CFR 510.32 (for applications proposing to provide short-term or year-round training institutes), or 34 CFR 510.33 (for applications proposing to provide training projects for SEA personnel), to be considered for a grant. The cut-off score for each separate competition is announced annually in the application notice published in the **Federal Register**.

(b) In determining the distribution of funds under this part, the Secretary shall give priority to areas having the greatest need for programs assisted under this part.

(c) In determining need under paragraph (b) of this section, the Secretary considers—

(1) The number and native language of children of limited English proficiency who would benefit from the training to be provided to persons participating in the project;

(2) The number and kinds of personnel currently participating in or preparing to participate in programs of bilingual education for these children, compared to the number and kinds of personnel needed;

(3) The number and kinds of personnel that the applicant proposes to train under this program and other programs supported under the Act;

(4) Past and present assistance provided under the Training Projects Program to address the need of the language group(s) and area(s) proposed to be served;

(5) The absence of training programs in the area addressing the needs of the language group(s) proposed to be served by the applicant; and

(6) The extent to which the project addresses a specific need for training not addressed by existing projects.

(20 U.S.C. 3231(c), 3233(a)(1))

[FR Doc. 83-739 Filed 1-10-83; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

45 CFR Part 233

Aid to Families With Dependent Children; Proration of Shelter, Utilities, and Similar Need Items for AFDC Children Living With Ineligible Relatives

AGENCY: Social Security Administration, HHS.

ACTION: Withdrawal of notice of proposed rule making.

SUMMARY: The Social Security Administration is withdrawing the proposed amendments to the regulations entitled "Proration of Shelter, Utilities, and Similar Need Items for AFDC Children Living with Ineligible Relatives" which were published on October 30, 1981 (46 FR 53720).

EFFECTIVE DATE: The withdrawal will be effective, January 11, 1983.

FOR FURTHER INFORMATION CONTACT: Mr. Marval L. Cazer, Office of Regulations, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, telephone (301) 594-7463.

SUPPLEMENTARY INFORMATION: These proposed amendments were published as a Notice of Proposed Rule Making to implement section 412 of the Social Security Act as added by Pub. L. 96-272 and amended by Pub. L. 97-35. Subsequent to publication of the Notice of Proposed Rule Making, section 155 of Pub. L. 97-248, which became effective on October 1, 1982, revised section 412 of the Social Security Act. Interim regulations to implement section 155 were published on September 17, 1982 (47 FR 41114). These interim regulations amended 45 CFR 233.20(a)(5) with respect to the proration of shelter, utilities, and similar needs for an AFDC assistance unit that lives with other individuals as a household.

Since section 155 of Pub. L. 97-248 and the interim regulations amending 45 CFR 233.20(a)(5) have the effect of superseding the Notice of Proposed Rule Making published in the Federal Register on October 30, 1981 (46 FR 53720) we are withdrawing the notice.

Dated: November 23, 1982.

John A. Svahn,

Commissioner of Social Security.

Approved: January 4, 1983.

Richard S. Schweiker,

Secretary of Health and Human Services.

[FR Doc. 83-721 Filed 1-10-83; 8:45 am]

BILLING CODE 4190-11-M

Notices

Federal Register
Vol. 48, No. 7
Tuesday, January 11, 1983

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Forest Service

Situk Wild and Scenic River Study; Intent To Prepare an Interim Management Plan and To Extend the Review Period for Comments on the Draft Environmental Impact Statement

The Department of Agriculture, Forest Service, released to the public on April 15, 1982, a Draft Environmental Impact Statement (DEIS) and Study Report for the Situk Wild and Scenic River. A notice of availability of the DEIS and Study Report was published in the April 30, 1982, issue of the **Federal Register.** The review period, published in the May 7, 1982, **Federal Register,** expired July 28, 1982.

As a result of recommendations by reviewers of the DEIS, the Alaska Region of the Forest Service is currently engaged in the development of an interim management plan for the Situk River in cooperation with the State of Alaska and the Community of Yakutat. This plan is intended to clarify the management of the river while it is under Congressional consideration for Wild and Scenic classification. The interim management plan will be specifically designed to protect the values of the river that warranted its study for Wild and Scenic classification. No actions will be permitted that would preclude Congressional prerogatives for classification. The interim plan is expected to be completed by February 1983 and will be available for public distribution. It will also be provided to the Alaska Land Use Council. This management plan will only be in effect until Congress has taken action.

If the Situk is not classified as wild and scenic, the interim management plan will be re-evaluated, including public review, and ultimately incorporated into the Tongass National Forest Land and Resource Management Plan. Any modifications would occur after Congressional review and consideration of the Study Report has been completed. The purpose of the re-evaluation would be to address the protection of the Situk River and its associated environment, to address important management issues, and be coordinated with the Yakutat Coastal Zone Management Plan.

In closing, the public comment period for the Situk Draft Environmental Impact Statement and Study Report is hereby extended until February 11, 1983. If you have any new or additional comments, please send them to William P. Gee, Forest Supervisor, Chatham Area, P.O. Box 1980, Sitka, Alaska 99835.

Dated: January 4, 1983.

J. Lamar Beasley,
Deputy Chief.

[FR Doc. 83-753 Filed 1-10-83; 8:45 am]
BILLING CODE 3410-11-M

Soil Conservation Service

South River Subwatershed, Virginia; Finding of No Significant Impact

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of a Finding of No Significant Impact.

SUMMARY: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the South River Subwatershed, Augusta County, Virginia.

FOR FURTHER INFORMATION CONTACT: Manly S. Wilder, State Conservationist, Soil Conservation Service, 400 North Eighth Street, P.O. Box 10026, Richmond, Virginia 23240, telephone 804-771-2455.

SUPPLEMENTARY INFORMATION: The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Manly S. Wilder, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project concerns the stabilization of a 46 acre critically eroding area, a plan for flood control and watershed protection. The planned works of improvement include land smoothing and seeding.

The Notice of a Finding of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency and to various Federal, State, and local agencies and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the above address. Basic data developed during the environmental assessment are on file and may be reviewed by contacting Gerald P. Bowie.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the **Federal Register.**

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention Program. Office of Management and Budget Circular A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects is applicable.)

Dated: January 3, 1983.

Manly S. Wilder,
State Conservationist

[FR Doc. 83-669 Filed 1-10-83; 8:45 am]
BILLING CODE 3410-16-M

CIVIL AERONAUTICS BOARD

[Docket 41007]

Air National Fitness Investigation; Hearing

Notice is hereby given pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-titled matter will be held on January 13, 1983, at 10:00 a.m. (local time), in Room 1012, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, D.C., before the undersigned.

Dated at Washington, D.C., January 6, 1983.

William A. Kane, Jr.,
Administrative Law Judge.

[FR Doc. 83-735 Filed 1-10-83; 8:45 am]
BILLING CODE 6320-01-M

[Order 83-1-8]

Atlantic Express, Inc.; Order To Show Cause

AGENCY: Civil Aeronautics Board.

ACTION: Notice of Commuter Air Carrier Fitness Determination—Order 83-1-8, Order To Show Cause.

SUMMARY: The Board is proposing to find that Atlantic Express, Inc. is fit, willing, and able to provide commuter air carrier service under section 419(c)(2) of the Federal Aviation Act, as amended, and that the aircraft used in this service will conform to applicable safety standards. The complete text of this order is available, as noted below.

DATES: Responses: All interested persons wishing to respond to the Board's tentative fitness determination shall serve their responses on all persons listed below no later than January 17, 1983, together with a summary of the testimony, statistical data, and other material relied upon to support the allegations.

ADDRESSES: Responses or additional data should be filed with the Special Authorities Division, Room 915, Civil Aeronautics Board, Washington, D.C. 20428, and with all persons listed in Attachment A to Order 83-1-8.

FOR FURTHER INFORMATION CONTACT: Mr. Peter M. Bloch, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, D.C. 20428, (202) 673-5333.

SUPPLEMENTARY INFORMATION: The complete text of Order 83-1-8 is available from the Distribution Section, Room 100, 1825 Connecticut Avenue, NW., Washington, D.C. 20428. Persons outside the metropolitan area may send a postcard request for Order 83-1-8 to that address.

By the Civil Aeronautics Board: January 5, 1983.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 83-734 Filed 1-10-83; 8:45 am]

BILLING CODE 6320-01-M

Order Concerning Mail Rates

Order 83-1-3, January 4, 1983, Docket 40751, establishes increased intra-Hawaii service mail rates for the period January 1 through June 30, 1983.

Copies of this order are available from the C.A.B. Distribution Section, Room 100, 1825 Connecticut Avenue, NW., Washington, D.C. 20428. Persons outside the Washington metropolitan area may send a postcard request.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 83-736 Filed 1-10-83; 8:45 am]

BILLING CODE 6320-01-M

DEPARTMENT OF COMMERCE

International Trade Administration

Certain Steel Pipes and Tubes From Japan; Final Determination of Sales at Less Than Fair Value

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of Final Determination of Sales at Less Than Fair Value.

SUMMARY: We have determined that certain steel pipes and tubes (CSPT) from Japan are being, or are likely to be, sold in the United States at less than fair value. The U.S. International Trade Commission (ITC) will determine within 45 days of publication of this notice whether these imports are materially injuring, or are threatening to materially injure, a U.S. industry. We have also determined that three of the four manufacturers investigated should be excluded from this determination. Nippon Kokan K.K. is excluded, because we found no margins for exports of that firm. Kobe Steel, Ltd. and Sanyo Special Steel, Ltd., are excluded, because we found margins of 0.02 percent and 0.27 percent, respectively, on exports of those firms. These margins are *de minimis*.

EFFECTIVE DATE: January 11, 1983.

FOR FURTHER INFORMATION CONTACT: Stuart Keitz, Office of Investigations, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230 (202-377-1769).

SUPPLEMENTARY INFORMATION:

Case History

On January 20, 1982, we received a petition in proper form from counsel for the Babcock & Wilcox Company, filed on the behalf of the U.S. industry producing CSPT. The petitioner alleged that CSPT from Japan are being or are likely to be sold in the United States at less than fair value within the meaning of section 731 of the Tariff Act of 1930 (the Act) (19 U.S.C. 1673), and that such sales are materially injuring, or are threatening to materially injure, a U.S. industry. The petitioner also alleged that seamless stainless tube sales in the home market were being made at prices below the cost of production.

On August 18, 1982, we preliminarily determined that CSPT from Japan are being, or are likely to be, sold in the United States at less than fair value (47 FR 37263-66). Our preliminary notice gave interested parties an opportunity to submit views in writing and on November 17, 1982, we held a public hearing.

On October 1, 1982, following a request by the largest responding firm, we extended the date for a final determination to January 3, 1983.

Scope of Investigation

For the purpose of this investigation, the term "certain steel pipes and tubes" covers seamless heat-resisting pipes and tubes, and seamless stainless pipes and tubes. The products are fully described in Appendix A which follows this notice.

This investigation covers the period from August 1, 1981 to January 31, 1982.

We investigated four manufacturers: Kobe Steel Ltd. (Kobe), Nippon Kokan K.K. (NKK), Sanyo Special Steel, Ltd. (Sanyo), and Sumitomo Metal Industries, Ltd. (SMI). These firms manufactured approximately 90 percent of all the CSPT exported to the United States during the period of investigation.

Methodology of Fair Value Comparisons

To determine whether sales of the subject merchandise in the United States were made at less than fair value, we compared the United States price with the foreign market value.

United States Price

We used purchase price, as defined in section 772(b) of the Act, to represent the United States price for sales by all four companies, because the merchandise was sold to unrelated purchasers prior to its importation into the United States. Prices to unrelated exporters who resell the merchandise to the United States importers were used to represent purchase price, since the manufacturers knew at the time of sale that the merchandise was destined for the United States.

We calculated purchase price based on the f.o.b. or f.a.s. Japan packed price, to unrelated exporters who resell the merchandise to the United States customer. We made deductions, where appropriate, for inland freight in Japan, insurance, stowing and trimming charges, and customs clearance charges.

Foreign Market Value

There were sufficient sales in the home market to allow the use of home market prices as the basis for foreign market value. For the purposes of determining such or similar merchandise under section 771 of the Act, where possible, we made comparisons using CSPT of the same finish, grade, specification, and dimension to those of the product sold in the United States. In instances where items of the same dimension were not available, we selected items within specified dimensional parameters for comparison, as detailed in the section of this notice devoted to comments by interested parties.

The petitioner alleged that sales in the home market of seamless stainless tubes were at prices below the cost of production. For Kobe, Sanyo and SMI, the three firms with sales to the United States of seamless stainless tubes during the period of investigation, there were sufficient sales above the cost of production over an extended period of time to provide a basis for the determination of foreign market value. Therefore, for all manufacturers and products investigated, we used home market sales prices to determine foreign market value.

The home market prices were based on delivered, packed prices to unrelated purchasers. From these prices we deducted inland freight and insurance. We also made adjustments, where appropriate, for differences in warehousing expenses, credit costs, commissions, physical differences in the cost of materials, direct labor, and direct factory overhead.

We verified the information used in making this final determination. We were granted access to the books and records of the Japanese firms investigated. We used standard verification procedures, including on-site inspection of the manufacturer's operations and examination of accounting records and randomly selected documents containing relevant information.

Results of Investigation

We made fair value comparisons on virtually all of the sales to the United States made by NKK, Sanyo and SMI. For Kobe, we made comparisons on all sales to the United States, except those made to Shinsho Corporation, a related trading firm responsible for less than 6 percent of Kobe's sales during the period. Since sales to Shinsho were small in comparison to Kobe's overall sales of CSPT, it was deemed appropriate to eliminate those sales from consideration rather than expand the investigation to include exporter's sales price for that firm. We found margins on 26.16 percent of the sales compared. The margins range from 0 to 252.8 percent. The overall weighted-average margin on all sales compared is 11.57 percent.

Comments by Interested Parties

Comment 1

Petitioner

The Department of Commerce (DOC) should not have made a circumstance of sale adjustment for higher commissions paid by the Japanese manufacturers in domestic sales than in U.S. sales. The commission differential is artificially created through cooperation of producers and their associated trading firms by virtue of either financial relationships or a shared export philosophy which exists between producers and trading firms who have a long-standing business relationship.

Further, these conditions make possible the concealment of sales by trading firms below the cost of acquisition.

Respondents

Under the Act, no relationships were found to exist between producers and trading firms involved in the export sales under investigation. No evidence has been presented which supports the "shared export philosophy" alleged by the petitioner.

DOC Position

The only known relationship, within the meaning of the Act, between producer and trading firm, is that between SMI and Sumiken Bussan in the domestic sales of CSPT which were investigated. However, verified sales data indicate that sales are made at arms length. DOC has also investigated a possible relationship between SMI and Sumitomo Corporation in sales to the U.S. However, these sales also proved to have been made at arms length. Further, the investigation did not reveal evidence to support the "shared export philosophy" allegation. The verification of data submitted by the respondents did, however, support the claimed commissions.

Comment 2

Petitioner

Japanese producers incur greater liability costs in the United States than in Japan by virtue of the differences in legal and social standards between the two countries.

Respondents

All respondents claim no product liability costs during the period of investigation. All state that they have had no products returned for defects during the period and that they carry no liability insurance and keep no reserves for this purpose.

DOC Position

The investigation did not reveal any unreported costs associated with warrantees or any other form of product liability.

Comment 3

Petitioner

DOC should not have made an adjustment for differences in credit costs claimed by producers in U.S. and domestic sales. All sales are made to trading companies which perform essentially the same services in sales to both markets. Further, the apparent differences in credit costs are artifically created through cooperation between producers and trading firms.

Respondents

Differences in credit costs beteen the two markets exist and are not artificially created. However, DOC did not compute those differences correctly in the preliminary determination. Fair value computations did not take account of the "benefit" derived from the advance of funds at preferential interest rates by trading firms on U.S. sales. Since the advanced funds make it unnecessary to borrow operating funds at the higher commercial rates the producers receive a net "benefit" equal to the difference between the preferential rate paid and the commercial rate they would have paid had the funds been borrowed at market rates.

DOC Position

DOC regards the "benefit" of not borrowing at market rates as a theoretical or imputed value and, as such, it does not represent the actual cost of extending credit in U.S. sales. Initially, DOC was willing to allow an offset to the cost of the advanced funds on the assumption that they may have been invested by the producers. It is now clear that the advanced funds are used to finance operations and so are not invested by the producers. Consequently, DOC now regards the credit cost associated with advance payments by trading firms as being solely equal to the actual interest paid on those funds.

Comment 4

Petitioner

A circumstance of sale adjustment should be made for legal fees paid in connection with litigation resulting from an earlier antidumping investigation involving some of these companies and products which include those presently being investigated.

Respondents

Legal fees resulting from that litigation have no relation to the exports subject to this investigation. An adjustment for those legal fees would effectively punish the respondents for retaining counsel.

DOC Position

The legal fees associated with that litigation bear no direct relation to the sales under consideration.

Comment 5

Petitioner

DOC should not grant the respondents an adjustment for differences in quantity in the sales being compared, because the claimed adjustments do not satisfy the requirements of section 353.14(b)(1) of the Commerce Regulations. In addition, SMI, and NKK have failed to justify a quantitiy discount on a cost basis. Additionally, quantity is only one factor in many which influence the negotiated prices of the respondents.

Respondents

SMI and NKK contend that cost analyses they submitted subsequent to the preliminary determination support a quantity adjustment.

DOC Position

Both SMI and NKK cost analyses have been verified to have been based on data from their actual records. However, while SMI's data roughly supports its claimed schedule of mark-ups for small quantities, adherence to the schedule is not evident in the negotiated prices to customers in either market. Examination of sales data reveals that, while quantity appears to have some effect on price, it rarely, if ever, conforms to the scheduled mark-ups. It is evident that other factors also influence price; and there is no way to demonstrate that the scheduled factors are actually used. Consequently, we denied the adjustment for SMI.

In the case of NKK, the submitted cost data demonstrate that different quantities result in differences in processing time and other expense related factors. The methodology of NKK's computation appears to be sound and it relates to the actual quantities being compared. Therefore, we made the adjustment for NKK.

Comment 6

Petitioner

DOC should only compare pipes or tubes whose sizes are within a plus or minus 10 percent variation in dimension without adjustment. When sizes of greater dimensional variation are being compared, adjustment should be made on the basis of actual cost differences between the specific sizes. In lieu of data defining those differences, adjustments should be made on the basis of the ratio of the weights between the two products.

Respondents

Kobe argued that it cannot furnish the cost of production of individual sizes because its standard accounting procedures make development of such data impossible.

Therefore, the firm has provided cost data for size groupings within which it contends the cost variation is extremely small. By furnishing, in this manner, cost for one representative "standard" size within that group, Kobe claims it has provided a cost which reasonably applies to any size in the group. Additionally, the firm has furnished data which demonstrates that, for two size groupings, cost data for six sizes within each group do not vary from that of the "standard" size by more than a small percentage. Kobe is further willing to accept comparison of its products of differing dimensions, with an adjustment equal to this "maximum" deviation, in whichever direction is least advantageous. Kobe contends, alternatively, that if an adjustment is not made on the basis of its size-group cost data, no adjustment should be made.

NKK contends that the petitioner's suggested comparison of products within a plus or minus ten percent variance in dimensional characteristics without adjustment would distort reality. The same is claimed for petitioner's suggested use of weight ratios in comparisons of products which exceed the suggested parameter.

NKK and Sanyo have also provided cost data which they contend supports adjustments for use in comparison of their products which are of different dimensions.

SMI has not provided data to support adjustments for differences in dimension.

DOC Position

The "size grouping" cost methodology is not acceptable. Adjustment for differences in size should only be made on the basis of cost for the specific sizes being compared. NKK and Sanyo have provided such data, which has been verified. Consequently, adjustment for differences in the dimensions of the products compared for these firms has been made. Similar adjustment for Kobe and SMI has been denied. In lieu of specific size/cost differentials, the petitioner's suggested range is the most acceptable benchmark available. Therefore, comparisons have been made on the basis of identical grade of steel, finish and least advantageous match within the petitoner's suggested 10 percent dimensional range. Where no products are available for comparison within the 10 percent parameter, the least advantageous selection has been made from the closest larger and smaller sizes.

Comment 7

Petitioner

SMI and Sanyo have submitted cost-of-production data which, on petitioner's analysis and combined with petitioner's experience, suggest that both firms are selling CSPT in Japan at prices below their cost of production.

Respondents

SMI states simply that DOC has verified their cost of production data and has found no sales below cost.

Sanyo claims that the petitioner misunderstands the cost information furnished and that perhaps they have made their judgment without consideration of additional data furnished subsequent to the original response.

DOC Position

Cost submissions by both SMI and Sanyo have been verified and are supported by records examined at the producer's respective premises. DOC analysis of those submissions indicates that there have been some sales in Japan by both firms at less than the cost of production. However, there were sufficient sales above cost upon which to base foreign market value.

Comment 8

Petitioner

Japanese producers are selling cold-finished CSPT in the United States as hot-finished products, thereby understating their true value. Under the circumstances, hot-finished products sold to the United States should not be compared to hot-finished products sold in Japan.

Respondents

Japanese producers have not sold cold-finished CSPT in the United States as hot-finished CSPT.

DOC Position

DOC has no substantiated evidence of the practice alleged by the petitioner.

Comment 9

Kobe

DOC used an improperly high profit component in computing constructed value for Kobe's sales of seamless stainless tubes in the home market, when it concluded that it did not have sufficient data to establish the cost of production for Kobe's home market sales.

DOC Position

In establishing the constructed value of seamless stainless tubes sold by Kobe, DOC had to use verified data from Kobe's cost of production submission. Since only a limited number of sales could be verified, we could not establish a comprehensive figure which would represent Kobe's profit experience on an average basis. We did, however, have several verified sales from which profit data could be obtained. Since we were establishing constructed value on a "best information available" basis, it was reasonable to select the verified profit figure which was least advantageous to Kobe.

However, this point is moot since Kobe has, subsequent to the preliminary determination, provided the missing data to complete its cost of production information. Using this data, it had been determined that there were sufficient sales over an extended period of time, above the cost of production, to provide a basis for the determination of foreign market value. Consequently, constructed value has not been used in making comparisons for our final determination with respect to Kobe's sales of seamless stainless tubes.

Comment 10

Sanyo

An adjustment should be made when comparing sales of CSPT which have been cut to length with sales of CSPT in random lengths. Sanyo has furnished cost data to support such and adjustment.

Petitioner

No adjustment should be made when comparing cut-to-length CSPT to random-length CSPT. DOC should, instead, compare only sales of products which have been manufactured to the same standards.

DOC Position

Comparison of sales with the same production standards is not always possible because most U.S. sales are random length and most home market sales are cut-to-length. In order to treat all sales in a consistent manner, home market price was based on a weighted-average of identical sizes which are either manufactured to the same production standards or are adjusted for the difference according to verified cost data furnished by Sanyo.

Comment 11

Sanyo

DOC should allow an adjustment for differences in the level of trade with regard to U.S. sales made to Kanematsu-Gosho (KG). KG is a "wholesaler's wholesaler" who sells to Kanematsu-Gosho, U.S., who is turn, stocks the products and resells them to U.S. wholesalers. Sanyo sets prices with knowledge of KG's status.

DOC Position

Sanyo does sell CSPT to KG at prices lower than those to any other trading firm. KG usually, but not always, buys CSPT in larger quantities than other trading firms. When KG does buy in larger quantities, they are often not significantly greater than those to other trading firms for the same merchandise. In addition, DOC cannot be certain without an extensive new investigation that KG's function in the marketplace is as claimed, nor can we be certain that its status is unique among trading firms. If other firms are purchasing the same standard, stockable products as KG, it is entirely possible that they are selling them in a similar capacity. Consequently, DOC did not allow an adjustment for differences in level of trade.

Comment 12

Sanyo

The Department must allow an adjustment for differences in merchandise when comparing sales of polished pipe in the home market to sales of non-polished pipe in the United States.

DOC Position

Sanyo made only one sale of polished pipe in the home market during the period of investigation. No sales of polished pipe were made to the United States. Consequently, the Department excluded the sale of polished pipe from the calculation of foreign market value for the final determination.

Comment 13

Sanyo

The Department must allow a circumstance of sale adjustment for technical services and differences in selling expenses associated with the sales under consideration.

DOC Position

Sanyo failed to establish a direct relationship between technical services and the sales under consideration. Adjustments for differences in selling expenses associated with sales to the United States may be made when comparing foreign market value with United States price based on exporters sales price, in accordance with section 353.15(c) of the Commerce Regulations. Such an adjustment is inappropriate for comparisons where United States price is based on purchase price.

Comment 14

SMI

DOC should use SMI's overall borrowing rate in its computation of credit costs. Exclusive use of short-term borrowing rates to measure SMI's cost is improper since SMI does not borrow short-term to finance individual sales.

DOC Position

DOC recognizes that firms do not finance receivables on an individual basis. However, it attempts to quantify credit costs associated with the extension of credit to customers. Since the extension of credit under consideration relates to short-term receivables, it is deemed appropriate to use the commercial rates applicable to short-term financing.

Comment 15

SMI

Oil country tubular goods (OCTG) should not have been included in the investigation, since the petitioner amended the original petition to exclude them.

Petitioner

OCTG sold by SMI should not be omitted from the Commerce Department investigation of CSPT, because they are difficult to identify and would compromise the enforcement of any potential antidumping duty order.

DOC Position

During the initiatin of this case, the petitioner had amended the petition to exclude OCTG. DOC included certain OCTG in its investigation because of a concern that, in the event of an affirmative determination of dumping, exclusion of these items might complicate enforcement. However, DOC is now convinced that an alternative enforcement method is available through the use of mill certificates which identify the imported pipes and tubes and the use of inspection methods which have been worked out with the U.S.

Customs Service. Consequently, OCTG have been excluded from the investigation.

Final Determination

Based on our investigation and in accordance with section 735(a) of the Act, we have reached a final determination that certain steel pipes and tubes from Japan are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act.

Continuation of Suspension of Liquidation

Liquidation will continue to be suspended on all entries of CSPT for manufacturers, producers or exporters other than Kobe, NKK and Sanyo, that are entered into the United States, or withdrawn from warehouse, for consumption. The U.S. Customs Service will continue to require a cash deposit or the posting of a bond, equal to the estimated weighted-average margin by which the foreign market value exceeds the United States price for SMI and manufacturers, producers or exporters other than Kobe, NKK and Sanyo. The weighted-average margins are as follows:

Manufacturer/product	Weighted-average margin (percent)
Seamless Heat-Resisting CSPT:	
Nippon Kokan K.K	0.00
Sumitomo Metal Industries, Ltd	2.83
Other Manufacturers/Producers/Exporters	2.83
Seamless Stainless CSPT:	
Kobe Steel, Ltd	[1].02
Sanyo Special Steel, Ltd	[1].27
Sumitomo Metal Industries, Ltd	22.95
Other Manufacturers/Producers/Exporters	22.95

[1] This margin is *de minimis*, therefore, these firms are excluded from this determination, as is NKK. Therefore, any cash deposit made or bonds posted by those companies pursuant to our preliminary determination will be refunded or released, as appropriate.

The security amounts established in our preliminary determination of August 18, 1982, will no longer be in effect.

ITC Notification

We are notifying the ITC and making available to it all nonprivileged and nonconfidential information relating to this determination. We will allow the ITC access to all privileged and confidential information in our files, provided it confirms that it will not disclose such information, either publicly or under an administrative protective order, without the written consent of the Deputy Assistant Secretary for Import Administration. If the ITC determines that material injury or threat of material injury does not exist, this proceeding will be terminated and all securities posted as a result of the suspension of liquidation will be refunded or cancelled. If the ITC determines that such injury does exist, we will issue an antidumping order, directing Customs officers to assess an antidumping duty on certain steel pipes and tubes from Japan entered, or withdrawn from warehouse, for consumption after the suspension of liquidation, equal to the amount by which the foreign market value exceeds the United States price for each firm. This determination is being published pursuant to section 735(d) of the Act (19 U.S.C. 1673(d)).

Lawrence J. Brady,

Assistant Secretary.

January 3, 1983.

Appendix A

The merchandise covered by this investigation includes the following two categories of products:

1. Seamless heat-resisting pipes and tubes classifiable under item numbers 610.5209, 610.5229, and 610.5234 of the Tariff Schedules of the United States Annotated (TSUSA).

2. Seamless stainless pipes and tubes classifiable under item numbers 610.5205, 610.5229, and 610.5230 of the TSUSA.

The products exclude, however, oil country tubular goods of seamless heat-resisting or seamless stainless steel suitable for use as oil or gas well casing or tubing, oil or gas field drill pipe or oil or gas line pipe, and having a tensile strength of at least 95,000 pounds per square inch (psi) and a yield strength of at least 75,000 psi.

The products are generally used in the chemical, petrochemical and oil refining industries and by electric utilities for conveyance of gases and liquids at high pressures and/or at high tempertures in heat exchangers, boilers and other industrial equipment. Additional uses may also include mechanical applications such as structurals and bicycle wheel spokes.

[FR Doc. 83-708 Filed 1-10-83; 8:45 am]

BILLING CODE 3510-25-M

Petitions by Producing Firms for Determinations of Eligibility To Apply for Trade Adjustment Assistance

Petitions have been accepted for filing from the following firms: (1) Bee Fiberglass, Inc., 198 Airport Road, Fall River, Mass. 02720, producer of pipes, tanks, gratings and ducts (accepted December 8, 1982); (2) Superior Moulding Company, Inc., 910 Brundidge Boulevard, Troy, Alabama 36081, producer of furniture and cabinet parts and tables (accepted December 8, 1982); (3) The Telescope Folding Furniture Company, Inc., Church Street, Granville, New York 12832, producer of furniture (accepted December 8, 1982); (4) Philadelphia Gasket Manufacturing Company, Inc, "F" and Atlantic Streets, Philadelphia, Pennsylvania 19134, producer of metal stampings, gaskets, washers and shims (accepted December 9, 1982); (5) Forgflo Corporation, P.O. Box 638, Sunbury, Pennsylvania 17801, producer of magnetic recording heads and machined parts (accepted December 9, 1982); (6) Julie Hat Company, Inc., P.O. Box 186, Patterson, Georgia 31557, producer of caps (accepted December 9, 1982); (7) Chateau Esperanza Winery, Ltd., Box 76 Route 54A, Bluff Point, New York 14417, producer of wine (accepted December 9, 1982); (8) Texpur Industries, Inc., P.O. Box 76, Judson, Texas 75660, producer of pipe couplings (accepted December 10, 1982); (9) Gutstein-Tuck, Inc., 2215 Washington Street, Boston, Massachusetts 02119, producer of women's slacks, skirts and shorts; and men's trousers, shorts and swimsuits (accepted December 10, 1982); (10) Bomatic, Inc., 1841 E. Acacia Street, Ontario, California 91761, producer of plastic containers (accepted December 10, 1982); (11) Gilmore Steel Corporation, P.O. Box 2760 Portland, Oregon 97208, producer of steel plates (accepted December 10, 1982); (12) Chromex Chemical Corporation, 19 Clay Street, Brooklyn, New York 11222, producer of writing instruments and parts, ink and cosmetics (accepted December 10, 1982); (13) G.H.R. Manufacturing Company, Inc., P.O. Box 347, Ponca City, Oklahoma 74601, producer of men's and women's jackets (accepted December 13, 1982); (14) Apollo Metals, Inc., 6650 South Oak Park Avenue, Chicago, Illinois 60638, producer of plated metal sheets and coils (accepted December 16, 1982); (15) Barton Products, Inc., 214 West 29th Street, New York, New York 10001, producer of sports racket grips (accepted December 20, 1982); (16) Wammock Industries, Inc., P.O. Box 689, Louisburg, North Carolina 27549, producer of household furniture and girls' jackets, coats and skirts (accepted December 21, 1982); (17) Belleville Wire Cloth Company, Inc., 135 Little Street, Belleville, New Jersey 07109, producer of wire cloth (accepted December 22, 1982); (18) Hornady Manufacturing Company, P.O. Box 1848, Grand Island, Nebraska 68801, producer of bullets, shot, ammunition, reloading tools and parts (accepted December 22, 1982); (19) The Model Bride, Inc., 318 West 39th Street, New York, New York 10018, producer of apparel accessories (hats, purses, veils, belts, vests and handkerchiefs), (accepted December 27, 1982); (20) National Bedding and Furniture Industries, Inc., 1700 Channel Avenue, Memphis, Tennessee 38113, producer of household furniture and fabrics (accepted December 27, 1982); (21)

Dalemark Industries, Inc., 950 Airport Road, Lakewood, New Jersey 09801, producer of marking, coding and imprinting machinery and accessories (accepted December 28, 1982); (22) DVB Enterprises, Inc., 1400 East 40 Highway, Blue Springs, Missouri 64015, producer of men's and boys' jackets, shirts and shorts; and tote bags (accepted December 28, 1982); (23) Moose Industries, Inc., 1510 Tate Boulevard, Hickory, North Carolina 28601, producer of burglar alarm components and accessories (accepted December 28, 1982); (24) Cedar Valley Growers, Inc., R.D. #2, Maloney Lane, Goshen, New York 10924, producer of onions and lettuce (accepted December 30, 1982); (25) Charles Gratz Farms, Inc., Newport Bridge Road, Pine Island, New York 10969, producer of onions, lettuce and celery (accepted December 30, 1982); (26) G & U, Inc., R.D. #2, Goshen, New York 10924, producer of onions, lettuce, celery, radishes and carrots (accepted December 30, 1982); (27) Myruski Farms, Inc., R.F.D. 2, Box 208, Goshen, New York 10924, producer of onions and lettuce (accepted December 30, 1982); (28) Shuback Farms, Inc., P.O. Box 377, Goshen, New York 10924, Producer of onions and sod (accepted December 30, 1982); (29) W.K.W. Farms, Inc., Route Number 2, Goshen, New York 10924, producer of onions (accepted December 30, 1982); and (30) Tennessee Bolt and Screw Company, Inc., 2700 Summer Avenue, Memphis, Tennessee 38112, producer of screws (accepted December 30, 1982).

The petitions were submitted pursuant to Section 251 of the Trade Act of 1974 (Pub. L. 93–618) and § 315.23 of the Adjustment Assistance Regulations for Firms and Communities (13 CFR Part 315). Consequently, the United States Department of Commerce has initiated separate investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Director, Certification Division, Office of Trade Adjustment Assistance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of the tenth calendar day following the publication of this notice.

The Catalog of Federal Domestic Assistance official program number and title of the Program under which these petitions are submitted is 11.309, Trade Adjustment Assistance. Inasfar as this notice involves petitions for the determination of eligibility under the Trade Act of 1974, the requirements of Office of Management and Budget Circular No. A–95 regarding review by clearinghouses do no apply.

Jack W. Osburn, Jr.,

Director, Certification Division, Office of Trade Adjustment Assistance.

[FR Doc. 83–751 Filed 1–10–83; 8:45 am]

BILLING CODE 3510–25–M

National Bureau of Standards

Announcing a Workshop for Local Area Networks; Implementors of the ISO/NBS Transport Class 4 Protocol

The Institute for Computer Sciences and Technology at the National Bureau of Standards (NBS) announces a two-day workshop to discuss implementations for local area networks of the Transport Class 4 Protocol of the International Organization for Standardization according to the NBS design specification. The workshop will be held on February 1 and 2, 1983 at the Marriott Hotel, 620 Lakeforest Blvd., Gaithersburg, Maryland, (301) 977–8900.

The first day of the workshop, geared specifically to the needs of local area networking vendors, will focus on Class 4 Transport techniques and implementation strategies. The second day will focus on specific implementations leading to a multi-vendor protocol demonstration in 1983.

Attendance at the workshop is limited due to space requirements and the size of the conference facility; therefore, registration is on a first come, first served basis with a strict limitation of two participants per company. A nominal registration fee will be charged for attending the workshop. Participants are expected to make their own travel arrangements and accommodations. NBS reserves the right to cancel any part of the workshop.

To register, companies should send a request on company letterhead to: LAN/Transport Workshop, Attn: Robert Rosenthal, National Bureau of Standards, Bldg. 225, Room B–226, Washington, D.C. 20234.

The registration request must name the company representative(s) and specify the business address and telephone number for each participant. Registration requests must be received by close of business January 24, 1983. An NBS representative will confirm workshop registration reservations by telephone. For additional information, contact Robert Rosenthal (301) 921–3516.

Dated: January 6, 1983.

Ernest Ambler,

Director.

[FR Doc. 83–715 Filed 1–10–83; 8:45 am]

BILLING CODE 3510–CN–M

National Oceanic and Atmospheric Administration

Pacific Coast Groundfish Fishery

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of experimental fishing permit applications and request for comment.

SUMMARY: This notice acknowledges receipt of four experimental fishing permit applications and announces a public comment period as required in the regulations implementing the Pacific Coast Groundfish Fishery Management Plan. The applicants propose to harvest groundfish with set nets in the fishery conservation zone (3–200 nautical miles from shore) off Washington, Oregon, and California north of 38° N. latitude. An experimental fishing permit allows a fishery which otherwise would be prohibited by Federal regulation.

DATE: Comments on these applications must be received by January 14, 1983.

ADDRESS: H. A. Larkins, Director, Northwest Region, National Marine Fisheries Service, 7600 Sand Point Way N.E., BIN C15700, Seattle, Washington 98115.

FOR FURTHER INFORMATION CONTACT: H. A. Larkins, 206–527–6150.

SUPPLEMENTARY INFORMATION: The Pacific Coast Groundfish Fishery Management Plan (FMP) was approved by the Secretary of Commerce (Secretary) on January 4, 1982, and implementing regulations were published on October 5, 1982 (47 FR 43964). The FMP specifies that experimental fishing permits (EFPs) may be issued to authorize fishing which otherwise would be prohibited. The procedures for issuance of EFPs appear in the regulations at 50 CFR 663.10. A notice published on December 1, 1982 (47 FR 54135), stated that EFP applications to use set nets for groundfish in 1983 must be received by December 15, 1982, to assure consideration at the January 12–14, 1983, meeting of the Pacific Fishery Management Council (Council). The notice stressed that these applications might be the only ones considered for set netting in 1983.

Four applications to use set nets for groundfish in 1983 were received by December 15, 1982. One application was incomplete. Clarification of applications and additional information were requested from each applicant. In the interest of making this information available for public review at the earliest possible date, each application is summarized here with the incomplete sections noted. The Council will discuss these applications at its January 12–14, 1983 meeting at the Cosmopolitan Motel, 1030 N.E. Union Avenue, Portland, Oregon (503–235–8433).

The regulations at 50 CFR 663.26(c) prohibit fishing for groundfish with set nets in the fishery management area north of 38°00′ N. latitude. Although this restriction was based on limited data, the Council was concerned with the demonstrated efficiency of set nets for salmon and the abundance of salmon in the fishery conservation zone (3–200 nautical miles from shore), lack of information on other incidentally-caught species, the 1957 understanding with Canada to ban net fishing for salmon in the ocean, the ability of set nets to fish indefinitely if lost or unattended, and the considerable history of conflict between mobile and fixed gears when they occur together. This restriction also is consistent with State regulations.

In 1982, one EFP was granted to allow set netting for groundfish in the fishery conservation zone. The EFP authorized fishing in the fishery conservation zone north of 38°N. latitude with set nets no more than 400 fathoms long and 25 meshes deep, and with a minimum mesh size of six inches. Because the regulations were implemented late in the year, only one fishing trip was conducted under the EFP and the data obtained are inconclusive. Only two sets were made on that trip and about 6,000 pounds of sablefish, 2,000 pounds of lingcod, and 1,500 pounds of rockfish were landed. One halibut and no salmon were found in the two sets. An observer was aboard the permitted vessel and submission of a logbook was required.

The four applications to use set nets for groundfish are summarized below. The applications are available for public review at the Regional Director's office during the public comment period (see Address section). The decision to grant or deny an EFP application will be based on information in the completed application, additional information requested for each applicant (such as the applicant's experience fishing for groundfish and fishing with set nets, the requested fishing area, and willingness to comply with the conditions of an EFP), information provided at the Council's January meeting, and comments received during the public comment period.

(1) *Purposes and significance.* The applicants believe that set netting for groundfish is more efficient, selective, and profitable than other methods of fishing, and that it produces a higher quality product. They seek to establish a data base from which to evaluate the benefits and liabilities of set netting for groundfish.

(2) *Vessel.* Each applicant wanted to permit only one vessel. The vessels range from 42 to 71 feet in length, 16 to 44 net tons, and 24 to 64 gross tons.

(3) *Species.* Each applicant intends to target on sablefish. Three also indicated a desire for limited targeting on rockfish; two on lingcod, and one on shark. Incidental catches of lingcod, rockfish, flatfish, dogfish, and true cod are expected. All would be delivered to local processors. Amounts harvested depend on the conditions imposed in an EFP.

(4) *Time.* Two applicants requested a year-long season, one requested a May-through-September season, and the fourth applicant would take whatever was offered.

(5) *Place.* Three of the four applicants requested to operate off the Washington coast; one of these wanted to fish between 60 and 120 fathoms and the other two gave no depth preference. The fourth applicant did not request any particular area of the fishery conservation zone, but wanted to fish along the 100 fathom curve.

(6) *Gear.* Three applicants requested to use set nets with a minimum of a 6-inch mesh and no more than 30-meshes deep. Two of these specified that monofilament twine would be used. One applicant wanted to use a bottom set net. One requested a total net length of 5,000 feet but was unclear whether this would be one or several nets. One proposed using a total net length of 9,600 feet, four nets no more than 400 fathoms (2,400 feet) each. The fourth applicant did not submit detailed gear specifications. The third also specified using 400-fathom nets. Clarification of the net specifications has been requested and each applicant also has been asked if he would use biodegradable twine to lash the mesh to the cork line.

(16 U.S.C. 1801 *et seq.*)

Dated: January 6, 1983.

Carmen Blondin,

Deputy Assistant Administrator for Fisheries Resource Management, National Marine Fisheries Service.

[FR Doc. 83–736 Filed 1–6–83; 4:02 pm]

BILLING CODE 3510-22-M

Receipt of Application for General Permit

Notice is hereby given that the following applications have been received to take marine mammals incidental to the pursuit of commercial fishing operations within the U.S. fishery conservation zone, as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407), and the regulations thereunder.

1. The VEB Fischfang Rostock of the German Democratic Republic has applied for a Category 1: "Towed or Dragged Gear" general permit to incidentally take 8 otariid seals, 8 phocid seals, and 8 cetaceans, in 1983.

2. Hochseefischeri Nordstern A.G., West Germany, has applied for a Category 1: "Towed or Dragged Gear" general permit to incidentally take 60 otariid seals, 60 phocid seals, and 60 cetaceans in 1983.

The applications are available for review in the Office of the Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, NW., Washington, D.C.

Interested parties may submit written views on the applications within 30 days of the date of this notice to the Assistant Administrator for Fisheries, National Marine Fisheries Service, U.S. Department of Commerce, Washington, D.C. 20235.

Dated: January 4, 1983.

Richard B. Roe,

Acting Director, Office of Protected Species and Habitat Conservational, National Marine Fisheries Service.

[FR Doc. 83–728 Filed 1–10–83; 8:45 am]

BILLING CODE 3510-22-M

Receipt of Application for Permit

Notice is hereby given that an Applicant has applied in due form for a Permit to take marine mammals as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216).

1. Applicant:

a. Name: Mr. M.J. Hameedi, Acting Director (P312), Outer continental

Shelf Environmental Assessment Program.

b. Address: National Ocean Service, NOAA, P.O. Box 1808, Juneau, AK 99802.

2. Type of Permit: Scientific Research.

3. Name and Number of Animals: Ringed Seals, (Phoca hispida), up to 5,000.

4. Type of Take: Direct and potential harassment.

5. Location of Activity: Bering, Chukchi and Beaufort Seas Alaska.

6. Period of Activity: 3 years.

Concurrent with the publication of this notice in the **Federal Register**, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and the Committee of Scientific Advisors.

Written data or views, or requests for a public hearing on this application should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, U.S. Department of Commerce, Washington, D.C. 20235, within 30 days of the publication of this notice. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be apropriate. The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries.

All statements and opinions contained in this application are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Documents submitted in connection with the above application are available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, N.W., Washington, D.C. ; and

Regional Director, National Marine Fisheries Service, Alaska Region, P.O. Box 1668, Juneau, Alaska 99802.

Dated: January 4, 1983.

Richard B. Roe,

Acting Director, Office of Protected Species and Habitat Conservation, National Marine Fisheries Service.

[FR Doc. 83-729 Filed 1-10-83; 8:45 am]

BILLING CODE 3510-22-M

DEPARTMENT OF DEFENSE

Corps of Engineers; Department of the Army

Intent To Prepare a Draft Environmental Impact Statement (DEIS) for a Proposed Flood Control Project on the Fox River in Kane, McHenry and Lake Counties, Illinois

AGENCY: Army Corps of Engineers, DOD.

ACTION: Notice of Intent To Prepare a Draft Environmental Impact Statement (DEIS).

SUMMARY: 1. The proposed project involves a combination of nonstructural flood damage reduction measures and the modification of various existing low-head dams on the Fox River. In addition, the placement of canoe portages or bypasses at various dam locations is being considered.

2. Alternatives studied in detail are:

a. No action.

b. A nonstructural plan consisting of elevating or relocating structures, use of brick facing, or the addition of a utility room at various locations along the Fox River, and a separate basin-wide flood warning and flood forecasting system.

c. Modifications of the existing low-head dams at St. Charles, Elgin, Algonquin and McHenry, Illinois, consisting of the installation of gates with widths of 50, 100 or 150 feet. The gates would allow lowering of the dam pools in anticipation of flood events. Gate operation would be used in conjunction with the flood warning and flood forecasting system.

d. Canoe bypasses at existing dams at Geneva, St. Charles, South Elgin, Elgin and Carpentersville, Illinois. The bypasses would consist of either portages, chutes or a series of stair-stepped pools around the dams.

3. Public workshops to discuss the alternative plans for the Fox River have been held in September 1981 and November 1982. Affected Federal, State and local agencies, municipalities, and interested private organizations and individuals have been involved in all aspects of project planning and plan selection. Coordination has been undertaken with the following: U.S. Fish and Wildlife Service, Illinois Division of Water Resources, Illinois Department of Conservation, Illinois State Historic Preservation Office, Northeastern Illinois Regional Planning Commission, Kane, McHenry and Lake Counties, and the municipalities of Geneva, St. Charles, South Elgin, Elgin, Carpentersville and Algonquin, Illinois.

4. Significant issues to be analyzed in depth include effects of the alternative plans on sedimentation, water quality, vegetation, wildlife, fisheries, human resources, and the potential for hydropower redevelopment.

5. No scoping meeting will be held. The scoping process has been undertaken as part of the on-going public participation and coordination program.

6. The DEIS is expected to be available to the public in June 1983.

7. Questions about the proposed action and DEIS can be answered by Mr. Tom Slowinski, U.S. Army Corps of Engineers, Chicago District, Environmental and Social Analysis Section, 219 South Dearborn Street, Chicago, Illinois 60604 (phone: 312/353-7805).

Christos A. Dovas,

LTC, Corps of Engineers District Engineer.

[FR Doc. 83-668 Filed 1-10-83; 8:45 am]

BILLING CODE 3710-HN-M

Defense Communications Agency

Privacy Act of 1974; Amendment of a System of Records

AGENCY: Defense Communications Agency, Defense.

ACTION: Notice of amendment to a system of records notice.

SUMMARY: The Defense Communications Agency proposes to amend a notice for a systems of records subject to the Privacy Act of 1974. The specific changes are set forth below.

DATES: This systems notice shall be amended as proposed without further notice on February 10, 1983.

ADDRESS: Any public comments should be addressed to the System Manager identified in the system notice.

FOR FURTHER INFORMATION CONTACT: Mr. John T. Whealen, General Counsel, Defense Communications Agency; Washington, D.C. 20305, Telephone: 202/692-2009.

SUPPLEMENTARY INFORMATION: The Defense Communications Agency inventory of systems of records subject to the Privacy Act of 1974, Title 5, United States Code 552a (Pub. L. 93–579; 44 Stat. 1896, *et. seq.*) has been published in the Federal Register at: FR Doc. 81–897 (46 FR 6696) January 21, 1981.

This change does not require an altered system report as prescribed by 5 U.S.C. 552a(o).

M.S. Healy,

OSD Federal Register Liaison Officer, Department of Defense.

January 5, 1983.

Amendments

K700.03

System Name:

Personnel Information System (PERMIS)

Changes:

System Name:

Change to "Manpower and Personnel System (MAPS)"

Categories of records in the system:

Delete entire entry and substitute: "System contains personal information in several categories; biographical data (Name, SSAN, Sex, Minority Group Indicator, Birth Date, Citizenship; DCA employment) DCA Start Date, Recruitment Source, DCA Service Computation Date, Geographic Location, Submitting Office Number, DCA Area, Office Code, Salary, Appointment Type, Work Schedule, Pay Plan, Grade, Step, Date of grade, Pay Determinant, Pay Basis, Date of Last Within Grade, Competitive Level, Tenure-Excepted, Reemployed Employee Code, Position Code, Position Description Number, Job Title, Career Field, Civilian Job Code, Function Code for Scientists and Engineers, Rotation Date, Not-to-Exceed Code, Not-to-Exceed Date, Nature of Action Code, Nature of Action Date, Performance Rating Date, Performance Rating Code, Supervisor Code, Reason for Departure Code, Type of Promotion, Vietnam Era Indicator; Military Service Information, Service Component, Branch of Service, Date of Commission, Primary Job Code, Secondary Job Code, Tertiary Job Code, Added Job Code, Permanent Grade, Date of Permanent Grade, Military Education Level, Rating Official, Military Performance Rating, Military Job Code, Office Assignment of Military Rater, Indorsing Official, Official Assignment of Military Indorser, MOS Prefix, MOS Suffix; Civilian Federal Employment (Service Computation Date, Date Entered Federal Service, Veterans Preference, Reduction-in-Force Code, Tenure Group, Probation Start Date, Career Start Date, Leave Category, Handicap Code, Position Occupied Code); Education (Education Level, Academic Speciality, Year of Degree, (Type of Training, Purpose of Training, Training Facility, Course Number, Course Name, on-Duty Training Hours, Off-Duty Training Hours, Direct Training Costs, Indirect Training Costs, Date of Training, Training Status, Training Sponsor, Special Interest Training, Degree Program School, Type of Degree Program, Academic Speciality of Degree Program, Total Training Cost, Total Training Hours, Type of Competitive Training; Awards and recognition (Type of Award, Date of Award, Amount of Award, Tangible Award, Intangible Award); Benefits (Federal Employees Group Life Insurance Coverage, Federal Employees Health Benefits Plan, Federal Employees Health Benefits Carrier; Locator Information (Home Phone Number, Office Phone Number, DCA Building Number, Room Number).

K700.03

SYSTEM NAME:

Manpower and Personnel System (MAPS).

* * * * *

CATEGORIES OF RECORDS IN THE SYSTEM:

"System contains personal information in several categories; biographical data (Name, SSAN, Sex, Minority Group Indicator, Birth Date, Citizenship; DCA employment) DCA Start Date, Recruitment Source, DCA Service Computation Date, Geographic Location, Submitting Office Number, DCA Area, Office Code, Salary, Appointment Type, Work Schedule, Pay Plan, Grade, Step, Date of grade, Pay Determinant, Pay Basis, Date of Last Within Grade, Competitive Level, Tenure-Excepted, Reemployed Employee Code, Position Code, Position Description Number, Job Title, Career Field, Civilian Job Code, Function Code for Scientists and Engineers, Rotation Date, Not-to-Exceed Code, Not-to-Exceed Date, Nature of Action Code, Nature of Action Date, Performance Rating Date, Performance Rating Code, Supervisor Code, Reason for Departure Code, Type of Promotion, Vietnam Era Indicator; Military Service Information, Service Component, Branch of Service, Date of Commission, Primary Job Code, Secondary Job Code, Tertiary Job Code, Added Job Code, Permanent Grade, Date of Permanent Grade, Military Education Level, Rating Official, Military Performance Rating, Military Job Code, Office Assignment of Military Rater, Indorsing Official, Official Assignment of Military Indorser, MOS Prefix, MOS Suffix; Civilian Federal employment (Service Computation Date, Date Entered Federal Service, Veterans Preference, Reduction-in-Force Code, Tenure Group, Probation Start Date, Career Start Date, Leave Category, Handicap Code, Position Occupied Code); Education (Education Level, Academic Speciality, Year of Degree, (Type of Training, Purpose of Training, Training Facility, Course Number, Course Name, on-Duty Training Hours, Off-Duty Training Hours, Direct Training Costs, Indirect Training Costs, Date of Training, Training Status, Training Sponsor, Special Interest Training, Degree Program School, Type of Degree Program, Academic Speciality of Degree Program, Total Training Cost, Total Training Hours, Type of Competitive Training; Awards and recognition (Type of Award, Date of Award, Amount of Award, Tangible Award, Intangible Award); Benefits (Federal Employees Group Life Insurance Coverage, Federal Employees Health Benefits Plan, Federal Employees Health Benefits Carrier; Locator Information (Home Phone Number, Office Phone Number, DCA Building Number, Room Number).

* * * * *

[FR Doc. 83–697 Filed 1–10–83; 8:45 am]

BILLING CODE 3610–05–M

DEPARTMENT OF EDUCATION

Office of Bilingual Education and Minority Languages Affairs

Discretionary Grant Programs; Application Notice Establishing Closing Dates for Transmittal of Certain Fiscal Year 1983 Applications

AGENCY: Education Department.

ACTION: Application notice establishing closing dates for transmittal of certain Fiscal Year 1983 applications.

SUMMARY: The purpose of these application notices is to inform potential applicants of fiscal and programmatic information and closing dates for transmittal of applications for awards under certain programs administered by the Department of Education.

Organization of Notice

This notice contains two parts. Part I includes, in chronological order, the list of all application closing dates for new projects and noncompeting continuations covered by this notice. Part II consists of individual application announcements for each program.

The budget estimates in the individual application notices are based on the continuing resolution enacted by Congress on December 21, 1982 (Pub. L. 97–377). The actual amounts available and are subject to further change by Congress and the President.

Instructions for Transmittal of Applications

Applicants should note specifically the instructions for the transmittal of applications included below:

Transmittal of Applications: Applications for new projects must be mailed or hand delivered on or before the closing date given in the individual program announcements included in this document. Each late applicant for a new project will be notified that its application will not be considered.

To be assured of consideration for funding, applications for noncompeting continuation awards should be mailed or hand delivered on or before the closing date given in the individual program announcements included in this document. If an application for a noncompeting continuation is late, the Department of Education may lack sufficient time to review it with other noncompeting continuation applications and may decline to accept it.

Applications Delivered by Mail: Applications must be addressed to the Department of Education Application Control Center, *Attention:* (insert appropriate CFDA Number), Washington, D.C. 20202.

An applicant must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated Shipping label, invoice, or receipt from a commercial carrier.

(4) Any other evidence of mailing acceptable to the U.S. Secretary of Education.

If an application is sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing: (1) A private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

An applicant is encouraged to use registered or at least first class mail.

Applications Delivered by Hand: Hand-delivered applications must be taken to the U.S. Department of Education, Application Control Center, Room 5673, Regional Office Building 3, 7th and D Streets, S.W., Washington, D.C.

The Application Control Center will accept hand-delivered applications between 8:00 a.m. and 4:30 p.m. (Washington, D.C. time) daily, except Saturdays, Sundays, and Federal holidays.

An application for a new project that is hand delivered will not be accepted by the Application Control Center after 4:30 p.m. on the closing date.

CFDA	Program	Closing date
84.003A	Desegregation support program (noncompeting continuations).	Mar. 4, 1983.
84.003J	Training projects program (activities A, B, and C) (new projects).	Mar. 11, 1983.
84.003L	Training projects program (activity D) (new projects).	Do.
84.003N	Training projects program (activity E) (new projects).	Do.
84.003P	Support services program evaluation, dissemination, and assessment centers (noncompeting continuations).	Mar. 21, 1983.
84.003P	Materials development projects program (noncompeting continuations).	Do.

84.003A Bilingual Education Act—Desegregation Support Program

Closing Date: March 4, 1983.

Requests are invited for transmittal of noncompeting continuations under the Bilingual Education Act—Desegregation Support Program

Authority for this program is contained in Section 751 of the Elementary and Secondary Education Act of 1965, as amended by the Education Amendments of 1978 (Pub. L. 95–561).

Current recipients of grants under this program which have approved project periods in excess of one year may request continuation of their present projects.

The purpose of the awards is to develop curricula for, or to implement, instructional programs of bilingual-bicultural education to meet the special educational needs of minority group children who because of language barriers and cultural differences, do not have equal educational opportunity. The curricula developed and the instructional programs implemented under this program must be designed to complement the local educational agency's qualifying desegregation plan.

Closing Date for Transmittal of Requests: To be assured of consideration for funding, requests for noncompeting continuation awards should be mailed or hand delivered by March 4, 1983.

If the request is late, the Department of Education may lack sufficient time to review it with other requests for noncompeting continuations and may decline to accept it.

Available funds: It is expected that approximately $2,400,000 will be available for 19 noncompeting continuations under the Desegregation Support Program in fiscal year 1983. However, these estimates do not bind the Department of Education to a specific number of grants or to the amount of any grants unless that amount is otherwise specified by statute or regulations.

Request Forms: Request packages will be mailed to grantees eligible for a noncompeting continuation. A copy of the request package may be obtained by writing to the Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education (Room 421, Reporters Building), 400 Maryland Avenue, S.W., Washington, D.C. 20202.

Requests for funding must be prepared and submitted in accordance with the regulations, instructions, and forms included in the request package. However, the program information is only intended to aid applicants in applying for assistance. Nothing in the program request package is intended to impose any paperwork, application content, reporting, or grantee performance requirement beyond those imposed under the statute and regulations. The Secretary urges that applicants not submit information that is not requested.

Applicable Regulations: Regulations applicable to this program include the following:

(1) The regulations governing the Desegregation Support Program, 34 CFR Parts 500 and 520.

(2) The Education Department General Administrative Regulations (EDGAR) 34 CFR Parts 74, 75, 77, and 78.

(3) The regulations governing Emergency School Aid Act Programs, 34 CFR Part 280.

Further Information: For further information contact the Desegregation Support Program Application Coordinator, Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education (Room 421, Reporters Building), 400 Maryland Avenue, S.W., Washington, D.C. 20202. Telephone: (202) 245–2609.

(20 U.S.C. 3261)

84.003J—Bilingual Education Act—Training Projects Program (Activities A, B, and C)

Closing Date: March 11, 1983.

Applications are invited for new projects under the Bilingual Education Act—Training Projects Program, that propose any one or combination of activities described in 34 CFR 510.10(a), (b), and (c).

Authority for this program is contained in Section 723 of the Elementary and Secondary Education

Act of 1965, as amended by the Education Amendments of 1978 (Pub. L. 95-561). (20 U.S.C. 3233)

This program issues awards to local educational agencies, State educational agencies, institutions of higher education, and nonprofit private organizations which apply after consultation with, or jointly with, one or more local educational agencies or a State educational agency.

The purpose of the awards is to establish, operate, and improve programs of bilingual education at institutions of higher education for persons who are participating in, or preparing to participate in, programs of bilingual education and bilingual education training.

Closing Date for Transmittal of Applications: An application must be mailed or hand delivered by March 11, 1983.

Program Information: As stated in 34 CFR 510.34(a) of the proposed rules, the Secretary annually establishes a cut-off score based on the selection criteria in 34 CFR 510.31, which an application must meet to be considered for a grant. The Secretary establishes 40 points as the cut-off score for applications under the Training Projects Program (Activities A, B, and C) for fiscal year 1983.

The maximum project period which a local educational agency, applying as either a sole or joint applicant, may propose is three years. The maximum project period which an applicant other than a local educational agency may propose is five years. An applicant that proposes a project period of more than one year must justify the need for the proposed project period.

To be eligible for assistance, an applicant must meet the requirements found in regulations applicable to this program, including the following:

(1) A local educational agency, applying as either a sole or joint applicant, is required to hold at least one meeting, open to the public, to discuss the contents of its application. Requirements for scheduling and holding this open meeting are contained in the Education Department General Administrative Regulations (34 CFR 75.139-75.141).

The local educational agency must complete the certification form in the program information package. This requirement must be met regardless of whether the local educational agency is designated as the applicant under 34 CFR 75.128.

(2) Joint applicants must complete a special certification form in the program information package.

(3) An applicant must provide a copy of its application to the appropriate State educational agency in its State in advance of submitting it to the Department of Education. Requirements pertaining to State educational agency review are contained in 34 CFR 500.20.

(4) Certain applicants must establish an advisory council to assist in the development of an application. Requirements pertaining to advisory councils are contained in 34 CFR 510.21.

Available Funds: It is expected that approximately $6,000,000 will be available for new grants under the Training Projects Program (Activities A, B, and C) in fiscal year 1983.

It is estimated that these funds could support 60 projects.

The anticipated award for each project is between $50,000 and $150,000.

However, these estimates do not bind the Department of Education to specific number of grants or to the amount of any grant unless that amount is otherwise specified by statute or regulations.

Application Forms: A copy of the application form and program information package may be obtained by writing to the Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education, (Room 421, Reporters Building), 400 Maryland Avenue, S.W., Washington, D.C. 20202.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information package. However, the program information is only intended to aid applicants in applying for assistance. Nothing in the program information package is intended to impose any paperwork, application content, reporting, or grantee performance requirement beyond those imposed under the statute and regulations. The Secretary strongly urges that the narrative portion of the application not exceed 40 pages in length. The Secretary further urges that applicants not submit information that is not requested.

Applicable Regulations: Regulations applicable to this program include the following:

(1) The regulations governing the Training Projects Program, 34 CFR Parts 500 and 510 published as a notice of proposed rulemaking in this issue of the **Federal Register**.

If there are any significant changes when these regulations are published in final form, the applicant will be advised by a notice in the **Federal Register** and given sufficient time to amend the application.

(2) The Education Department General Administrative Regulations (EDGAR) 34 CFR Parts 74, 75, 77, and 78.

Further Information: For further information contact the Training Projects (Activities A, B, and C) Application Coordinator, Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education (Room 421, Reporters Building), 400 Maryland Avenue, S.W., Washington, D.C. 20202. Telephone (202) 447-9273.

(20 U.S.C. 3233)

84.003L—Bilingual Education Act—Training Projects Program (Activity D)

Closing Date: March 11, 1983.

Applications are invited for new projects under the Bilingual Education Act—Training Projects Program, that propose the activity described in 34 CFR 510.10(d).

Authority for this program is contained in Section 723 of the Elementary and Secondary Education Act of 1965, as amended by the Education Amendments of 1978 (Pub. L. 95-561).

(20 U.S.C. 3233)

This program issues awards to local educational agencies, State educational agencies, institutions of higher education, and nonprofit private organizations which apply after consultation with, or jointly with, one or more local educational agencies or a State educational agency.

The purpose of the awards is to improve the skills of parents in carrying out their responsibilities in programs of bilingual education.

Closing Date for Transmittal of Applications: An application must be mailed or hand delivered by March 11, 1983.

Program Information: As stated in 34 CFR 510.34(a) of the proposed rules, the Secretary annually establishes a cut-off score based on the selection criteria in 34 CFR 510.31, which an application must meet to be considered for a grant. The Secretary establishes 50 points as the cut-off score for applications under the Training Projects Program (Activity D) for fiscal year 1983.

The maximum project period which a local educational agency, applying as either a sole or joint applicant, may propose is three years. The maximum project period which an applicant other than a local educational agency may propose is five years. An applicant that proposes a project period of more than one year must justify the need for the proposed project period.

To be eligible for assistance, an applicant must meet the requirements found in regulations applicable to this program, including the following:

(1) A local educational agency, applying as either a sole or joint applicant, is required to hold a least one meeting, open to the public, to discuss the contents of its application. Requirements for scheduling and holding this open meeting are contained in the Education Department General Administrative Regulations (34 CFR 75.139–75.141).

The local educational agency must complete the certification form in the program information package. This requirement must be met regardless of whether the local educational agency is designated as the applicant under 34 CFR 75.128.

(2) Joint applicants must complete a special certification form in the program information package.

(3) An applicant must provide a copy of its application to the appropriate State educational agency in its State in advance of submitting it to the Department of Education. Requirements pertaining to State educational agency review are contained in 34 CFR 500.20.

(4) Certain applicants must establish an advisory council to assist in the development of an application. Requirements pertaining to advisory councils are contained in 34 CFR 510.21.

Available funds: It is expected that approximately $1,200,000 will be available for new grants under the Training Projects Program (Activity D) in fiscal year 1983.

It is estimated that these funds could support 18 projects.

The anticipated award for each project is between $50,000 and $150,000.

However, these estimated do not bind the Department of Education to a specific number of grants or to the amount of any grant unless that amount is otherwise specified by statute or regulations.

Allocation of Funds: Under 34 CFR 510.30, the Secretary holds separate competitions for applications proposing the activities described in 34 CFR 510.10(d) that are designed exclusively for parents and for applications proposing the activites described in 34 CFR 510.10(d) that are designed for any participants including parents. The applicant must identify in its application which activity is being proposed. Applications compete only against other applications proposing the same activities.

For fiscal year 1983, the Secretary anticipates that $900,000 will be allocated for applications proposing activities designed exclusively for parents. The Secretary anticipates that $300,000 will be allocated for applications proposing activities designed for any participants, including parents.

However, these amounts are only estimates and do not bind the Department of Education. The Secretary may reallocate funds if two applications are received under a competition.

Application Forms: A copy of the application form and program information package may be obtained by writing to the Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education, (Room 421, Reporters Building), 400 Maryland Avenue, S.W., Washington, D.C. 20202.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information package. The program information is only intended to aid applicants in applying for assistance. Nothing in the program information package is intended to impose any paperwork, application content, reporting, or grantee performance requirement beyond those imposed under the statute and regulations. The Secretary strongly urges that the narrative portion of the application not exceed 40 pages in length. The Secretary further urges that applicants not submit information that is not requested.

Applicable Regulations: Regulations applicable to this program include the following:

(1) The regulations governing the Training Projects Program, 34 CFR Parts 500 and 510 published as a notice of proposed rulemaking in this issue of the **Federal Register.**

An applicant should base its application on the NPRM. If material changes are made in the final publication, the Secretary may extend the closing date to permit an applicant to amend its application.

(2) The Education Department General Administrative Regulations (EDGAR) 34 CFR Parts 74, 75, 77, and 78.

Further Information: For further information contact the Training Projects (Activity D) Application Coordinator, Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education (Room 421, Reporters Building), 400 Maryland Avenue, S.W., Washington, D.C. 20202. Telephone: (202) 447–9273.

(20 U.S.C. 3233)

84.003N—Bilingual Education Act—Training Projects Program (Activity E)

Closing Date: March 11, 1983.

Applications are invited for new projects under the Bilingual Education Act—Training Projects Program, that propose the activity described in 34 CFR 510.10(e).

Authority for this program is contained in Section 723 of the Elementary and Secondary Education Act of 1965, as amended by the Education Amendments of 1978 (Pub. L. 95–561). (20 U.S.C. 3233)

This program issues awards to local educational agencies, State educational agencies, institutions of higher education, and nonprofit private organizations which apply after consultation with, or jointly with, one or more local educational agencies or a State educational agency.

The purpose of the awards is to increase the skills of State educational agency personnel in carrying out their responsibilities with regard to programs of bilingual education.

Closing Date for Transmittal of Applications: An application must be mailed or hand delivered by March 11, 1983.

Program Information: As stated in 34 CFR 510.34(a) of the proposed rules, the Secretary annually establishes a cut-off score based on the selection criteria in 34 CFR 510.33, which an application must meet to be considered for a grant. The Secretary establishes 50 points as the cut-off score for applications under the Training Projects Program (Activity E) for fiscal year 1983.

The maximum project period which a local educational agency, applying as either a sole or joint applicant, may propose is three years. The maximum project period which an applicant other than a local educational agency may propose is five years. An applicant that proposes a project period of more than one year must justify the need for the proposed project period.

To be eligible for assistance, an applicant must meet the requirements found in regulations applicable to this program, including the following:

(1) A local educational agency, applying as either a sole or joint applicant, is required to hold at least one meeting, open to the public, to discuss the contents of its application. Requirements for scheduling and holding this open meeting are contained in the Education Department General Administrative Regulations (34 CFR 75.139–75.141).

The local educational agency must complete the certification form in the program information package. This requirement must be met regardless of whether the local educational agency is designated as the apoplicant under 34 CFR 75.128.

(2) Joint applications must complete a special certification form in the program information package.

(3) An applicant must provide a copy of its application to the appropriate State educational agency in its State in advance of submitting it to the Department of Education. Requirements pertaining to State educational agency review are contained in 34 CFR 500.20.

(4) Certain applicants must establish an advisory council to assist in the development of an application. Requirements pertaining to advisory councils are contained in 34 CFR 510.21.

Available Funds: It is expected that approximately $415,000 will be available for new grants under the Training Projects Program (Activity E) in fiscal year 1983.

It is estimated that these funds could support 9 projects.

The anticipated award for each project is between $50,000 and $150,000.

However, these estimates do not bind the Department of Education to a specific number of grants or to the amount of any grant unless that amount is otherwise specified by statute or regulations.

Application Forms: A copy of the application form and program information package may be obtained by writing to the Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education, (Room 421, Reporters Building), 400 Maryland Avenue, S.W., Washington, D.C. 20202.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information package. However, the program information is only intended to aid applicants in applying for assistance. Nothing in the program information package is intended to impose any paperwork, application content, reporting, or grantee performance requirement beyond those imposed under the statute and regulations. The Secretary strongly urges that the narrative portion of the application not exceed 40 pages in length. The Secretary further urges that applicants not submit information that is not requested.

Applicable Regulations: Regulations applicable to this program include the following:

(1) The regulations governing the Training Projects Program, 34 CFR Parts 500 and 510 published as a notice of proposed rulemaking in this issue of the **Federal Register.**

An applicant should base its application on the NPRM. If material changes are made in the final publication, the Secretary may extend the closing date to permit an applicant to amend its application.

(2) The Education Department General Administrative Regulations (EDGAR) 34 CFR Parts 74, 75, 77, and 78.

Further Information: For further information contact the Training Projects (Activity E) Application Coordinator, Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education (Room 421, Reporters Building), 400 Maryland Avenue, S.W., Washington, D.C. 20202. Telephone: (202) 447-9273.

(20 U.S.C. 3233)

84.003P—Bilingual Education Act—Materials Development Projects Program

Closing Date: March 21, 1983.

Requests are invited for noncompeting continuation projects under the Bilingual Education Act—Materials Development Projects Program.

Authority for this program is contained in Section 721 of the Elementary and Secondary Education Act of 1965, as amended by the Education Amendments of 1978 (Pub. L. 95-561). (20 U.S.C. 3231)

Current recipients of grants under this program which have an approved project period in excess of one year may request continuation of their present projects.

The purpose of the awards is to develop instructional and testing material for use in programs of bilingual education and bilingual education training.

Closing Date for Transmittal of Requests: To be assured of consideration for funding, requests for noncompeting continuation awards should be mailed or hand delivered by March 21, 1983.

If the request is late, the Department of Education may lack sufficient time to review it with other requests for noncompeting continuations and may decline to accept it.

Available Funds: It is expected that approximately $400,000 will be available for 1 noncompeting continuation grant under the Materials Development Projects Program in fiscal year 1983.

Request Forms: A request package will be mailed to the grantee eligible for a noncompeting continuation. A copy of the request package may be obtained by writing to the Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education, (Room 421, Reporters Building), 400 Maryland Avenue SW., Washington, D.C. 20202.

Requests for funding must be prepared and submitted in accordance with the regulations, instructions, and forms included in the request package. However, the program information is only intended to aid applicants in applying for assistance. Nothing in the request package is intended to impose any paperwork, application content, reporting, or grantee performance requirement beyond those imposed under the statute and regulations. The Secretary urges that a grantee not submit information that is not requested.

Applicable Regulations: Regulations applicable to this program include the following:

(1) The regulations governing the Materials Development Projects Program, 34 CFR Parts 500 and 505.

(2) The Education Department General Administrative Regulations (EDGAR), 34 CFR Parts 74, 75, 77, and 78.

Further Information: For further information contact the Materials Development Application Coordinator, Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education (Room 421, Reporters Building), 400 Maryland Avenue SW., Washington, D.C. 20202. Telephone: (202) 245-9061.

(20 U.S.C. 3231)

84.003P—Bilingual Education Act—Support Service Program: Evaluation, Dissemination, and Assessment Centers (EDACs)

Closing Date: March 21, 1983.

Requests are invited for noncompeting continuations under the Bilingual Education Act—Support Services Projects Program: Evaluation, Dissemination, and Assessment Centers (EDACs).

Authority for this program is contained in Section 721 of the Elementary and Secondary Education Act of 1965, as amended by the Education Amendments of 1978 (Pub. L. 95-561).

Current recipients of grants under this program which have an approved project period in excess of one year may request continuation of their present projects.

The purpose of the awards is to provide services to programs of billingual education and bilingual education training within designated service areas for the evaluation, dissemination, and assessment of bilingual education materials.

Closing Date for Transmittal of Requests: To be assured of consideration for funding, requests for noncompeting continuation awards should be mailed or hand delivered by March 21, 1983.

If the request is late, the Department of Education may lack sufficient time to review it with other requests for noncompeting continuation and may decline to accept it.

Available Funds: It is expected that approximately $1,400,000 will be available for 2 noncompeting continuation grants under the Support Services Projects Program: EDACs in fiscal year 1983.

Application Forms: Request packages will be mailed to grantees eligible for a noncompeting continuation. A copy of the request package may be obtained by writing to the Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education (Room 421, Reporters Building), 400 Maryland Avenue, S.W., Washington, D.C. 20202.

Requests for funding must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information package. However, the program information is only intended to aid applicants in applying for assistance. Nothing in the program information package is intended to impose any paperwork, application content, reporting, or grantee performance requirement beyond those specifically imposed under the statute and regulations. The Secretary urges that applicants not submit information that is not requested.

Applicable Regulations: Regulations applicable to this program include the following:

(1) The regulations for the Support Services Projects Program, 34 CFR Parts 500 and 504.

(2) The Education Department General Administrative Regulations (EDGAR), 34 CFR Parts 74, 75, 77, and 78.

Further Information: For further information contact the EDAC Application Coordinator, Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education (Room 421, Reporters Building), 400 Maryland Avenue, S.W., Washington, D.C. 20202. Telephone: (202) 245-2595.

(20 U.S.C. 3231)

Dated: January 6, 1983

Jesse M. Soriano,

Director, Office of Bilingual Education and Minority Languages Affairs.

[FR Doc. 83-740 Filed 1-10-83; 8:45 am]

BILLING CODE 4000-01-M

National Advisory Council on Bilingual Education; Hearing

AGENCY: National Advisory Council on Bilingual Education, Department of Education.

ACTION: Notice of hearing.

SUMMARY: This notice sets forth the Schedule and proposed agenda of a forthcoming hearing of the National Advisory Council on Bilingual Education. Notice of this hearing is required under Section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify the general public of their opportunity to attend.

DATE: January 28, 1983—Public Hearing—9:00 a.m.-4:30 p.m.

ADDRESS: Public Hearing will be held at the Classic Hotel in the Ambassador Room—Albuquerque, New Mexico.

FOR FURTHER INFORMATION CONTACT: Ramon Ruiz, Designated Federal Official, Room 421, Reporters Building, 400 Maryland Avenue, SW., Washington, DC 20202 (202-245-2922).

SUPPLEMENTARY INFORMATION: The National Advisory Council on Bilingual Education is established under Section 732(a) of the Bilingual Education Act (20 U.S.C. 3242). The Council is established to advise the Secretary of the Department of Education concerning matters arising in the administration of the Bilingual Education Act and other laws affecting the education of limited English proficient populations.

January 28, 1983, in consonance with the Council's mission to advise the preparation of regulations under the Bilingual Education Act, testimony will be heard on the following topics which impact on the Rural Bilingual/Multicultural Community:

(1) 1983 Reauthorization
(2) Research
(3) Reports of the Effectiveness of Bilingual Education
(4) Interrelations and Interdependency of Bilingual Education and Modern Language Teachers
(5) Importance of Bilingual Education on International Trade and Commerce.

Witnesses should notify Ramon Ruiz (see address above) of their intention of testifying.

The following procedures shall be observed during the public hearings:

(1) Witnesses shall be heard on a first come basis
(2) Witnesses shall limit their testimony to twenty minutes
(3) All testimony shall be tape recorded
(4) Exceptions to the aforementioned procedures shall be at the discretion of the Chairperson.

Records are kept of all Council proceedings, and are available for public inspection at the Office of Bilingual Education and Minority Languages Affairs, Room 421, Reporters Building, 400 Maryland Avenue, SW., Washington, DC 20202 from the hours of 9:00 a.m. to 5:00 p.m.

Dated: December 21, 1982.

Jesse M. Soriano,

Director, Office of Bilingual Education and Minority Languages Affairs.

[FR Doc. 83-685 Filed 1-10-83; 8:45 am]

BILLING CODE 4000-01-M

National Advisory Council on Bilingual Education, Hearing

AGENCY: National Advisory Council on Bilingual Education, Department of Education.

ACTION: Notice of hearing.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming hearing of the National Advisory Council on Bilingual Education. Notice of this hearing is required under Section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify the general public of their opportunity to attend.

DATE: January 25, 1983—Public Hearing—1:30 p.m.-9:00 p.m.

ADDRESS: Public Hearing will be held at the Marriott Hotel, Grand Ballroom, Salon "G", 700 W. Convention Way, Anaheim, California

FOR FURTHER INFORMATION CONTACT: Ramon Ruiz, Designated Federal Official, Room 421, Reporters Building, 400 Maryland Avenue, SW., Washington, DC 20202 (202-245-2922).

SUPPLEMENTARY INFORMATION: The National Advisory Council on Bilingual Education is established under Section 732(a) of the Bilingual Education Act (20 U.S.C 3242). The Council is established to advise the Secretary of the Department of Education concerning matters arising in the administration of the Bilingual Education Act and other laws affecting the education of limited English proficient populations.

January 25, 1983, in consonance with the Council's mission to advise in the preparation of regulations under the Bilingual Education Act, testimony will be heard on the following topics which impact on the Refugee Bilingual Community:

(1) 1983 Reauthorization
(2) Research

(3) Reports of the Effectiveness of Bilingual Education

(4) Interrelations and Interdependency of Bilingual Education and Modern Language Teachers

Witnesses should notify Ramon Ruiz (see address above) of their intention of testifying.

The following procedures shall be observed during the public hearings:

(1) Witnesses shall be heard on a first come basis

(2) Witnesses shall limit their testimony to twenty minutes

(3) All testimony shall be tape recorded

(4) Exceptions to the aforementioned procedures shall be at the discretion of the Chairperson

Records are kept of all Council proceedings, and are available for public inspection at the Office of Bilingual Education and Minority Languages Affairs, Room 421, Reporters Building, 400 Maryland Avenue, SW., Washington, DC 20202 from the hours of 9:00 a.m. to 5:00 p.m.

Dated: December 21, 1982.

Jesse M. Soriano,

Director, Office of Bilingual Education and Minority Languages Affairs.

[FR Doc. 83-684 Filed 1-10-83; 8:45 am]

BILLING CODE 4000-01-M

National Advisory Council on Bilingual Education; Hearing

AGENCY: National Advisory Council on Bilingual Education.

ACTION: Notice of hearing.

SUMMARY: This notice sets forth the Schedule and proposed agenda of a forthcoming Hearing of the National Advisory Council on Bilingual Education. Notice of this hearing is required under Section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify the general public of their opportunity to attend.

DATE: February 4, 1983—Public Hearing—12:30–4:45 p.m.

ADDRESS: Public Hearing will be held at the Sheraton Anchorage Hotel, Room 301, 401 E. 6th Avenue, Anchorage, Alaska.

FOR FURTHER INFORMATION CONTACT: Ramon Ruiz, Designated Federal Official, Room 421, Reporters Building, 400 Maryland Avenue, SW., Washington, DC 20202 (202-245-2922).

SUPPLEMENTARY INFORMATION: The National Advisory Council on Bilingual Education is established under Section 732(a) of the Bilingual Education Act (20 U.S.C. 3242). The Council is established to advise the Secretary of the Department of Education concerning matters arising in the administration of the Bilingual Education Act and other laws affecting the education of limited English proficient populations.

On February 4, 1983, in consonance with the Council's mission to advise in the preparation of regulations under the Bilingual Education Act, testimony will be heard on the following topics which impact on Athabascan, Yup'ik, Inupiag & Aluet Bilingual Communities.

(1) 1983 Reauthorization

(2) Research

(3) Reports of the Effectiveness of Bilingual Education

(4) Interrelations and Interdependency of Bilingual Education and Modern Language Teachers

(5) Importance of Bilingual Education on International Trade and Commerce.

Witnesses should notify Ramon Ruiz (see address on front page) of their intention of testifying.

The following procedures shall be observed during the public hearings:

(1) Witnesses shall be heard on a first come basis

(2) Witnesses shall limit their testimony to twenty minutes

(3) All testimony shall be tape recorded

(4) Exceptions to the aforementioned procedures shall be at the discretion of the Chairperson.

Records are kept of all Council proceedings, and are available for public inspection at the Office of Bilingual Education and Minority Languages Affairs, Room 421, Reporters Building, 400 Maryland Avenue, SW., Washington, DC 20202 from the hours of 9:00 a.m. to 5:00 p.m.

Dated: December 21, 1982.

Jesse M. Soriano,

Director, Office of Bilingual Education and Minority Languages Affairs.

[FR Doc. 83-683 Filed 1-10-83; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Office of the Assistant Secretary for Fossil Energy

Solicitation To Operate the Bartlesville Energy Technology Center

AGENCY: Office of the Assistant Secretary for Fossil Energy.

ACTION: Notice of Solicitation and Preproposal Conference.

SUMMARY: The Department of Energy (DOE) is issuing a final solicitation for a single cost-shared cooperative agreement proposal (SCAP), number DE-SCO-1-82FE60149, to operate the Bartlesville Energy Technology Center in Bartlesville, Oklahoma to be referred to as the National Institute for Petroleum Research. DOE also announces its intention to sponsor a preproposal conference. The solicitation anticipates the performance of Federally-assisted petroleum research utilizing the Government-owned Bartlesville Energy Technology Center. The selected participant will be encouraged to carry out related energy research work for others. It is anticipated that the Government will share the cost of research for a five-year period beginning in Summer 1983, subject to annual appropriations.

Competition is now restricted by legislation to Nonprofit Organizations. The Cooperative Agreement must reflect the interests of the Federal Government and the States in conducting such research and development and the research results shall be available to the public. The one-day conference will be held at: Bartlesville Energy Technology, Virginia and Cudahay Streets, Engineering Building Auditorium, Bartlesville, Oklahoma.

ADDRESSES: Single copies of the solicitation document and further information on the conference can be obtained from: U.S. Department of Energy, Office of Fossil Energy, ATTN: Mr. F. A. Leone, FE-35, FORSTL, MS-5A-114, Washington, DC 20585, (202) 252-9680.

SUPPLEMENTARY INFORMATION: The date and time of the conference will be announced in the solicitation package. Interested parties will be given an opportunity to submit written questions, comments and suggestions to DOE at the scheduled conference. Attendance at the solicitation conference is encouraged. However, attendance is neither required nor is it a prerequisite for receiving the solicitation or for making application for the award.

Issued in Washington, D.C., on January 7, 1983.

Hilary J. Rauch,

Director, Procurement and Assistance Management Directorate.

[FR Doc. 83-812 Filed 1-11-83; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket No. ID-2029-000]

Howard P. Allen; Filing

January 5, 1983.

Take notice that on January 4, 1983, Howard P. Allen submitted an application pursuant to Section 305 (b) of the Federal Power Act to hold the following positions:

President and Director, Southern California Edison Company; Public Utility

Director, International Telephone & Telegraph Corporation; Supplying electrical equipment

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such petitions or protests should be filed on or before January 17, 1983. 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.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 83-644 Filed 1-10-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-114-000]

Columbia Gas Transmission Corp.; Application

January 5, 1983.

Take notice that on December 7, 1982, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, filed in Docket No. CP83-114-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities for new delivery points to existing wholesale customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Columbia proposes to construct 57 interconnecting tap facilities to provide additional points of delivery.

Columbia estimates that the average cost of an interconnecting tap facility necessary for a point of delivery would be $300 for the proposed taps. It is further asserted that the total cost would be approximately $17,200, which cost would be financed through internally generated funds.

The proposed new delivery points are as follows:

1. Columbia Gas of Kentucky, Inc., 9 taps for residential service—Estimated annual usage of 1,350 Mcf.
2. Columbia Gas of Ohio, Inc., 30 taps for residential service; 2 taps for commercial service; 1 tap for industrial service—Estimated annual usage or 5,730 Mcf.
3. Columbia Gas of Pennsylvania, Inc., 4 taps for residential service—Estimated annual usage of 600 Mcf.
4. Columbia Gas of West Virginia, Inc., 11 taps for residential service—Estimated annual usage of 1,650 Mcf.

Columbia states that the additional deliveries through the proposed facilities are within its currently authorized level of sales.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 26, 1983, file with the Federal Energy Regulatory Commission, Washingtion, D.C 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission of its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-645 Filed 1-10-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-220-000]

Elkem Metals Co. and Monongahela Power Co.; Filing

January 5, 1983.

Take notice that Elkem Metals Company ("Elkem"), on December 30, 1982, tendered for filing with the Commission as initial rate schedules pursuant to § 35.12 of the Commission's regulations the following: i) a Power Interchange and Facilities Agreement between Elkem and Monongahela Power Company ("Monongahela"), a member of the Allegheny Power System ("APS") and ii) a Power Resale Agreement between APS and Atlantic City Electric Company ("Atlantic").

The agreements set forth terms pursuant to which (i) Elkem and Monongahela provide for periodic energy interchanges and facilities coordination; and (ii) Elkem will sell to Monongahela 30 MW of capacity and energy for resale by Monongahela to Atlantic. The agreement has an effective date of January 1, 1983, and a term of two years, which may be renewed thereafter.

Copies of the filing were served by Elkem upon what will be its sole jurisdictional customer, Monongahela Power Company, as well as upon Atlantic City Electric Company.

The parties have requested a waiver of the Commission's Rules and Regulations to permit the proposed sale to become effective on less than 60 days notice.

Any person desiring to be heard or to protest said application should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 385.211 and 385.214 of the Commission's rules of practice and procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before January 24, 1983. 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 motion intervene. Copies of this application are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 83-648 Filed 1-10-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP81-360-001]

El Paso Natural Gas Co.; Petition To Amend Order

January 5, 1983.

Take notice that on December 14, 1982, El Paso Natural Gas Company (Petitioner), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP81-360-001 a petition to amend the order issued March 17, 1982, in Docket No. CP81-360-000 pursuant to Section 7(c) of the Natural Gas Act so as to conform its modification authorization to the modification actually performed, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By order issued March 17, 1982, Petitioner was authorized to modify five existing meter stations located on its interstate pipeline system. The proposed modifications were necessary to improve measurement capabilities and to reduce the incidence of damaged and improperly recording measurement facilities caused by peak hour flow rates that exceeded the original design specifications of each affected meter station, it is explained. Among the modifications authorized in the March 17, 1982, order was the replacement of the existing positive displacement meter at the Joseph City meter station, Navajo County, Arizona, with one American 500B positive displacement meter, it is stated.

It is stated that subsequent to the receipt of the order in Docket No. CP81-360-000, Petitioner performed a further evaluation respecting the forecasted peak hour requirements to be served through each meter station authorized to be modified including the Joseph City meter station. As a result of this evaluation, it was determined that accurate measurement of peak hour loads could be accomplished more economically at the Joseph City meter station through the installation of auxiliary regulating equipment at such site in lieu of replacing and upgrading the existing positive displacement meter. Since Petitioner states it would not perform the modifications to the Joseph City meter station, Petitioner proposes amending the March 17, 1982, order by deleting the authorizations applicable to the replacement of the existing positive displacement meter at the Joseph City meter station.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before Jan. 26, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-640 Filed 1-10-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. CP83-101-000 and CP83-101-001]

El Paso Natural Gas Co.; Application and Amendment

January 5, 1983.

Take notice that on November 22, 1982, El Paso Natural Gas Company (El Paso), P.O. Box 1492, El Paso, Texas, 79978, filed in Docket No. CP83-101-000 an application as amended November 29, 1982, in Docket No. CP83-101-001 pursuant to Section 311(a)(1) of the Natural Gas Policy Act of 1978 (NGPA) and § 284.107(a) of the Regulations for authorization to transport and deliver natural gas to Phelps Dodge Corportation's (Phelps Dodge) Morenci Smelter located in Greenlee County, Arizona, for the account of El Paso Hydrocarbons Company (Hydrocarbons), all as set forth in the application, as amended, which is on file with the Commission and open to public inspection.

Hydrocarbons, El Paso asserts, is an intrastate pipeline company as defined by the NGPA which owns and operates a gas pipeline transmission system within Texas and is engaged in the purchase, transportation and sale of natural gas in Texas. El Paso states that the transportation arrangement to be provided by El Paso for Hydrocarbons is subject to and conditioned upon the availability of capacity in El Paso's existing interstate pipeline transmission system sufficient to provide the transporation and delivery service without detriment or disadvantage to El Paso's existing customers dependent on El Paso's general system supply. El Paso represents that the natural gas to be transported by El Paso for the account of Hydrocarbons will not be delivered directly or indirectly, to an interstate pipeline, intrastate pipeline or local distribution company, which receives such natural gas for its system supply for resale. Accordingly, El Paso requests Commission authorization to transport and deliver natural gas for the account of Hydrocarbons.

El Paso states further that El Paso and Hydrocarbons are parties to a gas transportation agreement dated November 16, 1982 (agreement), which agreement provides, *inter alia*, for the transportation by El Paso for the account of Hydrocarbons of natural gas up to a maximum of 10,000 Mcf per day from El Paso's Shafer Plant located in Carson County, Texas, to the Phelps Dodge Morenci Smelter for a primary term of two years. El Paso explains that Phelps Dodge would use the quantities of natural gas transported by El Paso for the generation of electric power for the operation of Phelps Dodge's Morenci Smelter.

El Paso proposes a transportation rate in effect and reflected from time to time as the "Mainline Transmission Charge—Arizona" set forth on Sheet No. 1-D.2 of El Paso's FERC Gas Tariff, Third Revised Volume No. 2, or superseding tariff. El Paso further proposes a five percent reduction of natural gas deliveries for gas lost and unaccounted for and for mainline fuel requirements.

El Paso states that its agreement with Hydrocarbons dated November 16, 1982, has been revised to provide for redeliveries to Phelps Dodge at a thermal equivalent of the volumetric quantities transported by El Paso on behalf of Hydrocarbons.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 26, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-647 Filed 1-10-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RA82-27-000]

Industrial Fuel & Asphalt of Indiana, Inc.; Scheduling Filings

Issued January 5, 1983.

On August 17, 1982, Industrial Fuel and Asphalt of Indiana, Inc. (IFAI) filed a petition for review under Section 504 of the Department of Energy Organization Act, 42 U.S.C § 7194. By motion filed September 22, 1982, the Secretary of Energy (DOE) urged that the petition be dismissed for lack of jurisdiction. On December 14, 1982, petitioner filed a supplement to the petition, which responded to the motion to dismiss.

The DOE orders allegedly involved in this case were issued January 27, 1981, July 14, 1981, and September 28, 1981. Under the Commission's regulations, appeals under 42 U.S.C. § 7194 must be filed within 30 days of the issuance of the contested DOE order.[1] By January 17, 1983 the parties may file statements as to whether the petition for review should be dismissed as untimely. Any additional filings concerning the issues of the timeliness of the petition and the Commission's jurisdiction to consider the petition must be completed by January 24, 1983.

In addition, IFAI has not yet complied with the requirement of Rule 1004(a)(2) of the Commission's regulations,[2] that the petition for review be accompanied by a copy of the DOE order contested by the petitioner. When IFAI filed its petition, it stated[3] that it sought review of DOE's July 14, 1981 and September 28, 1981 orders denying its petition for Special Redress, but in its December 14, 1982 supplement to the petition, IFAI states that it does not seek—and has never sought—Commission review of DOE's denial of its Petition for Special Redress. Accordingly, by January 17, 1983, IFAI shall file a copy of the contested order.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-649 Filed 1-10-83; 8:45 am]

BILLING CODE 6717-01-M

[1] 18 CFR 385.1004(b).

[2] 18 CFR 385.1004(a)(2).

[3] Letter requesting extension, filed August 16, 1982.

[Docket No. ER83-219-000]

Nantahala Power & Light Co.; Filing

January 5, 1983.

Take notice that Nantahala Power & Light Company (Nantahala) on December 30, 1982, tendered for filing proposed changes in its FPC Electric Service Schedule No. 1. The proposed changes consist of a new agreement between Nantahala and the Tennessee Valley Authority to replace in its entirety the current Nantahala FPC Rate Schedule No. 1.

According to Nantahala, its FPC Rate Schedule No. 1 expires by its terms on December 31, 1982. The Nantahala and Tennessee Valley Authority Board of Directors approved a new interconnection agreement on December 22, 1982. The new agreement has an effective date of January 1, 1983 and is to remain effective until December 31, 1992. Thereafter, until December 31, 2002, the agreement is to be effective from year to year. The new agreement provides that either party may terminate the agreement after 5 years written notice. Under the new agreement Nantahala will use the generation of all its hydroelectric facilities on the Little Tennessee River (or its tributaries) and will purchase from the Tennessee Valley Authority additional energy according to a schedule as required to serve its public load.

Nantahala requests an effective date of January 1, 1983, and therefore requests waiver of the Commission's notice requirements.

Copies of this filing were served upon the Town of Highlands, Haywood Electric Membership Corporation, Western Carolina University, and upon the Tennessee Valley Authority.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before January 24, 1983. 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 motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 83-650 Filed 1-10-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP80-446-001]

Natural Gas Pipeline Company of America; Petition To Amend

January 5, 1983.

Take notice that on November 29, 1982,[1] Natural Gas Pipeline Company of America (Petitioner), 122 South Michigan Avenue, Chicago, Illinois 60603, filed in Docket No. CP80-446-001 a petition to amend the order issued December 30, 1980, in Docket No. CP80-446 pursuant to Section 7(c) of the Natural Gas Act so as to authorize the acquisition and continued operation of a 3,250 shaft horsepower compressor unit located at Petitioner's Station 139 in Lea County, New Mexico, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Specifically, Petitioner contends that the above order authorized the installation and operation of two leased compressor units in Lea and Eddy Counties, New Mexico. The two compressor units were to provide needed additional capacity to Petitioners Permian Basin system during the winter months, it is explained. Such order limited the operation of the two leased compressor units for a period of two years from the date the order was issued, Petitioner states. Petitioner avers that there is still a need to continue the operation of the 3,250 horsepower compressor unit at Lea County, New Mexico, in order to retain the capability to move large volumes of gas through Petitioner's Amarillo system from the Gulf Coast gas producing areas. Petitioner also contends that continuation of operations of the leased compressor unit at Station 139 under the authorized leasing agreement is economically inferior to the acquisition of the compressor unit from the lessor.

Any person desiring to be heard or to make any protest with reference to said

[1] The petition to amend was initially tendered for filing on November 29, 1982; however, the fee required by Section 159.1 of the Regulations under the Natural Gas Act (18 CFR 159.1) was not paid until December 2, 1982; thus, filing was not completed until the latter date.

petition to amend should on or before Jan. 26, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-651 Filed 1-10-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-322-003]

Northwest Pipeline Corp.; Petition To Amend

January 5, 1983.

Take notice that on October 25, 1982, Northwest Pipeline Corporation (Northwest), P.O. Box 1526, Salt Lake City, Utah 8411, filed in Docket No. CP82-322-003 a petition to amend the order issued September 30, 1928, in Docket No. CP82-322-000 pursuant to Section 7(c) of the Natural Gas Act so as to authorize the transportation of natural gas for the account of J. R. Simplot Company (Simplot) via an alternate route, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Northwest states that on September 30, 1982, it was authorized to transport up to 10,000 Mcf of natural gas per day for the account of Simplot on a best-efforts basis.

Northwest proposes herein to add a new receipt point under the March 30, 1982, gas transportation agreement between Northwest, Simplot and Gas Company of New Mexico (GCNM). The new receipt point is located at a point near Spokane, Washington. The proposed alternate route would involve delivery of gas by El Paso Natural Gas Company to Pacific Gas & Electric Company (PG&E), transportation by PG&E to Pacific Gas Transmission Company (PGT), displacement by PGT to Northwest near Spokane, Washington, and transportation by Northwest from Spokane to Simplot for use by the latter at its ammonia plant in Pocatello, Idaho.

Northwest's rate for the proposed alternate transportation service would be computed, it is stated, using 6 billing mileage units. Northwest submits that its currently effective mainline rate is 1.5 cents per million Btu per billing mileage unit plus retention of 1 percent of the gas received for transportation as compensation for fuel and losses.

Any person desiring to be heard or to make any protest with reference to said petition should on or before January 26, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestant parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-652 Filed 1-10-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-218-000]

Pacific Gas and Electric Co.; Filing

January 5, 1983.

The filing Company submits the following:

Take notice that Pacific Gas and Electric Company (PGandE) on December 30, 1982, tendered for filing a signed letter agreement dated December 28, 1982, stipulating to an amendment to the United States Power Contract No. 14-06-200-2948A (Contract) between the Western Area Power Administration (Western) and PGandE dated July 31, 1967. (FPC Volume No. 4)

The letter agreement further defers review of certain rates and charges pursuant to Article 32 of the Contract from December 31, 1982, to February 28, 1983. Review of these rates was first deferred from April 1, 1981, to July 1, 1981, pursuant to a letter agreement dated January 27, 1981; from July 1, 1981, to December 31, 1981, pursuant to a letter agreement dated June 25, 1981; from December 31, 1981, to July 1, 1982, pursuant to a letter agreement dated December 21, 1981; and from July 1, 1982, to December 31, 1982, pursuant to a letter agreement dated June 14, 1982.

The January 27, 1981, June 25, 1981, December 21, 1981, and June 14, 1982, letter agreements were filed with and accepted by FERC in FERC Docket Nos. ER81-245-000, ER81-584-000, ER82-191-000, and ER82-623-000, respectively. The rates and charges, review of which is deferred by the December 28, 1982, letter agreement, are provided under the following articles:

Article 22(c)(1)(i)—Sales from Capacity Account; Article 22(c)(2)(ii)—Sales from Energy Account No. 2; Article 28(b)(1), 28(b)(2), 28(b)(3)—Meter Rental.

The parties have agreed to further deferment of the April 1, 1981, rate review date to allow the parties sufficient time to complete their joint review of the rates in a more thorough manner.

This proposed effective date for the December 28, 1982, letter agreement is the date of filing hereof. Pacific requests a waiver of the notice requirements in order to avoid a possible hiatus in the effective rate review period agreed upon by the parties.

Copies of the filing have been served upon Western and the California Public Utilities Commission.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before January 20, 1983. 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 motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 83-653 Filed 1-10-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-118-000]

Panhandle Eastern Pipe Line Co.; Application

January 5, 1983.

Take notice that on December 8, 1982, Panhandle Eastern Pipe Line Company (Applicant), P.O. Box 1642, Houston, Texas, 77001 filed in Docket No. CP83-118-000 an application pursuant to

Section 7 of the Natural Gas Act for permission and approval to abandon by sale to the Toledo Edison Company (Toledo Edison) Panhandle's Defiance #1 measuring and regulating station, and for a certificate of public convenience and necessity authorizing the construction and operation of a new measuring and regulating station for deliveries to Toledo Edison, and the acquisition by purchase and operation of 0.7 mile of 4-inch pipeline from Toledo Edison, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that this proposed sale, purchase and construction of facilities represent transactions that are necessary to clarify operating responsibilities and would improve operating flexibility and safety for both companies. It is stated that the book value of Toledo Edison's facilities is $28,900 and the book value of Panhandle's facilities is $15,023. It is further asserted that pursuant to a letter agreement between Applicant and Toledo Edison dated March 4, 1982, as amended June 30, 1982, Panhandle would pay Toledo Edison $13,877, the difference between the book values.

Applicant further states that it would construct the new measuring and regulating station at an approximate cost of $100,000, which would be financed with funds currently available to the company.

It is explained that all facilities are located in Defiance County, Ohio.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 26, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-656 Filed 1-10-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-125-000]

Southern Natural Gas Co., Application

January 5, 1983.

Take notice that on December 13, 1982, Southern Natural Gas Company (Applicant), P.O. Box 2563, Birmingham, Alabama 35202, filed in Docket No. CP83-125-000 an application pursuant to Section 7 of the Natural Gas Act for permission and approval to abandon certain horizontal compressor units and to construct and operate certain reciprocating compressor units, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to abandon in place four 1,300 horsepower Worthington horizontal compressor units located at Applicant's Louisville Compressor Station in Winston County, Mississippi. Applicant states that the horizontal units which were installed in 1937 and 1938 are physically deteriorated and have become obsolete.

As a result of the proposed abandonment, Applicant further proposes the construction and operation of replacement horsepower. Applicant proposes to install two 2,600 horsepower reciprocating compressor units near the junction of Applicant's Gwinville-Pickens Lines and North Main Lines, Madison County, Mississippi. According to Applicant, relocation of the replacement horsepower at the proposed location would result in a substantial reduction in Applicant's fuel consumption, would improve Applicant's ability to receive gas supplies on its North Main Line System, and would increase the quantity of gas Applicant is able to deliver in emergency situations from its North Main Line System to its South Main Line System. The installation of the reciprocating compressor units at the proposed location would not, however, affect the salable capacity of Applicant's pipeline system, it is asserted.

The total cost of the proposed compressor facilities is estimated to be $12,212, as which would be financed initially by short-term financing and/or cash from current operations.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 26, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission By Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-654 Filed 1-10-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-119-000]

Texas Gas Transmission Corp.; Application

January 5, 1983

Take notice that on December 8, 1982, Texas Gas Transmission Corporation (Applicant), P.O. Box 1160, Owensboro, Kentucky 42302, filed in Docket No. CP83-119-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing modifications to an existing compressor engine in order to reduce fuel requirements, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to uprate an existing gas turbine at its Jeffersontown compressor station in Jeffersontown, Kentucky, from 11,000 horsepower to 12,090 horsepower through the installation of turbine parts. It is maintained that the sole reason for this uprating is to reduce compressor fuel requirements and not to increase Applicant's system capacity. Applicant states that the uprating would result in a decrease in the specific fuel rate of the compressor and that the additional 1,090 horsepower would be more fuel efficient than other existing reciprocating horsepower at the Jeffersontown compressor station.

Applicant estimates the total cost of the modifications to be $248,600, which would be financed by funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 26, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-655 Filed 1-10-83; 8:45 am]

BILLING CODE 6717-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

Agency Forms Submitted to the Office of Management and Budget for Clearance

The Federal Emergency Management Agency (FEMA) has submitted to the Office of Management and Budget the following information collection packages for clearance in accordance with the Paperwork Reduction Act (44 U.S.C. Ch. 35). Each list describes the type of request, the title of information collection, with OMB number, if any, abstract of the data collection, the type of respondents, number of respondents per year, and estimated burden hours per year.

Type: Revision
Title: Application for Temporary Housing Assistance 3067-0008
Abstract: Form is required to establish a disaster victim's request for temporary housing assistance under the Disaster Relief Act of 1974. Also used in identification of damaged residence, development of temporary housing plans, establishing priorities, making availability determinations.
Type of respondents: Individuals or households
Number of respondents: 19,000
Burden hours: 4,750

Type: Extension (No change)
Title: National Flood Insurance Annual Report 3067-0018
Abstract: FEMA requires communities participating in the National Flood Insurance Program submit an annual report or progress made in local floodplain management. The use of a simple, standard format facilitates reporting of responses. Thus enhancing the report's value as a management tool. See 44 CFR 59.22.
Type of respondents: State and local governments
Number of respondents: (bi-annual) 17,300
Burden hours: (annual) 4,325

Type: Extension (no change)
Title: Federal Crime Insurance Program Crime Insurance Applications—Proof of Loss 3067-0031
Abstract: Application forms are needed to process Federal Crime Insurance policies. Proof of Loss required by regulations before claims under policy can be processed.
Type of respondents: Individuals or household, business or other institutions
Number of respondents: (per year) 21,500
Burden hours: 5,375

OMB Desk Officer: Ken Allen (202) 395-3786

Copies of the above information collection clearance package can be obtained by calling or writing the FEMA Clearance Officer, Linda Shiley (202) 287-9906, Federal Plaza Centre, 500 C Street, SW., Washington, DC 20472.

Written comments and recommendations for the proposed information collection packages should be sent both to Linda Shiley, FEMA Reports Clearance Officer, Federal Plaza Center, 500 C Street, SW., Washington, DC 20472 and to Ken Allen, Desk Officer, OMB Reports Management Branch, Room 3235, New Executive Office Building, Washington, DC 20503.

Dated: January 3, 1983.

Charles M. Girard,

Associate Director.

[FR Doc. 83-636 Filed 1-10-83; 8:45 am]

BILLING CODE 6718-01-M

[Docket No. FEMA-REP-9-AZ-1]

Arizona, Radiological Emergency Plan

AGENCY: Federal Emergency Management Agency.

ACTION: Notice of receipt of plan.

SUMMARY: This is a notice that the State of Arizona has submitted their radiological emergency plan to the Federal Emergency Management Agency (FEMA) for its review and approval. The Plan is developed for State and local governments surrounding the Arizona Public Service Company's Palo Verde Nuclear Power Plant in Maricopa County, Arizona.

DATE: November 26, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Robert L. Vickers, Regional Director, FEMA Region IX, Building 105, Presidio of San Francisco, California, 94129 (415) 556-9881.

NOTICE: This provides notice pursuant to 44 CFR 350.8 of the proposed FEMA Regulations, "Review and Approval of State Radiological Emergency Plans and Preparedness," 45 FR 42341. That the State Radiological Emergency Plan was received on November 26, 1982, by the Federal Emergency Management Agency, Region IX office.

The Palo Verde Nuclear Generating Station offsite plan includes both the State and the Maricopa County plan.

Copies of the plan are available for review and duplication at the FEMA Region IX Office. Copies will be made available upon request in accordance with the fee schedule for FEMA Freedom of Information Act requests. This schedule which covers exemptions from the fee is set out in Subpart C of 44 CFR Part 5. Reproduction fees are $.10 a page for this document. As the cost will exceed $25.00 the fee will be paid in advance.

Comments on the Plan may be submitted in writing to Mr. Robert L. Vickers, Regional Director, at the above address, within 30 days. FEMA Regulation 44 CFR 350.10 calls for a public meeting in advance of FEMA approval. This meeting will be held in May, 1983. An announcement will be made advertising the scheduled date.

Dated: December 14, 1982.

Robert L. Vickers,

Regional Director, FEMA Region IX.

[FR Doc. 83-637 Filed 1-10-83; 8:45 am]

BILLING CODE 6718-01-M

Privacy Act of 1974; Proposed New Routine Use to Existing System of Records

AGENCY: Federal Emergency Management Agency.

ACTION: Proposed addition of a new routine use to an existing system of records entitled, "FEMA/RMA-9, Claims Collection Files."

SUMMARY: Pursuant to the provisions of the Privacy Act of 1974, 5 U.S.C. 552a, notice is hereby given that the Federal Emergency Management Agency (FEMA) proposes to add a routine use to permit disclosure of information on individuals who are indebted to FEMA to commercial credit bureaus to expedite and facilitate the collection of monies owed to FEMA.

EFFECTIVE DATE: The new routine use will become effective, without further notice, on February 10, 1983, unless comments necessitate otherwise.

ADDRESS: Written comments may be sent or delivered to Rules Docket Clerk, Federal Emergency Management Agency, (Room 835), 500 C Street, S.W., Washington, D.C. 20472.

FOR FURTHER INFORMATION CONTACT: Linda M. Keener, FOIA/Privacy Specialist, (202) 287-0313.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency last published its annual notices of systems of records on November 26, 1982, 47 FR 53483. For convenience, we are republishing the affected system of records in its entirety.

Dated: December 9, 1982.

James Holton,

Director, Office of Public Affairs, Federal Emergency Management Agency.

FEMA/RMA-9

SYSTEM NAME:

Claims Collection Files.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Primary system is located in the Office of Comptroller, Resource Management and Administration, Federal Emergency Management Agency, Washington, D.C. Secondary systems will be maintained by the Claims Collection Officers designated for the following offices: Federal Insurance Administration, National Preparedness Programs, State and Local Programs and Support, National Emergency Training Center, U.S. Fire Administration, and each FEMA Regional Office.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who are indebted to FEMA.

CATEGORIES OF RECORDS IN THE SYSTEM:

The Claims Collection Officers' file will contain the name and address of the debtor, amount of claim or delinquent amount; basis of claim; date claim arose; office referring claim to the Claims Collection Officer; record of each collection made; credit report or financial statement reflecting the net worth of the debtor; date by which the claim must be referred to the Agency Collections Officer for further collection action; citation of basis on which claim was terminated or compromised; and the appropriation number under which the Accounts/Notes Receivable was established.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

31 U.S.C. 951-953 (Federal Claims Collection Act of 1966), Pub. L. 90-616, and Pub. L. 92-453.

PURPOSE(S):

Information is used for the purpose of collecting monies owed FEMA arising out of any administrative or program activities or services administered by FEMA. The Claims Collection Officers' file represents the basis for the claim and amount of claim and actions taken by FEMA to collect the monies owed under the claim. The credit report or financial statement provides an understanding of the individual's financial condition with respect to requests for deferment of payments.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

If debtors do not enter into satisfactory arrangements or demonstrate a legitimate dispute within a specific period, the debt may be reported to a commercial credit bureau for further attempted collection of the debt. The debtor will be notified by FEMA prior to turning the debt collection matter over to a commercial credit bureau.

When debts are uncollectable, copies of the FEMA Claims Collection Officers' file regarding the claim and actions taken to attempt to collect the monies is forwarded to the U.S. General Accounting Office, Department of Justice, or a United States Attorney for further collection action.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in file folders, on lists and forms, and in computer processible storage media.

RETRIEVABILITY:

Filed alphabetically by name.

SAFEGUARDS:

Personnel screening; hardware and software computer security measures. Paper records are retained in a locked container and/or locked room. Records are maintained in areas that are secured by building guards during non-business hours. Records are retained in areas accessible only to authorized personnel who are properly screened, cleared and trained.

RETENTION AND DISPOSAL:

The file on each claim on which administrative collection action has been completed shall be retained by Claims Collection Officers' respective program office not less than one year after the applicable statute of limitations has run out. The file is then transferred to the National Archives and Records Service for a period of six years and three months after the end of the fiscal year in which the claim was closed out by means of the claims being paid, terminated, compromised, or the statute of limitations had run out.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Director, Resource Management and Administration, Federal Emergency Management Agency, Washington, D.C. 20472. Notification procedure: Individuals wishing to inquire whether this system of records contains information about them should contact the system manager identified above.

RECORD ACCESS PROCEDURE:

Same as Notification procedure above.

CONTESTING RECORD PROCEDURES:

Individuals desiring to contest or amend information maintained in the system should direct their request to the system manager. Written requests should be clearly marked "Privacy Act Amendment" on the envelope and letter. The letter should state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

FEMA Privacy Act Regulations are promulgated in 44 CFR Part 6, published in the **Federal Register**.

RECORD SOURCE CATEGORIES:

Directly from the debtor, the initial loan application, credit report from the commercial credit bureau, administrative or program offices within FEMA, or other Federal, State, or local agencies which are involved in programs or services administered by FEMA.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 83-725 Filed 1-10-83; 8:45 am]
BILLING CODE 6718-01-M

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License No. 1971]

Cargo, Inc.; Order of Revocation

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.15(d) of Federal Maritime Commission General Order 4 further provides that a license shall be automatically revoked for failure of a licensee to maintain a valid bond on file.

The bond issued in favor of Cargo, Inc., 9942 West Bryn Mawr Avenue, Rosemont, IL 60018 was cancelled effective December 3, 1982.

By letter dated November 9, 1982, Cargo, Inc. was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 1971 would be automatically revoked unless a valid surety bond was filed with the Commission.

Cargo, Inc. has failed to furnish a valid bond.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (Revised), section 10.01(f) dated November 12, 1981;

Notice is hereby given, that Independent Ocean Freight Forwarder License No. 1971 be and is hereby revoked effective December 3, 1982.

It is ordered, that Independent Ocean Freight Forwarder License No. 1971 issued to Cargo, Inc. be returned to the Commission for cancellation.

It is further ordered, that a copy of this Order be published in the **Federal Register** and served upon Cargo, Inc.

Albert J. Klingel, Jr.,

Director, Bureau of Certification and Licensing

[FR Doc. 83-685 Filed 1-10-83; 8:45 am]
BILLING CODE 6730-01-M

Independent Ocean Freight Forwarder License; Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarders pursuant to section 44(a) of Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(c)).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, D.C. 20573.

IFF, Inc., 2875 Cumberland Parkway, Suite 275, Atlanta, GA 30339
Officers: Jurgen Lantzsch, President/Director, Peter Halpaus, Vice President, Michael A. McLaughlin, Vice President

Interglobal Forwarding Services, Inc., c/o G & B Packing Co., Inc., Eight Hook Road, Bayonne, NJ 07002
Officers: Luke Ambrose, Vice President, Lee Schiller, President

Lombard Shipping Forwarding, Inc., Two Allen Center, Suite 3070, Houston, TX 77002
Officers: Jeffrey Woollen, President, Graham James Kelly, Vice President, Dennis Wayne McCormick, Secretary, Ronald Bainbridge, Treasurer

By the Federal Maritime Commission.

Dated: January 6, 1983.

Francis C. Hurney,

Secretary.

[FR Doc. 83-642 Filed 1-10-83; 8:45 am]
BILLING CODE 6730-01-M

[Independent Ocean Freight Forwarder License No. 2526]

Louis C. Perez d.b.a. Perez Correal International Services; Order of Revocation

On December 30, 1982, Louis C. Perez d.b.a. Perez Correal International Services, P.O. Box 1211, Homestead, FL 33030 surrendered his Independent Ocean Freight Forwarder License No. 2526 for revocation.

Therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (Revised), section 10.01(e) dated November 12, 1981;

It is ordered, that Independent Ocean Freight Forwarder License No. 2526 issued to Louis C. Perez d.b.a. Perez Correal International Services be revoked effective December 30, 1982, without prejudice to reapplication for a license in the future.

It is further ordered, that a copy of this Order be published in the **Federal Register** and served upon Louis C. Perez d.b.a. Perez Correal International Services.

Albert J. Klingel, Jr.,

Director, Bureau of Certification and Licensing

[FR Doc. 83-688 Filed 1-10-83; 8:45 am]
BILLING CODE 6730-01-M

[Independent Ocean Freight Forwarder License No. 553]

L. F. Surillo & Co., Inc.; Order of Revocation

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.15(d) of Federal Maritime Commission General Order 4 further provides that a license shall be automatically revoked for failure of a licensee to maintain a valid bond on file.

The bond issued in favor of L. F. Surillo & Co., Inc., 160 Broadway, New York, NY 10038 was cancelled effective December 29, 1982.

By letter dated December 2, 1982, L. F. Surillo & Co., Inc. was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 553 would be automatically revoked unless a valid surety bond was filed with the Commission.

L. F. Surillo & Co., Inc. has failed to furnish a valid bond.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (Revised), section 10.01(f) dated November 12, 1981;

Notice is hereby given, that Independent Ocean Freight Forwarder License No. 553 be and is hereby revoked effective December 29, 1982.

It is ordered, that Independent Ocean Freight Forwarder License No. 553 issued to L. F. Surillo & Co., Inc. be returned to the Commission for cancellation.

It is further ordered, that a copy of this Order be published in the **Federal Register** and served upon L. F. Surillo & Co., Inc.

Albert J. Klingel, Jr.,

Director, Bureau of Certification & Licensing.

[FR Doc. 83-687 Filed 1-10-83; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Agency Forms Under Review

January 4, 1983.

Background

When executive departments and independent 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 to consult with the public on significant reporting requirements before seeking OMB approval. OMB in carrying out its responsibilities under the act also considers comments on the forms and recordkeeping requirements that will affect the public. Reporting or recordkeeping requirements that appear to raise no significant issues are approved promptly. OMB's 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.

List of forms Under Review

Immediately following the submission of a request by the Federal Reserve for OMB approval of a reporting or recordkeeping requirement, a description of the report is published in the **Federal Register**. This information contains the name and telephone number of the Federal Reserve Board clearance officer (from whom a copy of the form and supporting documents is available). The entries are grouped by type of submissions—i.e., new forms, revisions, extensions (burden change), extensions (no change), and reinstatements.

Copies of the proposed forms and supporting documents may be obtained from the Federal Reserve Board clearance officer whose name, address, and telephone number appear below. The agency clearance officer will send you a copy of the proposed form, the request for clearance (SF 83), supporting statement, instructions, transmittal letters, and other documents that are submitted to OMB for review.

FOR FURTHER INFORMATION CONTACT:

Federal Reserve Board Clearance Officer—Cynthia Glassman—Division of Research and Statistics, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 (202-452-3829)

OMB Reviewer—Richard Sheppard—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 3208, Washington, D.C. 20503 (202-395-6880)

Request for Approval of a Temporary Report

1. Report title: Monthly Survey of Number of Accounts in, and Sources of Funds for, "Super NOW" Accounts

Agency form number: FR 2071d

Frequency: Monthly

Reporters: Sample of commercial banks that offer ATS and NOW accounts

SIC Code: 602

Small businesses are affected.

General description of report:

Respondent's obligation to respond is voluntary [12 U.S.C. 248(a)]; a pledge of confidentiality is promised [5 U.S.C. 552 (b)(4) and (b)(8)].

The report will provide information on "Super NOW" accounts that is essential for monitoring their expansion. Such information is critical to interpreting shifts in the monetary aggregates. The new "Super NOW" account will be effective January 5, 1983 pursuant to DIDC action.

Board of Governors of the Federal Reserve System, January 5, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-663 Filed 1-10-83; 8:45 am]

BILLING CODE 6210-01-M

GENERAL SERVICES ADMINISTRATION

Office of Plans, Programs, and Financial Management; Announcement of Organizational Changes

This general notice publicizes changes in the location and telephone numbers of the Office of Transportation Audits, General Services Administration. It is published to facilitate contact of key personnel and minimize disruptions in the conduct of the transportation audit function.

The Office of Transportation Audit has been relocated in the General Services Building, 18th and F Streets, NW., Washington, D.C 20405.

The following is a list of key offices:

Office	Symbol	Room No.	Telephone No.
Director	(BW)	GS-6028	202-786-3000
Deputy Director	(BWD)	GS-6030	202-786-3000
Collection, Accounts and Procedure Division.	(BWC)	GS-6032	202-786-3005
Regulations, Procedures and Claims Branch.	(BWCP)	GS-6040	202-786-3014
Regulations and Procedures Section.	(BWCPR)	GS-6038	202-786-3014
Carrier Claims Section.	(BWCPC)	GS-G-132.	202-786-3059
Government Claims Section.	(BWCPG)	GS-G-127.	202-786-3059
Accounts Management Branch.	(BWCA)	GS-G-117.	202-786-3052
Transportation Audits Division.	(BWA)	GS-G-105.	202-786-3032

Paid vouchers should be submitted to: Chief, Paid Voucher Receiving Unit, Attention: BWAA, Room GS-G-342, 18th and F Streets, NW., Washington, D.C. 20405.

Dated: December 22, 1982

Raymond A. Fontaine,

Assistant Administrator.

[FR Doc. 83-718 Filed 1-10-83; 8:45 am]

BILLING CODE 6820-61-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers For Disease Control

Workshop on Occupational Safety and Health Engineering Control Technology; Open Meeting

The following meeting will be convened by the National Institute for Occupational Safety and Health (NIOSH) of the Centers for Disease Control and will be open to the public for observation and participation, limited only by space available:

Date: January 26–27, 1983.

Time: January 26, 8:30 a.m. to 5:00 p.m., January 27, 8:30 a.m. to 12 noon.

Place: C Ballroom, Carolina Inn University of North Carolina, South Columbia and Cameron Street, Chapel Hill, North Carolina 27514.

Purpose: To develop specific recommendations and plans for future actions concerning occupational safety and health engineering research, education, and practice.

Additional information may be obtain from: Mr. John T. Talty, Division of Training and Manpower Development, National Institute for Occupational Safety and Health, Centers for Disease Control, 4676 Columbia Parkway, Cincinnati, Ohio 45226, Telephone: (513) 684–8241.

Dated: January 3, 1982.

William C. Watson, Jr.,

Acting Director, Centers for Disease Control.

[FR Doc. 83-702 Filed 1-10-83; 8:45 am]

BILLING CODE 4160-19-M

Food and Drug Administration

[Docket No. 82F–0375]

Ciba-Geigy Corp.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Ciba-Geigy Corp. has filed a petition proposing that the food additive regulations be amended to provide for the safe use of trimellitic anhydride adducts as cross-linking agents, and to revise the temperature limitation currently set under § 175.300 for trimellitic anhydride.

FOR FURTHER INFORMATION CONTACT: Mary W. Lipien, Bureau of Foods (HFF–334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–472–5740.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 2B3634) has been filed by Ciba-Geigy Corp., Hawthorne, NY 10532, proposing that § 175.300 *Resinous and polymeric coatings* (21 CFR 175.300) be amended to provide for the safe use of trimellitic anhydride, ethylene glycol, glycerol adducts as cross-linking agents for epoxy resins, and to revise the temperature limitation currently set for trimellitic anhydride under § 175.300(b)(3)(viii)(*b*).

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c) (proposed December 11, 1979; 44 FR 71742).

Dated: December 29, 1982.

Sanford A. Miller,

Director, Bureau of Foods.

[FR Doc. 83-577 Filed 1-10-83; 8:45 am]

BILLING CODE 4160-01-M

Consumer Participation; Notice of Open Meeting

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the following consumer exchange meeting: Newark District Office, chaired by Matthew H. Lewis, District Director.

DATE: Tuesday, January 25, 1983, 10 a.m. to 12 p.m.

ADDRESS: New Jersey State Department of Health, Health and Agriculture Bldg., John Fitch Plaza, Trenton, NJ 08625.

FOR FURTHER INFORMATION CONTACT: Joan A. Godal, Consumer Affairs Officer, Food and Drug Administration, 20 Evergreen Place, East Orange, NJ 07018, 201–645–6365.

SUPPLEMENTARY INFORMATION: The purpose of this meeting is to encourage dialogue between consumers and FDA officials, to identify and set priorities for current and future health concerns, to enhance relationships between local consumers and FDA's District Offices, and to contribute to the agency's policymaking decision on vital issues.

Dated: January 4, 1983.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 83-576 Filed 1-10-83; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 82F–0385]

Dow Chemical Co.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Dow Chemical Co. has filed a petition proposing that the food additive regulations be amended to provide for the safe use of vinylidene chloride/methyl acrylate/methyl methacrylate polymers as articles or components of articles intended for use in contact with food.

FOR FURTHER INFORMATION CONTACT: Andrew D. Laumbach, Bureau of Foods (HFF–334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–472–5690.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 3B3685) has been filed by Dow Chemical Co., Midland, MI 48640, proposing that Part 177 (21 CFR Part 177) be amended to provide for the safe use of vinylidene chloride/methyl acrylate/methyl methacrylate polymers as articles or components of articles intended for use in contact with food.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c) (proposed December 11, 1979; 44 FR 71742).

Dated: December 29, 1982.

Sanford A. Miller,

Director, Bureau of Foods.

[FR Doc. 83-578 Filed 1-10-83; 8:45 am]

BILLING CODE 4160-01-M

Public Health Service

Establishment of Secretary's Council on Health Promotion

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 94–463, 86 Stat. 770–776) the Office of the Assistant Secretary for Health announces the establishment by the Secretary, Health and Human Services, with the concurrence of the Committee Management Secretariat, General Services Administration, of the following advisory committee:

Designation: Secretary's Council on Health Promotion.

Purpose: The Committee shall advise the Secretary and Departmental officials regarding health promotion initiatives by providing advice to the Secretary, outreach to and coordination with, the efforts of the private sector to promote good health. Included in these tasks would be the following:

- Advising the Department on the conduct of its efforts to promote the health of the American people;
- Providing important links with the private sector for the recruitment of resources to stimulate health promotion initiatives and activities;
- Enhancing the prospects of tying together similar health promotion efforts throughout the private and voluntary sectors;
- Developing a pool of individuals, through its membership, who could be drawn upon by the Department to play prominant roles in Departmental health promotion efforts, such as the media based component of the National Health Promotion program;
- Encouraging its members to serve as private sector sponsors for important benefits and events which can help recruit participation in Departmental health promotion efforts.

Authority for this Committee will expire two years from the date of the filing of the charter, unless the Secretary, Health and Human Services, with the concurrence of the Committee Management Secretariat, General Services Administration, formally determines that continuance is in the public interest.

Dated: December 30, 1982.

Edward N. Brandt, Jr.,

Assistant Secretary for Health.

[FR Doc. 83-720 Filed 1-10-83; 8:45 am]

BILLING CODE 4160-17-M

Office of the Secretary

Office of the Assistant Secretary for Health; Statement of Organization, Functions and Delegations of Authority

Part H of the Statement of Organization, Functions and Delegations of Authority of the Department of Health and Human Services is amended to reflect revisions in Chapter HA (Office of the Assistant Secretary for Health), and in Chapter HS (Health Resources and Services Administration). Specifically:

(1) The statement for the Office of the Assistant Secretary for Health (42 FR 61318, December 2, 1977, as amended most recently at 47 FR 38409, August 31, 1981) is amended to reflect a consolidation of the Public Health Service Act Title X and Title XX responsibilities in the Office of the Assistant Secretary for Health (OASH). The changes in OASH will:

(a) Establish an Office of Family Planning (OFP) in the Office of Population Affairs with the responsibility for family planning functions transferred from the Health Resources and Services Administration, Bureau of Health Care Delivery and Assistance;

(b) Retitle the Office of Adolescent Pregnancy Programs (OAPP) to the Office of Adolescent Family Life (OAFL) and revise the functions to reflect requirements of Title XX of the Public Health Service Act;

(c) Transfer the retitled Office of Adolescent Family Life into the Office of Population Affairs; and

(d) Revise the statement for the Office of Population Affairs to reflect the new responsibilities.

(2) The statement for the Health Resources and Services Administration (47 FR 39409, August 31, 1982) is amended to reflect the transfer of the responsibility for Title X, Population Research and Voluntary Family Planning Programs, from the Bureau of Health Care Delivery and Assistance, Health Resources and Services Administration, to the Office of Population Affairs, OASH.

The consolidation of the responsibilities and functions supporting vital health programs into one office will provide consistency in management for the interpretation and direction of Administration policy.

1. Part H. Chapter HA, Office of the Assistant Secretary for Health, Section HA-10 Organization is amended by deleting item 11 "Office of Adolescent Pregnancy Programs (HA4)." Renumber items 12, 13, 14, 15 and 16 as items 11, 12, 13, 14 and 15 respectively.

2. Chapter HA, Office of the Assistant Secretary for Health, Section HA-20 Functions is amended as follows:

(a) Delete the functional statement for the Office of Population Affairs and substitute the following:

Office of Population Affairs (HA5). The Office is under the direction of the Deputy Assistant Secretary for Population Affairs (DASPA) who is the principal advisor to the Assistant Secretary for Health (ASH) on population affairs and is charged to carry out the provisions of Title X, Population Research and Voluntary Family Planning Programs; and Title XX, Adolescent Family Life Demonstration Projects, of the Public Health Service Act. Specifically, the Office:

(1) Assumes responsibility for the overall planning, oversight, coordination, monitoring and evaluation of population research and voluntary family planning programs, adolescent family life programs, population education programs and health-related programs in the PHS and other elements of the Department;

(2) Serves as the departmental focus for the administration of grants and contracts related to family planning and adolescent family life programs;

(3) Maintains liaison to oversee Department programs and coordinates matters related to population research, adolescent pregnancy and family planning;

(4) Reviews and coordinates to assure consistency of regulations and guidelines developed in other program areas with the policies and objectives of programs of the Office of Population Affairs;

(5) Provides the policy direction and coordination necessary for the development of informational and educational programs on population research, adolescent pregnancy and family planning;

(6) Acts as a clearinghouse for information pertaining to domestic and international population research and family planning programs for use by all interested public and private entities;

(7) Develops or clears reports to Congress on achievements of all family planning programs in the Department; and

(8) Provides a liaison with the activities carried on by other agencies and instrumentalities of the Federal Government relating to population research and family planning.

Office of Adolescent Family Life Programs (HA52). The Office:

(1) Reviews all HHS programs related to prevention or care services to assure their consistencies with the requirements of Title XX of the PHS Act;

(2) Coordinates Federal policies and programs providing services relating to prevention of adolescent pregnancies and to the care services for pregnant adolescents;

(3) Coordinates, as appropriate, research and dissemination activities with NIH;

(4) Consults with other Federal agencies facilitating the development of services and activities and to make recommendations, as appropriate, for legislation supporting the use and accessibility of adolescent family life programs;

(5) Develops national policies and long and short range program goals and objectives;

(6) Developes requirements for grant approval, program regulations, and national policy in coordination with other OASH staff offices, PHS agencies, and appropriate HHS components;

(7) Interprets policies, requlations, guidelines, standards and priorities under Title XX of the PHS Act;

(8) Administers a system of application, review and award for demonstration grant projects;

(9) Establishes and implements a system of scientific peer review of the application for research grants and contracts;

(10) Evaluates grantee activities to assure compliance with Title XX; and

(11) Provides technical assistance to facilitate coordination of State and local recipients of Federal assistance.

Office of Family Planning (HA53). The Office:

(1) Directs nationwide efforts to improve the organization and delivery of family planning services, training, information and education, and services delivery improvement research;

(2) Develops national policies and long and short range program goals and objectives;

(3) Develops requirements for grant approval, program regulations and national policy in coordination with other OASH staff offices, PHS agencies and appropriate HHS components;

(4) Provides through project grants to State, local, voluntary, public and private grants to State, local, voluntary, public and private entities, funds to help them meet the needs of those eligible for voluntary family planning services;

(5) Ensures that delegated responsibilities are being carried out;

(6) Interprets policies, regulations, guidelines, standards, and priorities and provides support to RHAs or regional staff as appropriate;

(7) Provides coordination with other programs providing health services including voluntary, official, and other community agencies;

(8) Establishes and provides liason in program matters with other programs;

(9) Participates in the development of legislative proposals and budgets; and

(10) Assesses performance of Title X grantee operations and determines those areas where improvement is needed.

(b) Delete the title and functional statement for the Office of Adolescent Pregnancy Programs (HA4) in its entirety.

3. Chapter HB, Health Resources and Services Administration, the Section title *"Bureau of Health Care Delivery and Assistance,"* subsection titled "Division of Family Planning" is deleted in its entirety.

Dated: January 7, 1983.

Richard S. Schweiker,

Secretary.

[FR Doc. 83-920 Filed 1-10-83; 11:43 am]

BILLING CODE 4160-17-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A-17600]

Arizona; Realty Action Competitive Sale of Public Land in Pinal County

The following described land has been identified as suitable for disposal under Section 203 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2750, 43 U.S.C. 1713), at no less than the appraised fair market value.

GILA AND SALT RIVER MERIDIAN

Parcel	Legal description	Acreage	Dollar value
T. 8 S., R. 17 E., Section 31: S½ (parcels within).			
A	Lot 5	5.00	7,750
B	Lot 7	4.96	7,750
C	Lot 10	5.00	7,500
D	Lot 13	4.98	7,000
E	Lot 15	5.00	8,500
G	N½NE¼NE¼SW¼	5.00	8,000
J	N½SE¼SE¼SW¼	5.00	7,850
L and M	S½SW¼NE¼SE¼ and N½NW¼SE¼SE¼.	10.00	10,500
N	S½NW¼SE¼SE¼	5.00	7,750
O and P	SE¼NE¼SE¼	10.00	10,500
Q	N½NE¼SE¼SE¼	5.00	7,750
R	N½SE¼NE¼SE¼	5.00	8,500

The above land aggregates 69.94 acres.

The land is zoned GR—General Rural. The land will be sold at public auction by competitive bidding. The sale will be held at the Mammoth Town Hall, 617 Clark Street, Mammoth, Arizona, Wednesday, March 16, 1983, at 1:00 p.m.

Bidding Information and Instructions: The Federal Land Policy and Management Act requires that bidders must be citizens of the United States, 18 years of age or over, or, in the case of a corporation, be subject to the laws of any state of the United States. Bids may be made by a principal (the one desiring to purchase the land) or his duly qualified agent. Each bid must be for all the land in a specified parcel.

Method of Bidding: Bids may be made either by sealed bids or personally at the sale. Bids sent by mail will only be considered if received by the Bureau of Land Management, Safford District Office, 425 East Fourth Street, Safford, Arizona 85546, prior to 2:00 p.m., Monday, March 14, 1983. Bids, accompanied by a certified check, postal money order, bank draft or cashier's check made payable to the Bureau of Land Management for not less than one-fifth of the amount of the bid, must be in a separate sealed envelope within the transmittal envelope. The sealed envelopes must be marked in the lower left-hand corner "Sealed Bid, Public Land Sale A-17600, Parcel Number ——, Sale to be March 16, 1983." All sealed bids will be opened at 1 p.m. on the day of the sale. Oral bids will be received immediately after all sealed bids have been opened and the highest sealed bid is announced. The highest sealed bid will be the base for oral bids. If the highest bid is an oral bid, the successful bidder will be required to pay immediately one-fifth of the high bid price by cash, personal check, money order, bank draft, or any combination of these. The successful high bidder, whether by sealed or oral bid, will be required to submit the remainder of the land payment by cash, certified check, bank draft, money order, or any combination of these at the time of the sale or 30 days after the determination of the highest bid.

Post Sale Instructions: If final payment is not received within the specified 30 days, the high bid is rejected, the deposit is forfeited, and the land will be offered to the second highest bidder, subject to the same terms and conditions. All unsuccessful sealed bids will be returned within 30 days of the sale.

Detailed information concerning the parcels can be obtained from the Safford District Office.

Patents will contain the following reservations to the United States:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States, Act of August 30, 1980, 26 Stat. 391; 43 U.S.C. 945.

2. All minerals with the right to explore, prospect for, mine, and remove under applicable law, and such regulations as the Secretary of the Interior may prescribe.

3. A right-of-way under Serial Number AR-010881 for highway purposes under the Act of November 9, 1921 (42 Stat. 216; 23 U.S.C. 18); for parcels E, G, and R.

And will be subject to:

1. Those rights granted by Oil and Gas Lease A-11402, made under Section 29 of the Act of February 25, 1920, 41 Stat. 437 and the Act of March 4, 1933, 47 Stat. 1570. This patent is issued subject to the right of the prior permittee or lessee to use so much of the surface of said land as is required for oil and gas exploration and development operations without compensation, resulting from proper oil and gas operations, for the duration of the Lease A-1042, and any authorized extension of the lease. Upon termination or relinquishment of said oil

and gas lease, this reservation shall terminate. This lease applies to all parcels.

2. The Federal Emergency Management Agency (FEMA) 100-year floodplain maps developed for this area, and the Pinal County planning and zoning regarding any flood hazard potential of the land.

Publication of the Notice will segregate the subject lands from all appropriations under public land laws, including the mining laws, but not the mineral leasing laws. This segregation will terminate upon the issuance of a patent or two years from the date of this Notice, or upon publication of a Notice of Termination.

For a period of 45 days from the date of this Notice, interested parties may submit comments to the District Manager, Safford District Office. Any adverse comments will be evaluated by the District Manager who may vacate or modify this Realty Action, and issue a final determination. In the absence of any action by the District Manager, this Realty Action will become the final determination of the Department of the Interior.

Dated: January 4, 1983.

Lester K. Rosenkrance,

District Manager, Safford District Office.

[FR Doc. 83-662 Filed 1-10-83; 8:45 am]

BILLING CODE 4310-84-M

[C-35988]

Colorado; Invitation for Coal Exploration License Application; Getty Mining Company

All interested parties are hereby invited to participate with Getty Mining Company in its proposed exploration of certain Federal coal deposits in the following described lands in Moffat County, Colorado:

Sixth Principal Meridian, Colorado:

T. 5 N., R. 91 W.,
Sec. 18, lot 17;
Sec. 19, lots 8 to 20, inclusive;
Sec. 30, lots 5 to 12, inclusive, and lot 16.
T. 5 N., R. 92 W.,
Sec. 2, lot 13;
Sec. 3, lots 13, 15, and 17, and SE¼SE¼;
Sec. 8, SW¼NE¼, SE¼SW¼, and SE¼;
Sec. 9, S½;
Sec. 10, lots 1 and 3, NE¼, SE¼NW¼, and S½;
Sec. 11, lots 3 to 6, inclusive, SW¼NW¼, and S½;
Sec. 12, S½;
Sec. 13, all;
Sec. 14, all;
Sec. 15, all;
Sec. 17, E½, and E½W½;
Sec. 20, NE¼, NE¼NW¼, and NE¼SE¼;
Sec. 21, N½, N½SW¼, and SE¼;
Sec. 22, lot 1, E½NE¼, and N½NW¼;
Sec. 23, N½, NW¼SW¼, and SE¼;
Sec. 24, all;
Sec. 25, N½N½;
Sec. 26, N½NE¼.

The area described contains 8,028.70 acres.

Any party participating in this exploration license will share all costs on a pro rata basis with Getty Mining Company and with any other participants. The exploration plan, as submitted to the Bureau of Land Management, is available under serial number C-35988 for public review during normal business hours at the Colorado State Office, 1037 20th Street, Denver, Colorado. Additional copies of the exploraiton plan are available for review at the BLM Craig District Office, 455 Emerson Street, Craig, Colorado, and at the District Mining Office, The Mart, 2135 East Main Street, Grand Junction, Colorado.

Any party seeking to participate in the exploration program described in the application must notify both the Bureau of Land Management and Getty Mining Company in writing within 30 days after the publication of this Notice of Invitation in the **Federal Register**. Such written notice must be addressed to:

Chief, Mineral Leasing Section, Colorado State Office, Bureau of Land Management, 1037 20th Street, Denver, Colorado 80202, and

Mr. J. D. Spaulding, Vice-President, Getty Mining Company—Suite 200, 5250 South 300 West, Salt Lake City, Utah 84107.

This Notice of Invitation is published in the **Federal Register** pursuant to 43 CFR 3410.2-1(c) (47 FR 33135, July 30, 1982).

Satchiko Nakazono,

Acting Chief, Mineral Leasing Section.

[FR Doc. 83-657 Filed 1-10-83; 8:45 am]

BILLING CODE 4310-84-M

[C-36445]

Colorado; Invitation for Coal Exploration License Application; Getty Coal Company

All interested parties are hereby invited to participate with Getty Coal Company in its proposed exploration of certain Federal coal deposits in the following described lands in Moffat County, Colorado:

Sixth Principal Meridian, Colorado

T. 3 N., R. 90 W.,
Sec. 2, lots 1 to 4, inclusive, S½N½, SW¼, and N½SE¼;
Sec. 3, lots 1 to 4, inclusive, S½N½, and S½;
Sec. 4, lots 1 to 4, inclusive, S½N½, and S½;
Sec. 5, lots 1 and 2, and S½NE¼.
T. 4 N., R. 90 W.,
Sec. 19, lots 1 to 4, inclusive, SW¼NE¼, and SE¼;
Sec. 20, S½N½, and S½;
Sec. 21, S½NW¼, SW¼, and S½SE¼;
Sec. 26, SW¼SW¼;
Sec. 27, S½NW¼, and S½;
Sec. 28, all;
Sec. 29, all;
Sec. 30, lots 1 and 2, E½, and E½W½;
Sec. 31, lots 1 and 2, E½, and E½W½;
Sec. 32, all;
Sec. 33, all;
Sec. 34, all;
Sec. 35, SW¼NE¼, NW¼, and S½.
T. 4 N., R. 91 W.,
Sec. 23, lots 1 to 16, inclusive;
Sec. 24, lots 1 to 12, inclusive, N½NE¼, SW¼NE¼, and NE¼NW¼;
Sec. 25, lots 1 to 16, inclusive;
Sec. 26, lots 1 to 16, inclusive;
Sec. 3o, lots 1, 2, 7, and 8;
Sec. 36, lots 1 to 8, inclusive.

The area described contains 11,238.13 acres.

Any party participating in this exploration license will share all costs on a pro rata basis with Getty Coal Company and with any other participants. The exploration plan, as submitted to the Bureau of Land Management, is available under serial number C-36445 for public review during normal business hours at the Colorado State Office, 1037—20th Street, Denver, Colorado. Additional copies of the exploration plan are available for review at the BLM Craig District Office, 455 Emerson Street, Craig, Colorado, and at the District Mining Office, The Mart, 2135 East Main Street, Grand Junction, Colorado.

Any party seeking to participate in the exploration program described in the application must notify both the Bureau of Land Management and Getty Coal Company in writing within 30 days after the publication of this Notice of Invitation in the **Federal Register**. Such written notice must be addressed to:

Chief, Mineral Leasing Section, Colorado State Office, Bureau of Land Management, 1037 20th Street, Denver, Colorado 80202, and

Mr. J. D. Spaulding, Vice-President, Getty Coal Company — Suite 200, 5250 South 300 West, Salt Lake City, Utah 84107.

This Notice of Invitation is published in the **Federal Register** pursuant to 43 CFR 3410.2-1(c) (47 FR 33135, July 30, 1982).

Satchiko Nakazono,

Acting Chief, Mineral Leasing Section.

[FR Doc. 83-661 Filed 1-10-83; 8:45 am]

BILLING CODE 4310-84-M

Miles City District Advisory Council Meeting

January 4, 1983.

Notice is hereby given in accordance with Pub. L. 92-463 that a meeting of the Miles City District Advisory Council will be held February 15, 1983. The meeting will begin at 10:00 a.m. in the conference room at the Miles City District, Bureau of Land Management Office, Highway 10-12 at Garryowen Road, Miles City, Montana.

The agenda is as follows:

1. Asset Management.
2. Meridian Land and Mineral Co. Proposed Coal Exchange.
3. Access Statement for Recreation Maps.

The meeting is open to the public. The public may make oral statements before the Advisory Council or file written statements for the council's consideration. Depending upon the number of persons wishing to make an oral statement, a per person time limit may be established.

Summary minutes of the meeting will be maintained in the Bureau of Land Management District Office and will be available for public inspection and reproduction during regular business hours within 30 days following the meeting.

For futher information, contact District Manager, Miles City District, Bureau of Land Management, P.O. Box 940, Miles City, Montana 59301.

Robert A. Teegarden,

Associate District Manager.

[FR Doc. 83-658 Filed 1-10-83; 8:45 am]

BILLING CODE 4310-84-M

[Serial No. I-7317]

Idaho; Notice of Partial Termination of Proposed Withdrawal and Reservation of Lands

Correction

In FR Doc. 82-24844 beginning on page 39897 in the issue of Friday, September 10, 1982, make the following correction:

On page 39898, first column, the ninth line in the legal description is corrected to read: "T. 24 N., R. 5 E.,"

BILLING CODE 1505-01-M

Fish and Wildlife Service

Information Collection Submitted for Review

The proposal for the collection of information listed below has been submitted to the Office of Management and Budget (OMB) for approval under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Copies of the proposed information collection requirement and related forms and explanatory material may be obtained by contacting the Service's clearance officer at the phone number listed below. Comments and suggestions on the requirement should be made directly to the Service clearance officer and the OMB Interior Desk officer at 202-395-7340.

Title: Timber Harvest Permit Application, to issue permits for such operations on national wildlife refuges.

Bureau Form Number: N/A.

Frequency: On occasion.

Description of Respondents: Saw mills (individuals and small businesses).

Annual Responses: 620.

Annual Burden Hours: 310.

Service Clearance Officer: Arthur J. Ferguson, 202-653-7499.

Robert E. Gilmore,

Acting Associate Director—Wildlife Resources.

January 3, 1983.

[FR Doc. 83-666 Filed 1-10-83; 8:45 am]

BILLING CODE 4310-55-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 Texaco U.S.A. has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS-G 4464, Block 200, South Timbalier 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 Regional 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: January 4, 1983.

John L. Rankin,

Acting Regional Manager, Gulf of Mexico OCS Region.

[FR Doc. 83-670 Filed 1-10-83; 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: Summary: Notice is hereby given that Exxon Company, U.S.A. has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS-G 1447, Block 21, West Delta 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 Mineral Management Service is considering approval of the Plan and that it is available for public review at the Office of the Regional 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 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: December 30, 1982.

John L. Rankin,

Acting Regional Manager, Gulf of Mexico OCS Region.

[FR Doc. 83-671 Filed 1-10-83; 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 SONAT Exploration Company has submitted a Development and production Plan describing the activities it proposes to conduct on Leases OCS-G 4777 and 4203, Blocks 32 and 25, East Cameron 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 7002, 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: December 30, 1982.

John L. Rankin,

Acting Minerals Manager, Gulf of Mexico OCS Region.

[FR Doc. 83-672 Filed 1-10-83; 8:45 am]

BILLING CODE 4310-31-M

Advisory Committee on Minerals Accountability; Meeting

AGENCY: Minerals Management Service (MMS) Interior.

ACTION: Notice of meeting.

SUMMARY: The purpose of the Committee is to develop over a 1-year period an expanded policy of cooperation with States and Indian tribes in the royalty management area and to develop a detailed plan for carrying out Federal/State/Indian cooperation on a comprehensive basis. The purpose of the meeting is to establish the initial organization of the Committee, set the agenda, and discuss how the charter of the Committee will be fulfilled.

The meeting will be open to the public. However, facilities and space to accommodate members of the public are limited and persons will be accommodated on a first come, first served basis. Any member of the public may file with the Committee a written statement concerning the matters to be discussed.

Notice of subsequent meetings will be published 15 days before the next monthly meeting.

DATE: Wednesday, January 26, 1983, 1:30 p.m.

ADDRESS: Department of the Interior, 18th & C Streets, N.W., Room 5160, Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: John Sullivan, Department of the Interior, 18th & C Streets, N.W., Room 4216, Washington, D.C. 20240, telephone: (202) 343-3516.

SUPPLEMENTARY INFORMATION: The Advisory Committee was created by the Secretary of the Interior on November 15, 1982.

Dated: January 10, 1983.

Harold E. Doley, Jr.,

Director, Minerals Management Service.

[FR Doc. 83-687 Filed 1-10-83; 10:59 am]

BILLING CODE 4310-MR-M

National Park Service

National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before December 30, 1982. Pursuant to § 60.13 of 36 CFR Part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, U.S. Department of the Interior, Washington, DC 20243. Written comments should be submitted by January 26, 1983.

Carol D. Shull,

Chief of Registration, National Register.

ALABAMA

Elmore County

Wetumpka vicinity, *Fort Toulouse/Fort Jackson,* SW of Wetumpka off AL 231

Jefferson County

Birmingham, *Hotel Redmont,* 2101 Fifth Ave., N.

Lee County

Salem, *McLain Dr. Andrew D., Office and Drug Store,* Main and Crawford Sts.

Morgan County

Decatur, *Albany Heritage Neighborhood Historic District,* Roughly bounded by Gordon Dr., Summerville Rd., Jackson, 8th Ave., Moulton, 6th Ave., and 4th Ave.

INDIANA

Marion County

Indianapolis *Columbia Club,* 121 Monument Circle

IOWA

Buchanan County

Independence, *Illinois Central Railroad Depot,* Second Ave., N.E.

Cerro Gordo County

Clear Lake, *Etzel, John, L., House,* 214 N. Third St.

Des Moines County

Burlington, *Burlington, Cedar Rapids & Northern Freight House,* Front and High Sts.

Burlington, *Starker-Leopold Historic District,* 101, 111 Clay and 110 Grand Sts.

Fayette County

Oelwein, *Hotel Mealey,* 102 S. Frederick Ave.

Floyd County

Rockford, *Rockford Mill,* Shell Rock River at 4th and Main St.

Henry County

Mount Pleasant, *Brazelton House,* 401 N. Main St.

Ida County

Ida Grove, *Bell, Alvin Bushnell, House,* 310 Quimby St.

Jefferson County

Fairfield, *Burnett-Montgomery House,* 605 N. Third St.

Fairfield, *Wells, George A., House,* 304 S. Main St.

Johnson County

Iowa City, *Boerner-Fry Company/Davis Hotel,* 322 E. Washington St.

Iowa City, *Van Patten House,* 9 S. Linn St.

Louisa County

Columbus City vicinity, *Springer, Judge Francis, House,* S of Columbus City

Muscatine County

Muscatine, *Clark-Blackwell House*, Cherry St.

Polk County

Des Moines, *Crawford House*, 2203 Grand Ave.

Scott County

Bettendorf, *Bettendorf, Joseph E., House*, 1821 Sunset Dr.
LeClaire, *Stone House*, 817 N. Second St.

Tama County

Toledo, *Hope Fire Company Engine House*, 109 S. Broadway

Van Buren County

Bonaparte, *Meek's Flour Mill*, First St.

Washington County

Washington, *Smouse, Winfield, House*, 321 S. Iowa Ave.

Winneshelk County

Burr Oak, *Burr Oak House/Masters Hotel*, State St.

Woodbury County

Sioux City, *Martin Hotel*, 410 Pierce St.

KENTUCKY

Boyle County

Danville vicinity, *Spring Hill (Thomas Lillard House)*, S. of Danville on U.S. 150

Jefferson County

Louisville, *Ford Motor Plant*, 1400 Southwestern Pkwy.
Louisville, *Highlands Historic District*, Roughly bounded by Barrett Ave., Eastern Pkwy., Frenwood, Bardstown, Woodbourne, Ellerbe, and Sherwood Aves.

Washington County

Springfield, *Covington Institute Teachers' Residence*, 333 E. Main St.

LOUISIANA

Orleans Parish

New Orleans, *Fort St. John*, Bayou St. John off Robert E. Lee Blvd.

MARYLAND

Anne Arundel County

Millersville vicinity, *Cross Roads Church*, 911 Old Generals Highway
Baltimore (Independent City)
Continental Trust Company Building, 1 S. Calvert St.

Howard County

Columbia vicinity, *Woodlawn*, 9254 Old Annapolis Rd.
Glenelg vicinity, *Glenelg Manor*, SE of Glenelg on Folly Quarter Rd.

MASSACHUSETTS

Dukes County

Tisbury, *Willaim Street Historic District*, Williams St. from Wood Lawn Ave. to 24 Williams St.

Franklin County

Colrain vicinity, *Smith, Arthur A., Covered Bridge*, W of Colrain on Lyonsville Rd.

Middlesex County

Concord, *Brown, Col. Roger, House*, 1694 Main St.

Suffolk County

Boston, *Gardner, Isabella Stewart, Museum*, 280 The Fenway

MINNESOTA

Clay County

Moorhead, *Fairmont Creamery Company*, 810 2nd Ave., N.

Koochiching County

Littlefork vicinity, *White, Francis, Homestead (Forsythe Post Office)*, N of Littlefork off US 71
Northome, *Scenic Hotel*, Main and Third Sts.
Ranier, *Finsted's Auto Marine Shop*, Sand Bay between Oak Ave. and Spruce St.
Rauch vicinity, *St Peter and St. Paul Russian Orthodox Church*, S. of Rauch on MN 65

Lake of the Woods County

Baudette, *Spooner Public School*, First St. N. and Eight Ave. E.

Micollet County

North Mankato, *North Mankato Public School*, 442 Belgrade Ave.

Ramsey County

St. Paul, *Armstrong House*, 233–235 W. 5th St.
St Paul, *St. Paul City Hall and Ramsey County Courthouse*, 15 W. Kellogg Blvd.

Stevens County

Alberta, *Alberta Teachers House*, Main St.
Morris, *Morris Carnegie Library*, Nevada and 6th Sts.

NEW YORK

Kings County

New York, *Lincoln Club*, 65 Putnam Ave.

New York County

New York, *Fourteenth Ward Industrial School*, 256–258 Mott St.

Richmond County

New York, *Scott-Edwards House*, 752 Delafield Ave.

OHIO

Hamilton County

Cincinnati, *Over-the-Rhine Historic District*, Roughly bounded by Dorsey, Sycamore, Liberty, Reading, Central Pkwy, McMicken Ave., and Vine Sts.

OKLAHOMA

Logan County

Guthrie, *Guthrie Historic District (Amendment)*, Are a roughly bounded by Pine St. College, 14th, Cottonwood Creek and University Ave.

SOUTH CAROLINA

Chester County

Chester, *Kumler Hall (Brainerd Institute)*, Lancaster and Cemetery Sts.

Darlington County

Hartsville, *Coker, J.L., Company Building*, 5th St. and Carolina Ave.

Spartanburg County

Spartanburg, *Hampton Heights Historic District*, Roughly bounded by Spring, Henry, Hydrick, Peronneau Sts., Hampton Dr., and Hampton Ave., (both sides)

TENNESSEE

Jefferson County

Jefferson City vicinity, *Cox's Mill*, N of Jefferson City on Fielden's Store Rd.

Knox County

Knoxville, *Knoxville Business College*, 209 W. Church St.
Knoxville, *Mabry House*, Kingston Pike and Mabry-Hood Rd.
Knoxville, *Mechanics' Bank and Trust Company Building*, 612 S. Gay St.

Madison County

Jackson, *Ross-Sewell House*, 909 Highland Ave.

Madison/Chester Counties

Pinson vicinity, *Pinson Mound*, NE of Pinson off US 45

Marshall County

South Berlin vicinity, *Harris, Robert C., House*, W of South Berlin on TN 50

Obion County

South Fulton, *Morris, W.W., House*, 305 W. State Line Rd.

Roane County

Kingston, *Morgan, Col. Gideon, House*, 149 Kentucky St.

Shelby County

Memphis, *South Parkway—Heiskell Farm Historic District*, S. Parkway E. and E. Parkway S.

UTAH

Cache County

Mendon, *Baker, George Washington, House*, 115 N. 100 West

VERMONT

Windsor County

Barnard vicinity, *Aiken Stand Complex*, E of Barnard off VT 12
South Woodstock vicinity, *Moon, Owen, Farm*, S of South Woodstock off VT 106

COLORADO

Douglas County

Waterton vicinity, *Roxborough State Park Archaeological District*, S of Waterton3

FLORIDA

Orange Couty

Maitland, *Waterhouse, William H., House*, 820 S. Lake Lily Dr.

Volusia County

DeLand, *DeLand Hall*, Stetson University Campus

IDAHO

Clearwater County

Pierce vicinity, *Moore Gulch Chinese Mining Site (10-CW-159).*

INDIANA

St. Joseph County

Mishawaka, *Eller-Hosford House,* 722 Lincoln Way E.

KENTUCKY

Bourbon County

Paris vicinity, *Buckner Site (15BB12).*

Christian County

Hopkinsville vicinity, *McRay Site (15 Ch 139).*

Lyon County

Kuttawa vicinity, *Whalen Site (125-Ly-48).*

Madison County

Richmond vicinity, *Noland Mound (15-Ma-14).*

Marshall County

Benton vicinity, *Archaeological Site 15 M1 109*

MAINE

Androscoggin County

Lewiston, *Atkinson Building,* 220 Lisbon St.

Cumberland County

Portland, *Deering Street Historic District,* Congress, Deering, Mellen, and State Sts.

Hancock County

Deer Isle vicinity, *Sellers, Salome, House,* S of Deer Isle on ME 172

MARYLAND

Baltimore (Independent City)
Chamber of Commerce Building, 17 Commerce St.
Null House, 1037 Hillen St.

Baltimore County

Brooklandville vicinity, *Rockland,* 10214 Falls Rd.

Montgomery County

Dawsonville vicinity, *Susanna Farm,* 17700 White Grounds Rd.

NEBRASKA

Colfax County

Schuyler, *Oak Ballroom, Colfax St.*

Dixon County

Wakefield, *Swedish Evangelical Lutheran Salem Church,* Off NE 35

Otoe County

Nebraska City, *St. Benedict's Catholic Church, 411 5th Rue*

Saunders County

Ashland, *Ashland Public Library (Carnegie),* 207 N. 15th St.
Ashland, *National Bank of Ashland,* 1442 Silver St.
Wahoo, *Hanson, Howard, House,* 12th and Linden Sts.

NEW MEXICO

Mora County

Watrous vicinity, *Kroenig, William Jr., Hay Barns (Watrous MRA),* S of Watrous on I-25
Watrous vicinity, *Kroenig, William Ranch (Watrous MRA),* SW of Watrous off I-25
Watrous vicinity, *La Junta Grist Mill (Watrous MRA),* E of Watrous
Watrous vicinity, *Lynam, Walter W., Ranch House (Watrous MRA),* E of Watrous near Mora River
Watrous vicinity, *Tipton, Enoch, Ranch House (Watrous MRA),* E of Watrous at Mora River
Watrous vicinity, *Tipton, Martha Jane, House (Watrous MRA),* E of Watrous at Mora River
Watrous vicinity, *Watrous, Joseph B., Ranch (Watrous MRA),* S of Watrous on US 85
Watrous vicinity, Wildenstein, Carl W., House (Gleenwood Farm) (Watrous MRA), N of Watrous near jct of Mora and Sapello Rivers
Watrous, *Watrous Historic District (Watrous MRA),* US 85

San Miguel County

Watrous vicinity, *Kroenig, William Jr., Hay Barns (Watrous MRA),* S of Watrous off I-25

OKLAHOMA

Hughes County

Holdenville, *Turner, John E., House,* 401 E. 10th St.

SOUTH DAKOTA

Brown County

Aberdeen, *Great Northern Railway Passenger and Freight Depot,* One Court St.
Groton, *Trinity Episcopal Church,* 3rd Ave. E. and 3rd St. N.

Charles Mix County

Platte, *Farmers State Bank of Platte,* 404 N. Main St.

Custer County

Custer vicinity, *Custer State Game Lodge,* E of Custer on US 16-A
Hermosa vicinity, *Custer State Park Museum,* W of Hermosa on US 16-A

Hughes County

Pierre, *Hyde Buildings,* 101½, 105, 108½, and 109 S. Pierre St; and 105½ Capitol Ave.
Pierre, *Soldiers & Sailors World War Memorial,* Capitol Ave.

Moody County

Flandreau, *St. Vincent's Hotel,* 100 North Wind

Tripp County

Winner, *Barnum, E. G., House,* 205 Van Buren

Walworth County

Mobridge, *Brown Palace Hotel,* 301 Main St.

TENNESSEE

Monroe County

Eve Mills, *Fowler, William J., Mill and House,* Sweetwater Rd.

WASHINGTON

King County

Seattle, *Hull Building,* 2401-2405 First Ave.
Seattle, *Queen Anne Club,* 1530 N. Queen Anne Ave.
Seattle, *Times Building,* 414 Olive Way
Seattle, *Wallingford Fire and Police Station,* 1629 N. 45th St.

Pierce County

Tacoma, *Haddaway Hall,* 4301 N. Stevens
Tacoma, *Rhodesleigh,* 10815 Greendale Dr., S.W.
Tacoma, *Y.M.C.A. Building,* 714 Market St.

Spokane County

Spokane, *Hutton Building,* 9 S. Washington St.

Whatcom County

Bellingham, *Donovan, J. J., House,* 1201 Garden St.
Bellingham, *Eldridge Homesite and Mansion,* 2915 Eldridge Ave.
Bellingham, *Flatiron Building,* 1311-1319 Bay St.

[FR Doc. 83-717 Filed 1-10-83; 8:45 am]

BILLING CODE 4310-70-M

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development

Research Advisory Committee; Determination

The A.I.D. Research Advisory Committee performs necessary and important functions in connection with the formulation of A.I.D. research policy in evaluating and providing necessary advice concerning the progress and future potential of Agency funded research activities. There continues to be a need for such advisory functions.

Accordingly, I hereby determine, pursuant to the provisions of Section 14(a)(1)(a) of the Federal Advisory Committee Act (Pub. L. 92-463) and paragraph 7 of OMB Circular A-63 (Revised) that renewal of the Research Advisory Committee for a two year period beginning December 24, 1982, is in the public interest.

Dated: November 5, 1982.

M. Peter McPherson,

Administrator.

[FR Doc. 83-664 Filed 1-10-83; 8:45 am]

BILLING CODE 6116-01-M

Advisory Committee on Voluntary Foreign Aid; Determination

The Advisory Committee on Voluntary Foreign Aid serves as an important link between the U.S. Government and the private and voluntary organization community engaged in foreign assistance activities. The Committee advises A.I.D. on policies and procedures concerning the private and voluntary community; provides a forum for the exploration of topics of mutual concern; provides information, counsel and assistance to private and voluntary organizations; and fosters public interest in the field of voluntary foreign aid. There continues to be a significant need for such liaison and the related functions of the Committee.

Accordingly, I hereby determine, pursuant to the provisions of Section 14(c) of the Federal Advisory Committee Act (Pub. L. 92-463), that continuation of the Advisory Committee for a two-year period, beginning December 31, 1982, is in the public interest.

Dated: November 17, 1982.

M. Peter McPherson,

Administrator.

[FR Doc. 83-665 Filed 1-10-83; 8:45 am]

BILLING CODE 6116-01-M

INTERSTATE COMMERCE COMMISSION

[Docket AB-18 (Sub-45)]

Chesapeake and Ohio Railway Company—Abandonment in City of Hampton, VA; Findings

The Commission has issued a decision approving the Chesapeake and Ohio Railway Company's application to abandon the 1.98 mile segment of its Hampton Branch rail line between milepost 0.66 at or near Fort Monroe to milepost 2.64 in Hampton, all in the City of Hampton, VA. An abandonment certificate will be issued unless the Committee also finds that: (1) A financially responsible person has offered financial assistance (through subsidy or purchase) to enable the rail service to be continued, and (2) it is likely that the assistance would fully compensate the railroad.

Any financial assistance offer must be filed with the Committee and served concurrently on the applicant, with copies to Mr. Louis E. Gitomer, Room 5417, Interstate Commerce Committee, Washington, DC 20423, no later than 10 days from publication of this Notice. Any offer previously made must be remade within this 10-day period.

Information and procedures regarding financial assistance for continued rail service are contained in 49 U.S.C. 10905 and 49 CFR 1152.27 [formerly 49 CFR 11221.38].

Agatha L. Mergenovich,

Secretary.

[FR Doc. 83-699 Filed 1-10-83; 8:45 am]

BILLING CODE 7035-01-M

[Ex Parte No. 387]

Rail Carriers; Exemptions for Contract Tariffs

AGENCY: Interstate Commerce Commission.

ACTION: Notices of provisional exemptions.

SUMMARY: Provisional exemptions are granted under 49 U.S.C 10505 from the notice requirements of 49 U.S.C. 10713(e), and the below-listed contract tariffs may become effective on one day's notice. These exemptions may be revoked if protests are filed.

DATES: Protests are due within 15 days of publication in the **Federal Register.**

ADDRESS: An original and 6 copies should be mailed to: Office of the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

FOR FURTHER INFORMATION CONTACT: Douglas Galloway (202) 275-7278
or
Tom Smerdon (202) 275-7277

SUPPLEMENTARY INFORMATION: The 30-day notice requirement is not necessary in these instances to carry out the transportation policy of 49 U.S.C. 10101a or to protect shippers from abuse of market power; moreover, the transaction is of limited scope. Therefore, we find that the exemption requests meet the requirements of 49 U.S.C. 10505(a) and are granted subject to the following conditions:

These grants neither shall be construed to mean that the Commission has approved the contracts for purposes of 49 U.S.C. 10713(e) not that the Commission is deprived of jurisdiction to institute a proceeding on its own initiative or on complaint, to review these contracts and to determine their lawfulness.

Sub-No.	Name of railroad, contract No., and specifics	Review Board.[1]	Decided Date
569	The Denver and Rio Grande Western Railroad Co., ICC-DRGW-C-0006, Supplement 3, (Copper and copper products)	3	1-4-83
570	Delaware and Hudson Railway Co., ICC-DH-C-0012, (Newsprint and ground wood paper)	1	1-4-83
571	Southern Pacific Transportation Co., ICC-SP-C-0319, (Aluminum Sulphate, liquid)	1	1-4-83
572	Union Pacific Railroad Co., ICC-UP-C-0210, 0211, 0212 and 0213, (Grain)	2	1-4-83
573	Louisville and Nashville Railroad Co., ICC-LN-C-0074, (Grain Products) via Port of Mt Vernon, IN	3	1-4-83
574	Pittsburgh and Lake Erie Railroad Co., ICC-PLE-C-23, (Bituminous steam coal)	1	1-4-83
575	Union Pacific Railroad Co., ICC-UP-C-0165, Supplement 1, (Assembled motor vehicles)	2	1-4-83
577	Missouri Pacific Railroad Co., ICC-MP-C-0158, Supplement 2, (Grain sorghums)	1	1-4-83
578	Atchison, Topeka, and Santa Fe Railway Co., ICC-ATSF-C-0173, (Wheat and sorghum grains) via Ports of Beaumont, Galveston, Houston and Texas City, TX; ICC-ATSF-C-0174 (Wheat and sorghum grains) via Port of Ft. Worth, TX; ICC-ATSF-C-0179, (Wheat, corn, sorghum grains and soybeans) via Ports of Beaumont, Galveston, Houston, and Texas City, TX	2	1-4-83
579	Missouri Pacific Railroad Co., ICC-MP-C-0154, Supplement 6, (Corn grain sorghum, soybeans and wheat) via Gulf ports	3	1-4-83
580	Baltimore and Ohio Railroad Co., ICC-BO-C-0099, 0100, 0101, 0102 and 0103, (Grain and soybeans)	2	1-4-83

[1] Review Board No. 1, Members Parker, Chandler, and Fortier, Review Board No. 2, Members Carleton, Williams, and Ewing. Review Board No. 3, Members Krock, Joyce, and Dowell. Member Dowell not participating.

This action will not significantly affect the quality of the human environment or conservation of energy resources.

(49 U.S.C. 10505.)

Agatha L. Mergenovich,

Secretary.

[FR Doc. 83-552 Filed 1-10-83; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 30085]

International Telephone & Telegraph Corp.—Control Exemption—O M Scott & Sons

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: Pursuant to 49 U.S.C. 10505, the Interstate Commerce Commission exempts the acquisition of control of O M Scott & Sons by International Telephone & Telegraph Corporation from the requirements of prior approval under 49 U.S.C. 11343.

DATES: This exemption will be effective on February 10, 1983. Petitions for reconsideration must be filed by January 31, 1983, and petitions for stay must be filed by January 21, 1983.

ADDRESSES: Send pleadings to:

(1) Rail Section, Room 5349, Interstate Commerce Commission, Washington, DC 20423

(2) Petitioner's representative: Daniel J. Sweeney, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20006

FOR FURTHER INFORMATION CONTACT: Louis E. Gitomer, (202) 275-7245

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's Decision. To purchase a copy of the full decision contact: TS Infosystems, Inc., Room 2227, 12th and Constitution Ave., NW., Washington, DC 20423 (202) 289-4357—DC metropolitan area, (800) 424-5403—Toll free for outside the DC area.

Decided: January 4, 1983.

By the Commission, Chairman Taylor, Vice Chairman Gilliam, Commissioners Sterrett, Andre, Simmons, and Gradison. Vice Chairman Gilliam did not participate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 83-696 Filed 1-10-83; 8:45 am]

BILLING CODE 7035-01-M

[MC-F-14959]

Itel Corporation—Continuance in Control; Exemption and Application To Control—Itel Transportation Services Corp.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of proposed exemption.

SUMMARY: Pursuant to 49 U.S.C. 11343(e), added by section 21 of the Bus Regulatory Reform Act of 1982, Pub. L. 97-261 (September 20, 1982), Itel Corporation, a non-carrier owning 100 percent of the stock of one Class III rail carrier and controlling one Class II and two additional Class III rail carriers, seeks an exemption from the requirement under Section 11343 of prior regulatory approval for its continuance in control of its wholly owned motor carrier subsidiary, Itel Transportation Services Corp. (ITS) (No. MC-162425). Contemporaneously filed with this petition for exemption is an application pursuant to 49 U.S.C. 11343 to control (ITS) and a request for dismissal of that application if the petition for exemption is granted.

DATES: Comments must be received within 30 days after the date of publication in the **Federal Register.**

ADDRESSES: Send comments to:

(1) Motor Section, Room 2139, Interstate Commerce Commission, Washington, D.C. 20423, and

(2) Petitioner's representative: Martin J. Flynn,1800 Massachusetts Avenue, N.W., Washington, D.C. 20036

Comments should refer to No. MC-F-14959.

FOR FURTHER INFORMATION CONTACT: Warren C. Wood, (202) 275-7977.

SUPPLEMENTARY INFORMATION: Please refer to the petition for exemption, which may be obtained free of charge by contacting petitioner's representative. In the alternative, the petition for exemption may be inspected at the offices of the Interstate Commerce Commission during usual business hours.

Decided: December 22, 1982.

By the Commission, Heber P. Hardy, Director, Office of Proceedings.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 83-700 Filed 1-10-83; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket 30071]

Waterloo Railroad Company—Abandonment—Waterloo, IA

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission exempts from the requirement of prior approval under 49 U.S.C. 10903 *et seq.* the abandonment by the Waterloo Railroad Company of 1.78 miles of track between milepost 2.20 and milepost 3.98 in Waterloo, IA, subject to conditions for the protection of employees.

DATES: This exemption will be effective on February 10, 1983. Petitions to stay the effectiveness of the decision must be filed by January 21, 1983, and petitions for reconsideration of the decision must be filed by January 31, 1983.

ADDRESSES: Send pleadings to: Rail Section, Room 5349, Interstate Commerce Commission, Washington, D.C. 20423.

Petitioner's representative; Howard D. Koontz, Waterloo Railroad Company, 233 North Michigan Ave., Chicago, IL 60601.

Pleadings should refer to Finance Docket No. 30071.

FOR FURTHER INFORMATION CONTACT: Louis E. Gitomer, (202) 275-7245.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision contact: TS Infosystems, Inc., Room 2227, 12th and Constitution Ave., NW., Washington, DC 20423, (202) 289-4357—DC metropolitan area, (800) 424-5403—Toll free for outside the DC area.

Decided: January 4, 1983.

By the Commission, Chairman Taylor, Vice Chairman Gilliam, Commissioners Sterrett, Andre, Simmons, and Gradison. Vice Chairman Gilliam did not participate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 83-695 Filed 1-10-83; 8:45 am]

BILLING CODE 7035-01-M

Forms Under Review by Office of Management and Budget

The following proposal for collection of information under the provisions of the Paperwork Reduction Act (44) S.C. (Chapter 35) is being submitted to the Office of Management and Budget for review and approval. Copies of the forms and supporting documents may be obtained from the Agency Clearance Officer, Lee Campbell, (202) 275-7238. Comments regarding this information collection should be addressed to Lee Campbell, Interstate Commerce Commission, Room 1325, 12th and Constitution Ave., NW., Washington, DC 20423 and to Robert Siegel, Office of Management and Budget, Room 3001 NEOB, Washington, DC 20503, (202) 395-7313.

Type of Clearance—Extension
Bureau/Office—Bureau of Accounts
Title of Form—Annual Report of Class I and II Motor Carriers of Household Goods
OMB Form No.:—3120-0033
Agency Form No.—Form M-H
Frequency:—Annually
Respondents—Class I and II Motor Carrier of Household Goods
No. of Respondents—188
Total Burden Hrs.—6,580

Agatha L. Mergenovich,

Secretary.

[FR Doc. 83-698 Filed 1-10-83; 8:45 am]

BILLING CODE 7035-01-M

[Volume OP4-099]

Motor Carriers; Permanent Authority Decisions; Decision—Notice

Decided: January 3, 1983.

Motor Common and Contract Carriers of Property (except fitness-only); Motor Common Carriers of Passengers (public interest); Freight Forwarders; Water Carriers; Household Goods Brokers.

The following applications for motor common or contract carriers of property, water carriage, freight forwarders, and household goods brokers are governed by Subpart A of Part 1160 of the Commission's General Rules of Practice. See 49 CFR Part 1160, Subpart A published in the **Federal Register** on November 1, 1982, at 47 FR 49583, which redesignated the regulations at 49 CFR 1100.251, published in the **Federal Register** December 31, 1980. For compliance procedures, see 49 CFR 1160.19. Persons wishing to oppose an application must follow the rules under 49 CFR Part 1160, Subpart B.

The following applications for motor common carriage of passengers, filed on or after November 19, 1982, are governed by Subpart D of 49 CFR Part 1160, Published in the **Federal Register** on November 24, 1982 at 47 FR 53271. For compliance procedures, see 49 CFR 1160.86. Carriers operating pursuant to an intrastate certificate also must comply with 49 U.S.C. 10922(c)(2)(E). Persons wishing to oppose an application must follow the rules under 49 CFR Part 1160, Subpart E. In addition to fitness grounds, these applications may be opposed on the grounds that the transportation to be authorized is not consistent with the public interest.

Applicant's representative is required to mail a copy of an application, including all supporting evidence, within three days of a request and upon 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 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.

We make an additional preliminary finding with respect to each of the following types of applications as indicated: common carrier of property—that the service proposed will serve a useful public purpose, responsive to a public demand or need; water common carrier—that the transportation to be provided under the certificate is or will be required by the public convenience and necessity; water contract carrier, motor contract carrier of property, freight forwarder, and household goods broker—that the transportation will be consistent with the public interest and the transportation policy of section 10101 of chapter 101 of Title 49 of the United States Code.

These presumptions shall not be deemed to exist where the application is opposed. Except where noted, this decision in neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

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." Applications filed under 49 U.S.C. 10922(c)(2)(B) to operate in intrastate commerce over regular routes as a motor common carrier of passengers are duly noted. Please direct status inquiries to Team Four at (202) 275-7669.

Volume No. OP4-099

Decided: January 3, 1983.

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

MC 161447 (Sub-1), filed December 20, 1982. Applicant: CARA-LINES, 500 Devon Ct., Rio Rancho, NM 87124. Representative: Veronica F. DiZinno (same address as applicant), (505) 892-8723. Transporting *lumber and building products*, between points in the U.S. (except AK and HI).

Please direct status inquires about the following to Team 5 at (202) 275-7289.

Volume No. OP5-307

Decided: December 29, 1982.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC 104149 (Sub-220), filed December 17, 1982. Applicant: OSBORNE TRUCK LINE, INC., 516 North 31st St., Birmingham, AL 35202. Representative: William P. Jackson, Jr., 3426 N. Washington Blvd., P.O. Box 1240, Arlington, VA 22210, 703-525-4050. Transporting *such commodities* as are dealt in or used by manufacturers of metal products, between points in the U.S. (except AK and HI) under continuing contract(s) with Copperweld Corporation, of Chicago, IL.

MC 114028 (Sub-53), filed December 17, 1982. Applicant: ROWLEY INTERSTATE TRANSPORTATION COMPANY, INC., 2010 Kerper Blvd., Dubuque, IA 52001. Representative: Carl L. Steiner, 135 South LaSalle St., Chicago, IL 60603, 312-236-9375. Transporting *pulp, paper and related products*, between points in the U.S. (except AK and HI) under continuing contract(s) with Badger Paper Mills, Inc., of Peshtigo, WI.

MC 128798 (Sub-11), filed September 20, 1982. Applicant: GALASSO TRUCKING, INC., 8 Kilmer Rd., Larchmont, NY 10538. Representative: Larsh B. Mewhinney, 555 Madison Ave., New York, NY 10022, 212-838-0600. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (excpet AK and HI) under continuing contract(s) with Purex Corporation of Lakewood, CA.

MC 135069 (Sub-8), filed December 17, 1982. Applicant: ROCKAWAY TRUCKING, INC., Rt. 46, P.O. Box 45, Rockaway, NJ 07866. Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740, 301-797-6060. Transporting *metal products*, between points in the U.S. (except AK and HI) under continuing contract(s) with Worthington Steel Co., Inc. of Columbus, OH.

MC 145058 (Sub-10), filed December 17, 1982. Applicant: THOMAS PRODUCE COMPANY OF MOUNT AIRY, INC., P.O. Box 16707, Greensboro, NC 27406. Representative: Michael F. Morrone, 1150 17th St. N.W., Washington, DC 20036, 202-457-1124. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI) under continuing contract(s) with Armstrong World Industries, Inc., of Lancaster, PA and its subsidiary Thomasville Furniture Industries of Thomasville, NC.

MC 148769 (Sub-7), filed December 13, 1982. Applicant: SHELDON J. GOLDFIN, d.b.a. NEVADA PRODUCE, 2235 Glendale Rd., Sparks, NV 89431. Representative: James Robert Evans, 145 W. Wisconsin Ave., Neenah, WI 54956, (414) 722-2848. Transporting *building materials*, (1) between points in Lyon County, NV, on the one hand, and, on the other, points in AZ, CA, CO, ID, MT, ND, NM, OR, SD, UT, WA, and WY, and (2) between points in Washoe County, NV, on the one hand, and, on the other, points in AZ, CA, ID, OK, OR, TX, UT, and WA.

MC 151299 (Sub-3), filed December 17, 1982. Applicant: DEPPE LUMBER CO., INC., d.b.a. DEPPE ENTERPRISES, 300 Water St., Baraboo, WI 53913. Representative: Richard A. Westley, 4506 Regent St, Suite 100, P.O. Box 5086, Madison, WI 53705-0086, 608-238-3119. Transporting *printed matter*, between points in the U.S. (except AK and HI) under continuing contract(s) with Perry Printing Corporation, of Baraboo, WI.

MC 154629 (Sub-4), filed December 17, 1982. Applicant: GLOBAL DISTRIBUTORS, INC., P.O. Box 335, Riverside Dr., Fultonville, NY 12072. Representative: Vincent Gramuglia (same address as applicant), 518-835-3476. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk) between points in NY, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 163068 (Sub-1), filed December 7, 1982. Applicant: H.C. WILLIAMS, JR. TRUCKING CO., INC., P.O. Box 1621, Wilmington, NC 28402. Representative: Henry Clayton Williams, Jr. (same address as applicant), 919-791-5744. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in NC, SC, FL, GA, TN, VA, KY, and AL.

MC 163619 (Sub-1), filed December 6, 1982. Applicant: EXECUTIVE AIR COURIER, INC., d.b.a. NATIONAL EXPEDITED DATA EXPRESS, P.O. Box 42338, Philadelphia, PA 19101. Representative: Wilmer B. Hill, Suite 366, 1030 Fifteenth St., N.W., Washington, DC 20005, 202-296-5188. Transporting *such commodities* as are dealt in or used by manufacturers distributors, or users of data processors and data processing materials, equipment, and supplies between points in the U.S. (except AK and HI) under continuing contract(s) with manufacturers, distributors, and users of data processors and data processing materials equipment, and supplies.

MC 165179, filed December 10, 1982. Applicant: CHAPARRAL TRUCKING COMPANY, INC., 3003 Titleist St., Spring, TX 77373. Representative: Robert L. Russell, 201 Plaza Verde No. 607, Houston, TX 77038, (713) 447-6424. Transporting (1) *lumber and wood products*, and (2) *metal products*, between those points in the U.S. in and west of MI, OH, KY, TN, GA, and FL (except AK and HI).

MC 165219, filed December 17, 1982. Applicant: JAMES REDMAN, d.b.a. REDMAN AUTO TRANSPORT, 4640 W. 135th St., Crestwood, IL 60445. Representative: James R. Madler, 120 W. Madison St., Chicago, IL 60602, 312-726-6525. Transporting *transportation equipment*, between points in the U.S. (except HI).

MC 165229, filed December 16, 1982. Applicant: W-R TRANSPORT, INC., P.O. Box 828, McPherson, KS 67460. Representative: William B. Barker, P.O. Box 1979, Topeka, KS 66601, (913) 234-0565. Transporting (1) *food and related products*, (a) between points in Talladega County, AL, on the one hand, and, on the other, points in KS, MO, OK, and TX; (b) between point in Sedgwick, Reno and McPherson Counties, KS, on the one hand, and, on the other, points in the U.S. (aexcept AK and HI); (2) *paper and paper products, textile mill products* and *rubber and plastic products*, between Kansas City, MO and points in Sedgwick, Reno and McPherson Counties, KS, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 165259, filed December 17, 1982. Applicant: HOOVER UNIVERSAL, INCORPORATED, 825 Victors Way, Ann Arbor, MI 48104. Representative: Terrence D. Jones, 2033 K St., NW., Suite 300, Washington, DC 20006, 202-429-9090. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI).

Volume No. OP-5-310

Decided: December 30, 1982.

By the Commission, Review Board No. 3, Members Krock, Joyce and Dowell.

MC 107339 (Sub-1), filed December 21, 1982. Applicant: DUNLO TRANSFER CO., R.D. No. 7, Box 188, Johnstown, PA 15904. Representative: John A. Pillar, 1500 Bank Tower, 307 Fourth Ave., Pittsburgh, PA 15222, (412) 471-3300. Transporting *metal products*, between points in AL, IL, NJ, OH, and PA on the one hand, and, on the other, points in AL, IL, IN, KY, MI, MN, PA, TN, VA, and WI.

MC 128759 (Sub-5), filed December 21, 1982. Applicant: RICHARDS MOTOR SERVICE, INC., 5040 West 39th St., Cicero, IL 60650. Representative: Donald S. Mullins, 1033 Graceland Ave., Des Plaines, IL 60016, 312-298-1094. Transporting *chemicals or allied products; petroleum or coal products*, and *commodities in bulk*, between points in the U.S. (except AK and HI).

MC 143259 (Sub-7), filed November 26, 1982. Applicant: TOM DURKIN, d.b.a. TOM DURKIN TRUCKING, 36 East Chestnut St., Walla Walla, WA 99362. Representative: Steve Van Wyk, 12012 NE. Lonetree, Poulsbo, WA 98370, (206) 779-5789. Transporting *building materials, metal products, insulation, and floor covering materials*, between points in the U.S. (except AK and HI).

MC 145768 (Sub-8), filed December 20, 1982. Applicant: KREILKAMP TRUCKING, INC., Route No. 1, Allenton, WI 53002. Representative: Charles E. Dye, Swan Lake Village, Saddle Ridge No. 832, Portage, WI 53901, (608) 742-3579. Transporting *buildings and building materials*, between points in Wayne, Knox, Montgomery, Effingham and Lee Counties, IL, Fayette, Story, Union and Johnson Counties, IA, Scott County, MO, Warren and Anderson Counties, KY, St. Joseph County, IN, Lawrence County, AR, Washington, County, LA, Dodge County, MN, and points in WI, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 145779 (Sub-3), filed December 20, 1982. Applicant: OIL SERVICE COMPANY, INC., Route 3, Petty Lane, Columbia, TN 38401. Representative: Edward C. Blank II, P.O. Box 1004, Columbia, TN 38401, (615) 388-3200. Transporting *Petroleum and petroleum products*, between points in Fort Bend, Brazaria, Galveston, Harris, Chambers, Montgomery, Liberty, Hardin, Jacinto, Orange and Jefferson Counties, TX.

Cameron, Calcasieu, Jefferson Davis, East Baton Rouge, West Baton Rouge, Lafayette, and Acadia Parishes, LA, and points in AL, TN, and KY.

MC 146869 (Sub-7), filed December 20, 1982. Applicant: CARRIER FREIGHT LINES, INC., P.O. Box 812, Hickory, NC 28601. Representative: William P. Farthing, Jr., 1100 Cameron-Brown Bldg., Charlotte, NC 28204, 704-372-6730. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Ingersoll-Rand Company of Mockville, NC.

MC 148939, filed December 20, 1982. Applicant: AREA WHOLESALE TIRE CO., INC., P.O. Box 2723, Baton Rouge, LA 70821. Representative: C. R. Potter (same address as applicant), 504-356-2548. Transporting *crude synthetic rubber*, between Baton Rouge, LA, on the one hand, and, on the other, points in Madison County, AL, under continuing contract(s) with Dunlop Tire Company, Division of Dunlop Tire and Rubber Corporation, of Buffalo, NY.

MC 149288 (Sub-4), filed December 21, 1982. Applicant: TRIPLE A DELIVERY SERVICE, INC., 244 W. Main St., Groveport, OH 43125. Representative: Philip B. Cochran, 50 W. Broad St., Columbus, OH 43215, 614-464-4103. Transporting *general commodities*, (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI).

MC 150589 (Sub-9), filed December 17, 1982. Applicant: J & K TRANSPORTATION COMPANY, INC., 1600 Industrial, Dearborn, MI 48120. Representative: Michael F. Morrone, 1150 17th St., NW., Suite 1000, Washington, DC 20036, 202-457-1124. Transporting *cleaning and scouring compounds*, between points in the U.S. (except AK and HI), under continuing contract(s) with The Korex Company, of Wixom, MI.

MC 150818 (Sub-4), filed December 21, 1982. Applicant: SUSQUEHANNA TRANSPORTATION, INC., 7400 So. Alton Ct., Englewood, CO 80112. Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609, (213) 945-2745. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI).

MC 151139 (Sub-2), filed December 21, 1982. Applicant: CELESTIAL TRANSPORT, INC., 1780 55th St., Boulder, CO 80301. Representative: Steven K. Kuhlmann, 717 17th St., Suite 2600, Denver, CO 80202-3357, (303) 892-6700. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of solar products, between points in the U.S. (except AK and HI), under continuing contract(s) with Terra-Light, Division of Butler Manufacturing Co., Inc., of Danvers, MA.

MC 151899 (Sub-7), filed December 20, 1982. Applicant: BLACKHAWK EXPRESS, INC., 235 Hake St., Fort Atkinson, WI 53538. Representative: Anthony E. Young, 29 South LaSalle St., Suite 350, Chicago, IL 60603, 312-782-8880. Transporting *such commodities* as are used or dealt in by manufacturers and distributors of shelving and storage systems, between points in the U.S. (except AK and HI), under continuing contract(s) with Spacesaver Corporation of Fort Atkinson, WI and Andrew Wilson Co., of Lawrence, MA.

MC 159639 (Sub-3), filed December 21, 1982. Applicant: FLA-TEX, INC., 195 North Riflerange Rd., Bartow, FL 33830. Representative: David Thompson, P.O. Box 631, Pharr, TX 78577, (512) 787-5951. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI).

MC 165269, filed December 20, 1982. Applicant: QUALITY COAL CORPORATION, P.O. Box 1966, Greenville, SC 29602. Representative: Mitchell King, Jr., P.O. Box 5711, Greenville, SC 29606, (803) 288-6000. Transporting (1) *coal*, between points in Bell, Clay, Harlan, and Knox Counties, KY, and Scott County, TN, on the one hand, and, on the other, points in NC and SC, and (2) *sand*, between points in Lexington County, SC, on the one hand, and, on the other, points in KY and TN.

MC 165329, filed December 21, 1982. Applicant: CAL-USA TRUCKING, 1720 Cumbre Dr., San Pedro, CA 90732. Representative: Marshall Kragen, 1919 Pennsylvania Ave., NW., Suite 300, Washington, DC 20006, (202) 466-3778. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in CA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

Agatha L. Mergenovich,

Secretary.

[FR Doc. 83-701 Filed 1-10-83; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Correction

In FR Doc. 82-33358 beginning on page 55329 in the issue of Wednesday, December 8, 1982, on page 55331, in the first column, in paragraph "MC 162575 (Sub-4), in the fifth line "1619 Pennsylvania" should read "1919 Pennsylvania".

BILLING CODE 1505-01-M

DEPARTMENT OF JUSTICE

Justice-Treasury Advisory Committee on State and Local Law Enforcement Training

The Justice-Treasury Advisory Committee on State and Local Law Enforcement Training will conduct its final meeting on Thursday, January 20, 1983, from 8:30 am until 4:30 pm in the Tom Steed Building, Room S-9, at the Federal Law Enforcement Training Center (FLETC), Glynco, Georgia.

The meeting will review the pilot of the State and Local Law Enforcement Training Program conducted by FLETC and participating Federal agencies. Also, the Committee will review the draft final report of the pilot training program. A status report on National Association of State Directors of Law Enforcement Training certification of pilot training. Review the announced establishment of the National Center of State and Local Law Enforcement at FLETC.

The meeting will be open to the public. Approximately 100 seats will be available for the public and the media representation on a first-come first-served basis.

Inquiries or comments may be addressed to the Committee Management Liaison Officer, Justice-Treasury State and Local Law Enforcement Training Program, Office of the Associate Attorney General, U.S. Department of Justice, Room 4119, Washington, DC 20530. (Committee Management Liaison Officer's telephone number is 202/566-4086 or the FLETC Coordinator's telephone number is 912/267-2226.

George H. Bohlinger III,

Executive Director, Justice-Treasury Advisory Committee.

[FR Doc. 83-726 Filed 1-10-83; 8:45 am]

BILLING CODE 4410-01-M

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-13,990]

Clark Equipment Co., Jackson, Mich., Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on November 30, 1982 in response to a petition received on November 19, 1982 which was filed by the Allied Industrial Workers of America on behalf of workers at the Jackson, Michigan plant of Clark Equipment Company. Workers at the Jackson, Michigan plant produce heavy vehicle transmissions, torque converters and winches.

The petitioning group of workers are subject to an ongoing investigation for which a determination has not yet been issued (TA-W-13,579). Consequently further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed at Washington, D.C., this 4th day of January 1983.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 83-747 Filed 1-10-83; 8:45 am]

BILLING CODE 4510-30-M

Certifications Regarding Illinois and Massachusetts Under the Federal Unemployment Tax Act

The Secretary of Labor has certified to the Secretary of the Treasury the States of Illinois and Massachusetts and their unemployment compensation laws under Sections 3304 and 3303 of the Federal Unemployment Tax Act for the taxable year 1982. The certifications were made in a letter of December 31, 1982 to the Secretary of the Treasury, which is printed below.

Albert Angrisani,

Assistant Secretary for Labor.

December 31,1982.

Honorable Donald T. Regan,

Secretary of the Treasury, Washington, D.C.

Dear Don: On October 31, 1982, I forwarded to you the 1982 certifications under the Federal Unemployment Tax Act, 26 U.S.C. 3301 et seq., listing the States that were certified under Section 3304(c) of the Act and the States whose unemployment compensation laws were certified under Section 3303(b)(1) of the Act.

Among the States omitted from the listings in those certifications were Illinois and Massachusetts. I have determined that the State of Illinois and its unemployment compensation law are now certifiable for 1982 under Sections 3304(c) and 3303(b)(1) of the Federal Unemployment Tax Act, and I hereby so certify to you effective October 31, 1982.

I have also determined that the State of Massachusetts and its umemployment compensation law are now cetifiable for 1982 under Sections 3304(c) and 3303(b)(1) of the Federal Unemployment Tax Act, and I hereby so certify to you as of this date.

Sincerely,

Raymond J. Donovan.

[FR Doc. 83-748 Filed 1-10-83; 8:45 am]

BILLING CODE 4510-30-M

Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for adjustment assistance issued during the period.

In order for an affirmative determination to be made and a certification of eligibility to apply for adjustment assistance to be issued, each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like to directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Negative Determinations

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-13,352; Rob-Anne Sportswear, Chester, PA

TA-W-13,343; Carnivale Bag Co., Inc., Brooklyn, NY

TA-W-13,174; May Knitting Co., Inc., New York, NY

In the following case the investigation revealed that criterion (3) had not been met for the reason specified.

TA-W-13,394; United Technologies Corp., Automotive Products Div., Picayune, MS

Imports did not contribute importantly to worker separations at the firm.

Affirmative Determinations

TA-W-13,393; United Speaker Systems, East Orange, NJ

A certification was issued in response to a petition received on April 7, 1982 covering all workers separated on or after May 1, 1982 and before October 1, 1982.

TA-W-13,383; Schwinn Bicycle Co., Chicago, IL

A certification was issued in response to a petition received on March 29, 1982 covering all workers separated on or after March 15, 1981 and before November 30, 1981.

TA-W-13,339; Webster Manufacturing Co., Tiffin, OH

A certification was issued in response to a petition received on February 10, 1982 covering all workers separated on or after January 1, 1982.

TA-W-13,184; SKW Alloys, Inc., Calvert City, KY

A certification was issued in response to a petition received on January 13, 1982 covering all workers producing ferrosilicon who became separated on or after April 1, 1981 and all workers producing silicomanganese who become separated on or after October 1, 1981.

TA-W-13,275; J.F. McElwain Co., C. Factory, Nashua, NH

A certification was issued in response to a petition received on February 10, 1982 covering all workers separated on or after September 27, 1981 and before May 15, 1982.

I hereby certify that the aforementioned determinations were issued during the period December 27, 1982–December 31, 1982. Copies of these determinations are available for inspection in Room 10,332, U.S. Department of Labor, 601 D Street, NW, Washington, D.C. 20213 during normal business hours or will be mailed to persons who write to the above address.

Dated: January 4, 1983.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 83-746 Filed 1-10-83; 8:45 am]

BILLING CODE 4510-30-M

Wage and Hour Division

Certificates Authorizing the Employment of Learners at Special Minimum Wages

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act (52 Stat. 1062, as amended; U.S.C. 214), Reorganization Plan No. 6 of 1950 (3 CFR 1949–53 Comp., p. 1004), and

Administrative Order No. 1-76 (41 FR 18949), the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. For each certificate, the effective and expiration dates, number or proportion of learners and the principal product manufactured by the establishment are as indicated. Conditions on occupations, wage rates and learning periods which are provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations.

The following certificates were issued under the apparel industry learner regulations (29 CFR 522.1 to 522.9, as amended and 522.20 to 522.25, as amended). The following normal labor turnover certificates authorize 10 percent of the total number of factory production workers except as otherwise indicated.

Flushing Shirt Mfg. Co., Inc., Frostburg, MD; 9-24-82 to 9-23-83; 10 learners. (Men's shirts)

Franklin Ferguson Co., Inc., Florala, AL; 12-19-82 to 12-18-83. (Men's and boys' shirts)

McCreary Mfg. Co., Stearns, KY; 12-8-82 to 12-7-83. (Men's shirts)

Monticello Mfg. Co., Inc., Monticello, KY; 12-8-82 to 12-7-83 (Men's and boys' shirts)

The following certificate was issued under the knitted wear industry regulations (29 CFR 522.1 to 522.9, as amended and 522.30 to 522.35, as amended.)

Junior Form Lingerie Inc., Boswell, PA; 10-11-82 to 10-10-83; 5 percent of the total number of factory production workers for normal labor turnover purpose. (Ladies' underwear and sleepwear)

The following certificate was issued under the glove industry learner regulations (29 CFR 522.1 to 522.9, as amended and 522.60 to 522.65 as amended).

Burnham-Edina Mfg. Co., Edina, MO; 11-8-82 to 11-7-83; 5 learners for normal labor turnover purposes. (Work gloves)

Each learner certificate has been issued upon the representations of the employer which, among other things were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available.

The certificate may be annulled or withdrawn as indicated therein, in the manner provided in 29 CFR Part 528. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof on or before January 26, 1983.

Signed at Washigton, D.C., this 6th day of January 1983.

Arthur H. Korn,

Authorized Representative of the Administrator.

[FR Doc. 83-746 Filed 1-10-83; 8:45 am]

BILLING CODE 4510-27-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 83-4]

Aerospace Safety Advisory Panel; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the Aerospace Safety advisory Panel.

DATE AND TIME: February 8, 1983, 2 p.m. to 4 p.m.

ADDRESS: National Aeronautics and Space Administration, Review Center Room 7002, 400 Maryland Avenue SW., Federal Building 6, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Mr. Gilbert L. Roth, Code LB-4 National Aeronautics and Space Administration, Washington, DC 20546 (202/755-8380).

SUPPLEMENTARY INFORMATION: The Panel will present its annual report to the NASA Administrator. This is pursuant to carrying out its statutory duties for which the Panel reviews, evaluates, and advises on those program activities, systems, procedures, and management policies that contribute to risk and the identification and assessment of these for management. Priority is given to those programs that involve the safety of manned flight. The major subjects will be the Space Shuttle Program, Space Flight Operations, and Aeronautical Operations.

TYPE OF MEETING: Open.

Richard L. Daniels,

Director, Management Support Office, Office of Management.

January 4, 1983.

[FR Doc. 83-639 Filed 1-10-83; 8:45 am]

BILLING CODE 7510-01-M

[Notice 83-5]

NASA Advisory Council, Aeronautics Advisory Committee; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Aeronautics Advisory Committee, Subcommittee on Aviation Safety Reporting System (ASRS).

DATE AND TIME: February 2, 1983, 9 a.m. to 5 p.m.; February 3, 1983, 9 a.m. to 12 noon.

ADDRESS: National Aeronautics and Space Administration, Ames Research Center, Building 245, Auditorium, Moffett Field, CA.

FOR FURTHER INFORMATION CONTACT: Mr. William Reynard, National Aeronautics and Space Administration, Ames Research Center, Code LMS, Moffett Field, CA 94035 (415/965-6467).

SUPPLEMENTARY INFORMATION: The Subcommittee on ASRS was established to review the ASRS Operations and NASA actions taken in response to Subcommittee recommendations. The Subcommittee, chaired by Mr. John Winant, is comprised of nine members. The meeting will be open to the public up to the seating capacity of the room (approximately 90 persons including the Subcommittee members and participants).

TYPE OF MEETING: Open.

Agenda

February 2, 1983

9 a.m.—Chairperson's Remarks.
10 a.m.—Operations Report.
11 a.m.—Research Report.
1 p.m.—Federal Aviation Administration Comments.
2 p.m—Research Workshop Proposal.
3 p.m.—Review Proposed FAA/NASA Memorandum of Agreement.
4 p.m—Advisory Subcommittee Membership.
5 p.m.—Adjourn.

February 3, 1983

9 a.m.—Discussion of Database Modifications.
11 a.m.—New Business.

12 p.m.—Adjourn.

Richard L. Daniels,

Director, Management Support Office, Office of Management.

January 4, 1983.

[FR Doc. 83-840 Filed 1-10-83; 8:45 am]

BILLING CODE 7510-01-M

[Notice 83-3]

NASA Advisory Council; Meeting

AGENCY: National Aeronautics and Space Administration

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Informal Task Force for the Study of the Mission of NASA.

DATE AND TIME: January 26, 1983, 9 a.m. to 4 p.m.

ADDRESS: NASA Headquarters, Room 7002, 400 Maryland Avenue SW, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Mr. Nathaniel B. Cohen, Code LB-4, National Aeronautics and Space Administration, Washington, DC 20546 (202/755-8383).

SUPPLEMENTARY INFORMATION: The NASA Advisory Council Informal Task Force for the Study of the Mission of NASA was established under the NASA Advisory Council to conduct a study of the directions NASA should take in the future (including goals, programmatic objectives, and possible missions) and to report its findings and recommendations to the Council. The Task Force is chaired by Dr. George E. Solomon, and has a total of 14 members.

The meeting will be closed to the public because, throughout its extent, the members will be discussing the qualifications of candidates to participate in the study either as additional Task Force members or as other contributors, along with completing plans for the conduct of the balance of the study. Because this session will be concerned throughout with matters listed in 5 U.S.C. 552b(c)(6), it has been determined that this session should be closed to the public.

TYPE OF MEETING: Closed.

Richard L. Daniels,

Director, Management Support Office, Office of Management.

January 5, 1983.

[FR Doc. 83-838 Filed 1-10-83; 8:45 am]

BILLING CODE 7510-01-M

[Notice 83-2]

NASA Advisory Council (NAC), Life Sciences Advisory Committee Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Life Sciences Advisory Committee (LSAC).

DATE AND TIME: January 17-18, 1983, 8:30 a.m. to 5 p.m. each day, and January 19, 8:30 a.m. to 12 noon.

ADDRESS: National Aeronautics and Space Administration, Johnson Space Center, Bldg. 1, Room 860, Houston, TX 77058.

FOR FURTHER INFORMATION CONTACT: Dr. William P. Bishop, Code EB-3, National Aeronautics and Space Administration, Washington, DC 20546 (202/755-8220).

SUPPLEMENTARY INFORMATION: The Life Sciences Advisory Committee consults with and advises the Council and NASA on the accomplishments and plans of NASA's Life Sciences Programs. The Committee, chaired by Peter Dews is comprised of 12 members. The meeting will be open to the public up to the seating capacity of the room (approximately 30 persons including Committee members and participants).

This meeting must be held at this time in order to facilitate the start of a new program in Space Adaptation Syndrome. The Committee will review Johnson Space Center (JSC) in-house work and give advice for the next phase of planned activities. The Committee will also review the NASA-wide program plan and give advice to the Headquarters division regarding priorities and ways to strengthen the plan. The start of this program is of immediate importance to the Agency.

No other time in the month of January would allow a suitable number of participants to attend.

TYPE OF MEETING: Open.

January 17, 1983

8:30 a.m.—Welcome.
8:45 a.m.—Committee Business.
9:15 a.m.—JSC Life Sciences Program.
5 p.m.—Adjourn.

January 18, 1983

8:30 a.m.—Space Adaptation Syndrome.
11 a.m.—Vestibular Laboratory Tour.
1 p.m.—Plans for Vestibular Program.
3 p.m.—STS-5/6 Detailed Technological Objectives (DTO's).
5 p.m.—Adjourn.

January 19, 1983

8:30 a.m.—Tours of JSC STS Facilities.
12 noon—Adjourn.

Richard L. Daniels,

Director, Management Support Office, Office of Management.

January 4, 1983.

[FR Doc. 83-841 Filed 1-10-83; 8:45 am]

BILLING CODE 7510-01-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Institute of Museum Services

Museum Services Program; General Operating and Special Project Support Awards

AGENCY: Institute of Museum Services.

ACTION: Application notice for fiscal year 1983.

This program announcement applies only to General Operating and Special Project Support grants.

Applications are invited by the Institute of Museum Services (IMS) for General Operating and Special Project Support awards under the Museum Services Program for Fiscal Year 1983.

IMS makes awards to museums to maintain, increase, or improve museum services and to carry out exemplary projects. The purpose of these awards is to ease the financial burden borne by museums as a result of their increased use by the public and to help them carry out their educational and conservation roles, as well as other functions. Section 206 of the Museum Services Act, Title II of Pub. L. 94-462, as amended, contains authority for this program.

(20 U.S.C. 965)

Deadline Date for Transmittal of Applications

An application for a new grant must be mailed or hand-delivered by March 15, 1983.

Applications Delivered by Mail

An application sent by mail must be addressed to the U.S. Department of Education, Application Control Center, Attention: 45.301, Washington, D.C. 20202.

An applicant must be prepared to show one of the following as proof of timely mailing:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other dated proof of mailing acceptable to the Director of IMS.

If an application is mailed through the U.S. Postal Service, the Director does not accept either of the following as proof of mailing: (1) A private metered postmark; or (2) a mail receipt that is not date-cancelled by the U.S. Postal Service.

Applications Delivered by Hand

An application that is hand-delivered must be taken to: Application Control Center, GSA Regional Office Building 3, 7th and D Streets, S.W., Room 5673, Washington, D.C. 20202.

The Application Control Center will accept a hand-delivered application between 8:00 a.m. and 4:30 p.m. (Washington, D.C. time) daily, except Saturdays, Sundays, and Federal holidays.

An application that is hand-delivered will not be accepted after 4:30 p.m. on the deadline date.

Program Information

Program information is contained in the proposed regulations published on December 21, 1982 in 47 FR 56871 and in the application forms and accompanying instructions in the Application Packet. See paragraph on *Application Forms*.

For Fiscal Year 1983, in the case of Special Project applications, priority is given to applications for (1) projects involving innovative fund raising and financial development activities, and (2) projects involving innovative cooperative endeavors among groups of museums (45 CFR 1180.12(b)).

Available Funds

An appropriation for the Institute of Museum Services for Fiscal Year 1983 is contained in the Department of the Interior and Related Agencies Appropriation Act, 1983, Pub. L. 87-394 (December 30, 1982). This Act appropriates $10,800,000 for the IMS for Fiscal Year 1983 of which $10,154,000 is available for General Operating Support grants. In addition, Pub. L. 97-257, the Supplemental Appropriations Act, 1982, makes available, through Fiscal Year 1983, $720,000. Accompanying report language indicates that at least $645,000 of this amount is intended for Special Project grants. S. Rept. 97-516, 97th Congress, 2d Sess. 117 (1982).

The proposed regulations provide that, in view of limited funds, it is anticipated that no museum will receive more than $50,000 under the Act for Fiscal Year 1983 and that most museums which are funded will receive a smaller amount (45 FR 1180.9). In addition, the regulations provide that IMS normally does not make grants for more than 10 percent of a museum's most recently completed fiscal year's actual operating budget. (See 45 CFR 1180.16(b))

Application Forms

IMS is mailing application forms and program information in an Application Packet to museums and other institutions and service organizations on its mailing list. Applicants may obtain Application Packets by writing to the Institute of Museum Services, Mary Switzer Building, 330 C Street, S.W., Room 4006, Washington, D.C. 20202.

Applicable Regulations

Proposed regulations for the General Operating Support and Special Project Support grant programs were published in the **Federal Register** on December 21, 1982 in 47 FR 56871. These regulations, together with applicable statutory provisions, and the requirements set forth in the Application Packet will constitute the frame of reference for considering applications for Fiscal Year 1983 grants. It is anticipated that the regulations will be published in final form prior to the end of Fiscal Year 1983 and before grants are awarded.

Further Information

For further information contact Mary Kahn, Grants Director, Institute of Museum Services, Mary Switzer Building, Room 4006, 330 C Street, S.W., Washington, D.C. 20202. Telephone: (202) 426-6577.

(Catalog of Federal Domestic Assistance No. 45.301 Institute of Museum Services)

Dated: January 5, 1983.

Lilla Tower,

Director, Institute of Museum Services.

[FR Doc. 83-737 Filed 1-10-83; 8:45 am]

BILLING CODE 4000-01-M

National Council on the Arts, Office for Partnership Panel (State Programs); 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 Office for Partnership Panel (State Programs) to the National Council on the Arts will be held on January 26-28, 1983 from 9:00 a.m-5:00 p.m. Columbia Plaza Office Building, 2401 E Street, NW., room 1422, Washington, D.C.

A portion of this meeting will be open to the public on Wed., January 26, 1983 from 9:00-10:00 a.m.; Thursday, Jan. 27, 1983 from 9:00-10:30 a.m, & Friday, Jan. 28, 1983 from 9:00 a.m.-5:00 p.m. Topics for discussion will include orientation, discussion of applications referred by subgroups, application review of service organizations & guidelines.

The remaining sessions of this meeting on Wed., Jan. 26, 1983 from 10:00 a.m.-5:00 p.m. and Thurs., Jan. 27, 1983 from 10:30 a.m.-5:00 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.

[FR Doc. 83-703 Filed 1-10-83; 8:45 am]

BILLING CODE 7537-01-M

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-324, 50-325; License Nos. DPR-62, DPR-71; EA-82-106]

Carolina Power and Light Co., Brunswick Steam Electric Plant (Units 1 and 2); Confirmatory Order

I

The Carolina Power and Light Co. (CP&L, the "licensee") is the holder of Facility Operating License Nos. DPR-62, and DPR-71 (the "licenses") which authorize the operation of the Brunswick Steam Electric Plant, Units 1 and 2, at steady state reactor core power levels not in excess of 2436 megawatts thermal (rated power). The licenses were originally issued on December 27, 1974 for Unit 2 and September 8, 1976 for Unit 1, and will expire on February 6, 2010 and February 7, 2010 respectively. The facility consists of two boiling light water moderated and cooled reactors (BWRs), located at the licensee's site at Southport, North Carolina.

II

On June 28, 1982, while operating at 80% power, Unit 1 reactor lost voltage to certain emergency electrical busses and tripped. It was returned to power on June 29. The licensee's post-trip evaluation of the event revealed that certain relays associated with the emergency electrical busses of Units 1 and 2, although they functioned properly, had not been tested or calibrated as required by the NRC. On June 30, the licensee requested and was granted, NRC approval for continued operation of Unit 1 while the required tests and calibrations were being performed. On July 2, NRC Region II issued a Confirmation of Action Letter confirming the licensee's commitment to review Technical Specification testing and calibration requirements and the control systems for assuring that these NRC requirements were met.

On July 15, 1982, Region II was informed that the licensee's review of Technical Specification requirements revealed that additional NRC testing requirements were not met. The testing requirements involved limiting conditions for operation which require plant shutdown within a certain time period if the tests are not conducted satisfactorily. Upon detection of these missed tests, the licensee wrote the necessary procedures and conducted the required tests. The test results showed that the equipment would have functioned properly if called upon to operate.

On July 16, 1982, NRC inspectors on site informed CP&L that containment leakage tests of certain penetrations and valves had not been conducted at the required frequency on Unit 1. On receipt of this information, CP&L determined that the required surveillance testing could not be conducted in a timely manner and Unit 1 was shut down. The licensee had identified in June 1982 its failure to perform the same leakage tests on the same valves on Unit 2. The Region II Administrator and the Executive Vice President of CP&L discussed the situation by telephone. It was agreed that neither unit would be operated until the licensee had completed a comprehensive review of Technical Specification requirements, corrected such violations as might be disclosed by the review, identified the root causes of the violations, and presented the NRC with a proposed revision of its programs to prevent recurrence of similar violations.

On July 20, 1982, NRC Region II issued a Confirmation of Action Letter which confirmed the broad commitments made by the licensee in several previous communciations. This letter covered: certain specific assignments of responsibility for the Corporate Nuclear Safety and Corporate Quality Assurance (QA) staffs; implementation of an extensive training program; assignment of a full-time corporate representative on site; establishment of a special corporate panel to review the adequacy of committed corrective actions; and formal notification of Region II before resumption of Unit 1 or Unit 2 power operation.

On August 24, 1982, an Enforcement Conference was held at the Region II office. The Region II Administrator, together with senior Inspection and Enforcement (IE) and Nuclear Reactor Regulation (NRR) officials, reviewed with senior CP&L representatives the NRC inspection findings relating to the facts disclosed since June 28, 1982, expressed NRC concerns about the failure of CP&L controls to prevent the violations indicated by the findings, and asked the licensee what actions had been taken or were planned to establish effective management systems to control safety-related activities. The Executive Vice President of CP&L presented recommendations and conclusions developed by its staff and reviewed by a panel of senior management officers from the nuclear power industry, retained by CP&L to review the adequacy and completeness of actions taken and planned by CP&L and to recommend additional management actions which may be appropriate to assure future compliance with NRC requirements. The Executive Vice President detailed the actions taken by CP&L to implement these recommendations and described actions taken or planned to meet each item identified in Region II Confirmation of Action Letters dated July 2 and July 20, 1982. Beyond the commitments previously made, the licensee described a longer range program involving extensive reassignments of corporate and facility staff responsibilities for achieving early and long-range improvement in overall management and operations. The management structure for monitoring the improvement program was presented in detail. The individual responsible for each program objective was named; his task was stated and the expected date of task completion was specified. The current status of achievement of the program objectives was also described. The licensee stated that commitments made during the conference and its improvement program would be further developed to assure completeness, and that the program would be submitted in a report to the Region II Administrator by November 1, 12982.

By letter dated October 29, 1982, the licensee described the improvement program and provided the implementation plan for: Ensuring safety and operating efficiency at Brunswick; strengthening management control; reinforcing discipline of operations, procedural compliance, and regulatory sensitivity, focusing attention and resources on long-term needs; and ensuring implementation of specific improvements. In view of the importance of these issues to safe operation, I have determined that these commitments are required in the interest of public health and safety and, therefore, should be confirmed by an immediately effective Order.

III

Accordingly, pursuant to Sections 103, 161i(3), and 182 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Part 2 and 10 CFR Part 50, it is hereby ordered effective immediately that:

1. The licensee shall implement the Brunswick Improvement Program described in the enclosure to its October 29, 1982, letter to the NRC; a copy of the enclosure is included herein as Attachment 1. The scheduled times for completing specific action item tasks described in the enclosure may be shortened, but shall not be extended without prior written approval by the Region II Administrator. The licensee shall notify the Region II Administrator, within 20 days following the effective date of this Order, of any action item tasks for which scheduled completion dates preceding the date of this Order were not met and establish new completion dates, which are acceptable to the Region II Administrator, for those tasks.

2. Following completion of the reviews and assessments identified in Action Items V–5 and VII–1 through VII–5 of the Brunswick Improvement Program, the licensee shall promptly provide copies of all applicable reports on such studies and assessments to the NRC Region II Administrator. Within 60 days from the date that such reports are available to the license, the licensee shall inform the Regional Administrator, in writing, of its assessment of each recommendation provided in the reports. The licensee shall include its plans and schedules for implementing each recommendation and, for any recommendation which the licensee decides not to implement, an evaluation which supports that decision. The licensee's plans and schedules for implementation of the recommendations shall be subject to the approval of the Regional Administrator. The scheduled times for completion of actions may be shortened, but shall not be extended

without prior written approval by the Region II Administrator.

IV

The licensee may request a hearing on this Order within 30 days of its issuance. A request for a hearing shall be submitted to the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555. A copy of the request shall also be sent to the Executive Legal Director at the same address. Any request for a hearing shall not stay the immediate effectiveness of this order.

If a hearing is requested, the Commission will issue an Order designating the time and place of any such hearing. If a hearing is held, the issue to be considered at such hearing shall be:

Whether, on the basis of the matters set forth in Sections II and III of this Order, this Order should be sustained.

In the event that a need for further action becomes apparent, either in the course of proceedings on this Order or at any other time, the Director will take appropriate action.

It is so ordered.

Dated at Bethesda, Md., this 22nd day of December 1982.

For the Nuclear Regulatory Commission.

Richard C. DeYoung,

Director, Office of Inspection and Enforcement.

[FR Doc. 83-741 Filed 1-10-83; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-261-OLA; ASLBP No. 83-484-03 LA]

Carolina Power and Light Co.; Establishment of Atomic Safety and Licensing Board

Pursuant to delegation by the Commission dated December 29, 1972, published in the **Federal Register**, 37 FR 28710 (1972), and §§ 2.105, 2.700, 2.702, 2.714, 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 and Light Co., H.B. Robinson Steam Electric Plant, Unit No. 2, Facility Operating License No. DPR-23

This Board is being established pursuant to a notice published by the Commission on November 24, 1982, in the **Federal Register** (47 FR 53157-58) entitled, "Proposed Issuance of Amendment to Facility Operating License." The proposed amendment would revise the conditions of the operating license to permit repair of steam generators.

The Board is comprised of the following Administrative Judges:

Morton B. Margulies, Chairman, Atomic Safety and Licensing Board, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555

Dr. Jerry R. Kline, Atomic Safety and Licensing Board, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555

Dr. David L. Hetrick, Professor of Nuclear Engineering, University of Arizona, Tuscon, Arizona 85721

Issued at Bethesda Md., this 5th day of January, 1983.

B. Paul Coter, Jr.,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 83-745 Filed 1-10-83; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-331; License No. DPR-49; EA 82-90]

Iowa Electric Light and Power Co. (Duane Arnold Energy Center); Order Imposing Civil Monetary Penalties

I

Iowa Electric Light and Power Co. (the "licensee") is the holder of Operating License No. DPR-49 (the "license") issued by the Nuclear Regulatory Commission (the "Commission"). This license authorizes the operation of the Duane Arnold Energy Center near Palo, IA. This license was issued on February 22, 1984.

II

As a result of a special inspection of the licensee's facilities by the Nuclear Regulatory Commission's Region III Office during the period March 15 through May 12, 1982, the NRC staff determined that the licensee did not adequately ensure that post-maintenance testing was completed after maintenance was performed on safety-related equipment. As a result, the inoperability of an emergency diesel generator that resulted from the change of fuel oil filters went undetected for 18 days. The NRC served the licensee a written Notice of Violation and Proposed Imposition of Civil Penalties by letter dated August 13, 1982. The Notice stated the nature of the violations, the provisions of the Atomic Energy Act, the Nuclear Regulatory Commission's regulations or license conditions that were violated, and the amount of the civil penalty proposed for each violation. The licensee responded to the Notice of Violation and Proposed Imposition of Civil Penalties by letter dated September 13, 1982.

III

After consideration of Iowa Electric Light and Power Company's response (September 13, 1982) and the statements of fact, explanation, and argument in denial or mitigation contained therein as set forth in the Appendix to this Order, the Director of the Office of Inspection and Enforcement determined that, with the exception of Item A.2, the violations did occur as set forth in the Notice of Violation. The proposed civil penalty for Items A.1, A.2, A.3, and A.4 was based on serious weaknesses in the management systems that are designed to ensure post-maintenance testing is performed on a safety-related system. After consideration of the licensee's response to Item A.2, this item is being withdrawn. However, in view of the significance of Items A.1, A.3, and A.4 that were based on the primary finding of the diesel generator inoperability, the amount of civil penalties proposed in the Notice of Violation has not changed.

IV

In view of the foregoing and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2282, Pub. L. 96-295, and 10 CFR 2.205, it is hereby ordered that:

The licensee pay civil penalties in the total amount of Forty Thousand dollars within thirty days of the date of this Order, by check, draft, or money order payable to the Treasurer of the United States and mailed to the Director of the Office of Inspection and Enforcement, USNRC, Washington, D.C. 20555.

V

The licensee may within thirty days of the date of this Order request a hearing. Such request shall be addressed to the Director, Office of Inspection and Enforcement. A copy of the hearing request shall also be sent to the Executive Legal Director, USNRC, Washington, D.C. 20555. If a hearing is requested, the Commission will issue an Order designating the time and place of hearing. Should the licensee fail to request a hearing within thirty days of the date of this Order, the provisions of this Order shall be effective without further proceedings and, if payment has not been made by that time, the matter may be referred to the Attorney General for collection.

In the event the licensee requests a hearing as provided above, the issues to be considered at such a hearing shall be:

(a) Whether the licensee was in violation of the Commission's requirements as set forth in the Notice of Violation and Proposed Imposition of Civil Penalties dated August 13, 1982, as amended by this Order, and

(b) Whether on the basis of such violations this Order should be sustained.

Dated at Bethesda, Md., this 27th day of December 1982.

For the Nuclear Regulatory Commission.

James H. Sniezek,

Acting Director, Office of Inspection and Enforcement.

APPENDIX—EVALUATIONS AND CONCLUSIONS

I

Each item of noncompliance and associated civil penalty identified in the Notice of Violation (dated August 13, 1982), which was denied by the licensee, is restated below. The NRC's evaluation of the licensee's response is presented, followed by conclusions regarding the occurrence of the noncompliance and the proposed civil penalty.

Item A

Statement of Noncompliance

Technical Specification 3.5.G.1 requires in part that, during any period when one diesel generator is inoperable, continued reactor operation is permissible only during the succeeding seven days unless such diesel generator is sooner made operable, provided that all the low-pressure core and containment cooling subsystems and the remaining diesel generator shall be operable. If this requirement cannot be met, an orderly shutdown shall be initiated and the reactor shall be placed in the cold shutdown condition within 24 hours.

Technical Specification 3.5.A.3 requires in part that the low-pressure coolant injection (LPCI) subsystems shall be operable whenever irradiated fuel is in the reactor vessel, and before reactor startup from a cold condition.

Technical Specification 3.7.B.1 requires in part that both trains of the standby gas treatment system and the diesel generators required for operation of such trains shall be operable at all times when secondary containment integrity is required.

Technical Specification 3.5.D.2 requires that from and after the date that the high-pressure coolant injection (HPCI) subsystem is made inoperable or is found to be inoperable for any reason, continued reactor operation is permissible only during the succeeding seven days unless such subsystem is sooner made operable, provided that during these seven days all active components of the automatic depressurization system (ADS) subsystem, the reactor core isolation cooling (RCIC) system, the LPCI subsystem and both core spray subsystems are operable.

Contrary to the above:

1. From February 25 to March 15, 1982, the 1G–21 diesel generator was inoperable because its start time was 30 seconds, as compared with the design value of 10 seconds.

2. On February 25, 1982, from 11:00 a.m. to 10:58 p.m., both LPCI subsystems were inoperable (hangers were taken out of service in "A" train; 1G–21 diesel generator, which supplies emergency power to "B" train was inoperable).

3. From March 2 to March 8, 1982, both standby gas treatment systems were inoperable (wet charcoal in "A" train; 1G–21 diesel generator, which supplies emergency power to "B" train, was inoperable).

4. From 1:49 p.m. on March 5, 1982 to 10:04 p.m. on March 6, 1982, HPCI was inoperable and the "B" core spray subsystem was inoperable because the 1G–21 diesel generator was inoperable.

This is a Severity Level III violation (Supplement I). (Civil Penalty—$30,000)

Evaluation of Licensee's Response

The licensee admits that Items A.1 and A.3 did occur as stated in the Notice of Violation. The licensee contends that Items A.2 and A.4 are not violations of the Technical Specifications.

The Staff agrees with the licensee's contention concerning Item A.2. No violation of Technical Specification 3.5.A.3 took place because a 24–hour limiting condition for operation (LCO) was declared at 3:23 a.m. on February 25, 1982 lasting until 10:58 p.m., and a power reduction was initiated as required by Technical Specification 3.5.A.6.

Concerning Item A.4, the licensee focused its response on the definitions of operable and LCO which were contained in Amendment No. 77 to the facility's operating license. The licensee contends that this license amendment allows the "B" core spray subsystem to be considered operable for purposes of the applicable LCO, and thus, Technical Specification 3.5.D.2 was not violated. Amendment No. 77 to Operating License No. DPR–49 was issued in June 1982. Item A.4 which occurred in March 1982 violated the Tehnical Specifications that were in effect at the time of the event.

The licensee further contends that the severity level for Items A.1 and A.3 should be downgraded to Severity Level IV on the basis that the degraded condition of the emergency power system did not result in a loss of safety function. 10 CFR 2, Appendix C, Supplement I.C.1 defines Severity Level III violations for reactor operations as those (1) exceeding an LCO, (2) where the appropriate Action Statement was not satisfied, (3) which resulted in a degraded condition, and (4) for which sufficient information existed to alert the licensee that an Action Statement had to be satisfied. Items A.1, A.3, and A.4 meet these criteria. Maintenance had left the diesel generator in a degraded condition and the licensee failed to detect the problem due to inadequate postmaintenance testing. Had be conducted adequate post-maintenance testing he would have been aware of the degraded conditions.

The civil penalty was proposed for this event in order to emphasize the need for the licensee to improve its controls over licensed activities. This event occurred as a result of the lack of adequate management controls to ensure that post-maintenance testing would be performed following maintenance on a diesel generator. Items A.2, A.3, and A.4 were the result of the disel generator inoperability, Item A.1. Retraction of Item A.2 does not provide a basis for mitigating the civil penalty.

Conclusion

Information supplied in the licensee's response provides a basis for retracting Items A.2; however, it provides no basis for downgrading the severity level of Items A.1, A.3, and A.4 or for mitigating the proposed penalty.

Item B

Statement of Noncompliance

Technical Speeification 6.8.1 states in part, "Detailed written procedures involving nuclear safety. . . covering areas listed below shall be adhered to." Item 1 requires procedures for "Normal startup, operation, and shutdown of systems and components of the facility." Item 5 requires procedures for "Preventative and corrective maintenance operations which could have an effect on the nuclear safety of the facility."

Administrative Control Procedure 1401.4, "Control of Plant Work," Item 6.20.5.1 states, "Describe the reason for deferring testing on Line 8 of the inspection and test report."

Administrative Control Procedure 1404.4, "Operating Logs," Item 6.3.4.2

requires that entries made during each shift shall include all plant maintenance.

Administrative Control Procedure 1406.2, "Maintenance Procedures," Item 5.1 states, "Maintenance that can affect the performance of safety-related equipment shall be properly pre-planned and performed in accordance with written procedures, documented instructions, or drawings appropriate to the circumstances (for example, skills possessed by qualified maintenance personnel may not require detailed step-by-step delineation in a written procuedure) which conform to applicable codes, standards, specifications, and criteria. Where appropriate sections of related vendor manuals, equipment operating and miantenance instructions, or approved drawings with acceptable tolerances, do not provide adequate instruction to ensure the required quality of work, a suitable documented procedure shall be prepared."

10 CFR, Appendix B, Criterion V states in part, "Activities affecting quality shall be prescribed by documented instructions, procedures of a type appropriate to the circumstances. . . ."

Contrary to the above:

1. Logs of the Shift Supervising Engineer contain no entries with respect to the maintenance performed on the 1G-21 diesel generator on February 25, 1982.

2. No entries were made on Line 8 of Safety-Related Inspection and Test Report No. 82-118 associated with the change of the 1G-21 diesel generator's fuel oil fitlers.

3. There is no procedure that governs the change of diesel generator fuel oil filters. There are also inadequate instructions contained in the vendor's technical manual. In addition, the change of fuel oil filters does not fall within the normal or routine duties of personnel. Interviews with personnel indicate that operators and maintenance personnel were not adequately familiar with requirements for maintenance of fuel oil filters.

4. Administrative Control Procedure 1404.1; "Shift Organization Operation and Turnover," is not appropriate to the circumstances in that it does not contain adequate direction to ensure that plant operations and maintenance receive engineering evaluation and that shift relief turnovers encompass all items necessary to ensure operation of the plant safely as demonstrated by the following:

a. Section 4.3 "Responsibilities and Authorities, The Shift Technical Advisor," states in part, "Routine duties should include matters involving engineering evaluations of day-to-day plant operations from a safety point of view." The evaluation is not mandatory, and no specific guidelines are provided on what is to be accomplished.

b. Section 6.7, "Shift Turnover," states in part, "shift change shall be accomplished by having each incoming shift operator relieve each outgoing shift operator. . . ." There are no guidelines or procedures that clearly specify what shall be reviewed during shift turnover.

This is a Severity Level IV violation (Supplement I). (Civil Penalty—$10,000)

Evaluation of Licensee's Response

The licensee admits that Items B.1, B.2, and B.3 did occur as stated in the Notice of Violation. the licensee contends that Items B.4.a and B.4.b do not represent violations.

Concerning Item B.4.a, the licensee contends that its Administrative Control Procedure (ACP) 1201.6 adequately delineates the duties and responsibilities of the shift technical advisor (STA). ACP 1201.6 does not contain an adequate or comprehensive delineation of the duties and responsibilities of the STA. As stated in the inspection report, the STAs do not appear to have any standard approach to the evaluation and review of the safety of plant operations. In fact, some of the STAs were not aware of the existence of the deferred testing file.

Concerning the licensee's response for Item B.4.b, the licensee contends that Sections 5.5 and 5.6 of ACP 1404.4 provide specific guidance on what should be reviewed during shift turnover. We have reviewed this procedure and find that Sections 5.5 and 5.6, ACP 1404.4 merely require that the Nuclear Station Operating Engineer (NSOE) and the Shift Supervising Engineer (SSE) review the previous 24 hours of logbook entries; no detailed guidance is given about the purpose of the review or about how to evaluate other items that reflect the status of plant equipment and safety of the plant.

The licensee's basis for mitigation of the civil penalty has provided no new information regarding these violations. The licensee contends that these violations do not warrant a civil penalty under the NRC guidelines. These violations, taken by themselves, would not normally warrant a civil penalty. However, they are in fact contributory factors which resulted in the licensee being unaware that the emergency power system was in a degraded condition for an extended period of time. Since these violations contributed to the occurrence of the Severity Level III violation and were part of the same event, the assessment of a $40,000 civil penalty for this problem area was divided between violations A and B.

Conclusion

These violations did not occur as originally stated. The information in the licensee's response does not provide a basis for modifying the enforcement action.

II

Pursuant to the provisions of 10 CFR 2.205, the licensee filed a request for remission and mitigation of civil penalties. The licensee's request addressed the five factors for adjusting civil penalties from the base values. These five factors are set forth in 10 CFR 2, Appendix C, Paragraph IV.B. The NRC's evaluation of the licensee's request is presented, followed by conclusions regarding the proposed civil penalty.

Evaluation of Licensee's Request for Mitigation

Factor 1—Prompt Identification and Reporting. The licensee contends that the civil penalties should be appropriately adusted on the basis that the licensee identified the basic violation and reported it to the NRC. Although we agree that the licensee identified and reported the inoperability of the diesel generator, this violation existed for 18 days before it was discovered. The licensee should have discovered the violation because the licensee was aware that maintenance had been performed and should have conducted a test of the generator after maintenance. No adjustment to the proposed civil penalties is warranted on the basis of prompt identification and reporting.

Factor 2—Corrective Action to Prevent Recurrence. The licensee contends that the degree of its initiative in dealing with the violations and the comprehensiveness of the actions taken warrant reduction in the proposed civil penalties. Although we agree that the corrective action was adequate, it was not extraordinary. The adequacy and timeliness of corrective actions and the relative safety significance of the event were factors in determining not to propose daily civil penalties for the continuing violation of the requirement for diesel generator operability. No further reduction in the proposed civil penalties is warranted on the basis of corrective action to prevent recurrence.

Factor 3—Enforcement History. The licensee contends that the proposed civil penalties should be mitigated on the basis that it does not have a history of extensive enforcement actions.

Generally, the enforcement policy does not provide for mitigation based on licensee's enforcement history. A poor enforcement history may lead to imposition of greater penalties. No adjustment to the proposed civil penalties is warranted.

Factor 4—Prior Notice of similar Events. The licensee contends that there was no prior notice of this type of problem and that the proposed civil penalties should not be increased on this basis. No adjustments were made to the base civil penalty value for prior notice of similar events.

Factor 5—Multiple Occurrences. The licensee acknowledges that this was not a factor in the proposed civil penalties. Although the diesel generator was inoperable for 18 days and information was available for the licensee to identify this violation, a daily civil penalty was not proposed on the basis of the adequate corrective actions and relative safety significance of the event.

Conclusion

The licensee has not provided a basis for modification of the proposed enforcement action.

[FR Doc. 83-742 Filed 1-10-83; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-289 (Design Issues)]

Metropolitan Edison Co. et al. (Three Mile Island Nuclear Station, Unit No. 1); Evidentiary Hearing

Notice is hereby given that, in accordance with the Appeal Board's memorandum and order of December 29, 1982 (ALAB-708), evidentiary hearing on the matters specified therein related to the issue of core decay heat removal in the event of a loss of main feedwater or a small break loss of coolant accidents will be heard at *9:00 a.m., on Tuesday, February 8, 1983,* in the NRC Public Hearing Room, Fifth Floor, East-West Towers Building, 4350 East-West Highway, Bethesda, Maryland.

Dated: January 4, 1983.

For the Appeal Board.

C. Jean Shoemaker,

Secretary to the Appeal Board.

[FR Doc. 83-743 Filed 1-10-83; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-266-OLA 2]

Wisconsin Electric Power Co. (Point Beach Nuclear Plant, Unit 1); Assignment of Atomic Safety and Licensing Appeal Board

Notice is hereby given that, in accordance with the authority conferred by 10 CFR 2.787(a), the Chairman of the Atomic Safety and Licensing Appeal Panel has assigned the following panel members to serve as the Atomic Safety and Licensing Appeal Board for this operating license amendment proceeding (to permit repair of steam generators by replacement of major components including the tube bundles): Thomas S. Moore, Chairman, Dr. W. Reed Johnson, Dr. Reginald L. Gotchy.

Dated: January 5, 1983.

C. Jean Shoemaker,

Secretary of the Appeal Board.

[FR Doc. 83-744 Filed 1-10-83; 8:45 am]

BILLING CODE 7590-01-M

SECURITIES AND EXCHANGE COMMISSION

[File No. 81-685]

The Bank of Nova Scotia; Application

January 5, 1983.

Notice is hereby given that The Bank of Nova Scotia ("Applicant"), has filed an application pursuant to Section 12(h) of the Securities Exchange Act of 1934, as amended (the "1934 Act"), for an exemption from certain of the periodic reporting requirements under Section 15(d) of the 1934 Act.

For a detailed statement of the information presented, all persons are referred to said application which is on file at the Offices of the Commission, 450 Fifth Street N.W., Washington, D.C. 20549.

Notice is further given that any interested person not later than January 31, 1983 may submit to the Commission in writing his views or any substantial facts bearing on the application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 450 Fifth Street N.W., Washington, D.C. 20549, and should state briefly the nature of the interest of the person submitting such information or requesting the hearing, the reason for such request, and the issues of the fact and law raised by the application which he desires to controvert.

Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof. At any time after said date, an order granting the application may be issued upon request or upon the Commission's own motion.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 83-733 Filed 1-10-83; 8:45 am]

BILLING CODE 8010-01-M

Boston Stock Exchange, Inc.; Unlisted Trading Privileges in Certain Securities

January 5, 1983.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the following stocks:

Dorsey Corp., Common Stock, $.50 Par Value (File No. 7-6410)

Dover Corp., Common Stock, $1 Par Value (File No. 7-6411)

Dreyfus Corp., Common Stock, $33⅓ Par Value (File No. 7-6412)

Energy Exchange, Class A Common Stock, $.01 Par Value (File No. 7-6413)

Gulfstream Land and Development Corp., Common Stock, $.10 Par Value (File No. 7-6414)

KDI Corp., Common Stock, $.35 Par Value (File No. 7-6415)

Nicolet Instrument Corp., Common Stock, $.25 Par Value (File No. 7-6416)

Regal International Inc., Common Stock, $.10 Par Value (File No. 7-6417)

Sun Chemical Corp., Common Stock, $1 Par Value (File No. 7-6418)

Gulf United Corp., Common Stock, $1 Par Value (File No. 7-6419)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before January 26, 1983 written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 83-730 Filed 1-10-83; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 22812; (70-6829)]

Columbia Gas System, Inc.; Proposed Charter Amendment and Solicitation of Proxies

January 4, 1983.

The Columbia Gas System, Inc. ("Columbia"), 20 Montchanin Road, Wilmington, Delaware 19807, 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 Rule 62 thereunder.

Columbia proposes to amend its Certificate of Incorporation ("Charter") to eliminate provisions for preemptive rights for common stockholders. It is stated that even though the preemptive rights granted are severely limited, they do restrict Columbia's ability to use certain very appropriate and acceptable techniques to issue new shares of common stock. For instance, if Columbia wished to expand its dividend reinvestment program to permit the investment of interest by debenture holders, if it wished to permit the purchase of stock by employees pursuant to employee benefit plans such as the Employee's Thrift Plan, if it wished to adopt a stock purchase program for customers of the utility subsidiaries, or if it wished to issue stock in a private placement, further amendments and exceptions to preemptive rights would be required. It is further stated that the elimination of preemptive rights will not adversely affect common shareholders, but will benefit those shareholders by enabling management to meet changing conditions in financial markets with greater flexibility.

Columbia also proposes to solicit proxies with respect to the proposed Charter amendment for voting at Columbia's next regular annual meeting of stockholders to be held on April 21, 1983.

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 January 31, 1983, 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.

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 83-680 Filed 1-10-83; 8:45 am]

BILLING CODE 8010-01-M

Midwest Stock Exchange, Inc.; Unlisted Trading Privileges in Certain Securities; Applications for Unlisted Trading Privileges and of Opportunity for Hearing

January 4, 1983.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the following stocks:

Cowles Broadcasting, Inc., Common Stock, $1 Par Value (File No. 7-6407)

Sabine Royalty Trust, Units of Beneficial Interest (File No. 7-6408)

Americana Hotel and Realty Corporation, Common Stock, $1 Par Value (File No. 7-6409)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before January 25, 1983 written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 83-682 Filed 1-10-83; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 19402; ISR-MSE-82-7]

Midwest Stock Exchange, Inc.; Order Approving Proposed Rule Change

January 4, 1983.

The Midwest Stock Exchange, Inc. ("MSE") 120 South LaSalle Street, Chicago, Illinois 60603, submitted on November 3, 1982, copies of a proposed rule change pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act") and Rule 19b-4 thereunder, to amend MSE's Constitution to: (1) Increase the size of MSE's Board of Governors from 24 to 26 by adding two additional positions for non-member, public governors; and (2) allow one public governor to be a former officer of the exchange who is not affiliated with any broker or dealer but who may continue to be affiliated with the Exchange in a non-management function.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by the issuance of a Commission Release (Securities Exchange Act Release No. 19267, November 22, 1982) and by publication in the **Federal Register** (47 FR 54387, December 2, 1982). No comments were received with respect to the proposed rule change.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange and, in particular, the requirements of Section 6 and the rules and regulations thereunder.[1]

[1] Under the proposed revision to Article III, Section II of the MSE Constitution, eight of the 23 Governors serving on the Board would be non-member public governors, one of whom may be a former officer of the MSE unaffiliated with any broker or dealer in securities. The Commission believes it is consistent with the purposes of Section 6(b)(3) of the Act for a former Exchange officer that was unaffiliated with a broker or dealer to be deemed a "public governor," in view of the proportion of public governors serving on the MSE Board. The Commission does not conclude, however, that it would be appropriate in all cases for a former exchange officer to be deemed a public governor of the exchange (*e.g.*, where representation by public governors on an exchange's Board of Governors was proportionately less than the MSE's).

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above-mentioned proposed rule change be, and hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 83-681 Filed 1-10-83; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 19390; (SR-MSRB-82-13)]

Municipal Securities Rulemaking Board; Order Approving Proposed Rule Change

January 3, 1983.

The Municipal Securities Rulemaking Board ("MSRB") 1150 Connecticut Avenue, N.W., Washington, D.C. 20036, submitted on November 16, 1982, a proposed rule change, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act") and Rule 19b-4 thereunder, to amend MSRB Rule G-12(e)(v) to permit delivery of tax-exempt notes in denominations smaller than those specified in an inter-dealer trade confirmation if the notes delivered can be aggregated to constitute the denominations specified. Under current MSRB rules, a delivery of notes must be made in the denomination specified on the inter-dealer confirmation and a dealer may reject a delivery of non-conforming denominations. The MSRB states that the industry, in order to facilitate the completion of transactions in notes, informally has developed the practice of accepting deliveries in denominations smaller than those specified in the confirmation if the delivered notes can be aggregated to constitute the specified denominations. The MSRB believes it appropriate to codify this widespread practice and avoid unnecessary rejections of such non-conforming deliveries of municipal notes.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by the issuance of a Commission Release (Securities Exchange Act Release no. 19293, December 2, 1982) and by publication in the Federal Register (47 FR 55557, December 10, 1982). No comments were received with respect to the proposed rule filing.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to the MSRB and, in particular, the requirements of Section 15B and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above-mentioned proposed rule change be and it hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[1]

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 83-677 Filed 1-10-83; 8:45 am]

BILLING CODE 8010-01-M

[1] 17 CFR 200.30-3(a)(12).

[File No. 81-684]

Unilever Capital Corp. and Unilever United States, Inc.; Application and Opportunity for Hearing

Notice is hereby given that Unilever Capital Corporation and Unilever United States, Inc. ("Applicants") have filed an application pursuant to Section 12(h) of the Securities Exchange Act of 1934 (the "1934 Act") for an order granting Applicants an exemption from the periodic reporting requirements of Sections 13 and 15(d) of the 1934 Act.

The Applicants state, in part that:

(1) Applicants intend to issue debt securities (the "Securities") in the United States, the proceeds of which will be lent to the Applicants parent corporations, Unilever N.V., a Netherlands corporation ("N.V.") and Unilever P.L.C., an English corporation ("P.L.C.") or to other subsidiaries of N.V. and P.L.C.;

(2) The shares of N.V. and P.L.C. are registered pursuant to Section 12(b) of the 1934 Act and are listed for trading on the New York Stock Exchange;

(3) The Securities to be issued by the Applicants will be fully guaranteed, jointly and severally, as to interest and principal, by N.V. and P.L.C.;

(4) The summary financial and business information to be included in the registration statement for the Securities will relate principally to N.V. and P.L.C. rather than the Applicants.

The Applicants contend that the granting of the exemption would not be inconsistent with the public interest or the protection of investors.

For a more detailed statement of the information presented, all persons referred to said application which is on file in the offices of the Commission at 450 5th Street, N.W., Washington, D.C. 20459.

Notice is further given that any interested person no later than January 31, 1983 may submit to the Commission in writing his views or any substantial facts bearing on this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, securities and Exchange Commission, 450 5th Street, N.W., Washington, D.C. 20459, and should state briefly the nature of the interest of the person submitting such information or requesting the hearing, the reason for such request, and the issues of fact and law raised by the application which he desires to controvert. At any time after said date, an order granting the application may be issued upon request or upon the Commission's own motion.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 83-732 Filed 1-10-83; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-19397; File No. SR-AMEX-82-20]

Self-Regulatory Organizations; Proposed Rule Change by the American Stock Exchange, Inc.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on November 5, 1982, the American 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 American Stock Exchange, Inc. ("AMEX" or the "Exchange") proposes to amend Rule 462 as set forth below. Italics indicate material proposed to be added; brackets [ ] indicate material proposed to be deleted.

Rule 462. Minimum Margins

[(a) through (d)(2)(B)—no change]

(C) For purposes of this paragraph (d)(2), obligations issued by the United States Government shall be referred to as United States Government obligations. Mortgage pass-through obligations guaranteed as to timely payment of principal and interest by the Government National Mortgage Association shall be referred to as GNMA obligations. *The terms "stock index group", "stock index option", "current index group* *value", "exercise price", and "index multiplier", when used with reference to a stock index option, shall have the meanings set forth in Rule 900C.*

The terms "current market value" *and "current market price"* [of], *when used with reference to an option contract,* shall mean the total cost or net proceeds of the option [transaction] *contract* on the day [the option] *it* was purchased or sold and at any other time shall [be] *mean* the preceding business day's closing price of that option *contract* [as shown by] *indicated by* any regularly published reporting or quotation service.

(D) Subject to the exceptions set forth in subparagraphs (F) through (K) of this paragraph (d)(2) the minimum margin on any put or call issued, guaranteed or carried "short" in a customer's account shall be:

[(i)—No change]

[(ii)—No change]

[(iii) In the case of puts and calls *listed or traded on a registered national securities exchange and representing options on stock index groups, 100% of the current market value of the option contract plus 10% of the product of the current index group value and the index multiplier applicable to the option contract.*

(iv) * * *

Notwithstanding the foregoing:

[(i)] *(a)* If the option contract provides for the delivery of obligations with different maturity dates or coupon rates, the computation of the "out of the money" amount, if any, where required by this Rule, shall be made in such a manner as to result in the highest margin requirement on the short option position.

[(ii)] *(b)* The minimum margin on any and each put or call issued, guaranteed or carried "short" in a customer's account shall be not less than $250, in the case of an option on equity securities, or $500, in the case of an option on:

* * * * *

[(v)—no change]

(E)(i) Except as provided below, each put or call *option* issued, guaranteed or carried "short" in a customer's account shall be margined separately and any difference between the *current* market [price] *value or the current index group value* of the underlying security and the exercise price of a put or call (if the underlying security is a stock *or a stock index group*) or the aggregate exercise price of a put or call (if the underlying security is a United States Government obligation) shall be *given no* [considered to be of] value [only in providing] *except for the purposes of determining* the amount of margin required on that particular put or call option. Substantial additional margin must be required on options issued, guaranteed or carried "short" with an unusually long period of time to expiration, or written on securities which are subject to unusually rapid or violent changes in value, or which do not have an active market, or where the securities subject to the option cannot be liquidated promptly.

(ii) Except as provided in subparagraph (G) of this paragraph (d)(2), no margin need be required on any "covered" put or call.

(F)(i) If both a put and a call [for] *specifying* the same number of shares of the same equity security [or], the same principal amount of the same United States Government obligation, *or the same index multiplier for the same stock index group* are issued, guaranteed or carried "short" for a customer, the amount of margin required shall be the margin on the put or the call whichever is greater, as required pursuant to subparagraph (D) of this Paragraph (d)(2) increased by the amount of any unrealized loss on the other option. The minimum margin requirements, however, shall not apply to the other option.

[(ii)—No change]

(G)(i) When a call that is dealt in on a registered national securities exchange is carried "short" for a customer's account and the account is also "long" a call dealt in on an exchange, expiring on or after the expiration date of the "short" call and [written on] *specifying* the same number of shares of the same equity security [or], the same principal amount of the same United States Government obligation, *or the same index multiplier for the same stock index group,* the minimum margin which must be maintained in respect of the "short" position shall be the lesser of (1) the margin required pursuant to subparagraph (D)(ii) of this paragraph (d)(2), in the case of equity securities, *subparagraph (D)(iii) above in the case of stock index groups,* or subparagraph (D)(iv) above in the case of United States Government obligations or (2) the amount, if any, by which the exercise price of the "long" call exceeds the exercise price of the "short" call (if the *calls related to an* underlying [security is an] equity security *or an underlying stock index group*) or by which the aggregate exercise price of the "long" call exceeds the aggregate exercise price of the "short" call (if the underlying security is a United States Government obligation). When a put that is dealt in on a registered national securities exchange is carried "short" for a customer's account and the account is also "long" a put dealt in on an exchange, expiring on or after the expiration date of the "short" put and [written on] *specifying* the same number of shares of the same underlying equity security [or], the same principal amount of the same United States Government obligation *or the same index multiplier for the same stock index group,* the minimum margin which must be maintained in respect of the "short" put shall be the lesser of (1) the margin required pursuant to subparagraph (D)(ii) of this paragraph (d)(2), in the case of equity securities, *subparagraph (D)(iii) above in the case of stock index groups,* or subparagraph (D)(iv) above in the case of United States Government obligations, or (2) the amount, if any, by which the exercise price of the "short" put exceeds the exercise price of the "long" put, (if the *puts relate to an* underlying [security is an] equity security *or an underlying stock index group*) or by which the aggregate exercise price of the "short" put exceeds the aggregate exercise price of the "long" put (if the underlying security is in a United States Government obligation).

[(iii)—No change]

[(H) through (K)—no change]

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 slef-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

The purpose of the proposed rule changes is to establish minimum margin requirements for stock index options. The Exchange believes that the proposed system of setting the minimum margin for a stock index option at an amount equal to the option premium plus 10% of the product of the current index group value and the index multiplier applicable to the option contract would further two objectives. First, it would be more than adequate to provide credit protection. Second, it would provide a simple and easily understood method of calculating margin.

The proposed rule changes are consistent with the requirements of the Securities Exchange Act of 1934 (the "1934 Act") and the rules and regulations thereunder applicable to the Exchange, and, in particular, Section 6(b)(5) of the 1934 Act, in that they would promote just and equitable principles of trade and protect investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule changes will not impose a burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** 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, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section. 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 within 21 days after the date of this publication.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: January 4, 1983.

George A. Fitzsimmons,

Secretary.

[FR Doc. 83-731 Filed 1-10-83; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-19385; File No. SR-PSE-82-15]

Self-Regulatory Organization; Proposed Rule Change; the Pacific Stock Exchange Inc.; the Pilot Program for the Appointment and Evaluation of Specialists and the Creation of New Specialist Posts

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on December 22, 1982, the Pacific Stock Exchange Incorporated ("PSE") 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.[1]

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Board of Governors of the PSE adopted certain amendments to the Pilot Program for the Appointment and Evaluation of Specialists and the Creation of New Specialists Posts which are intended to modify various methods of measuring specialist performance, provide specific standards for determining when a specialist's performance is considered below acceptable performance levels, authorize the cancellation of a specialist's registration in selected stocks where his performance has been found to be substandard, and codify existing rules and procedures for the Appointment and Registration of new Specialists and the Creation of New Specialist Posts. The PSE has proposed a one-year extension of the Pilot Program, as amended.

The proposed new rules authorize the Equity Allocation Committee ("EAC") to evaluate specialist performance based upon established standards and define unacceptable levels of performance. The EAC is authorized to withdraw approval of registration of a specialist in one or more selected stocks with the approval of the Board of Governors when a specialist's performance is below acceptable levels. Each specialist subject to a reallocation proceeding is entitled to all due process rights provided for in the proposed new rules, including the right to a hearing and the right to appeal an adverse determination to the Board of Governors. The EAC will recommend reallocation in one or more stocks only when it believes that the quality of the markets in those stocks could be improved by transfer to another specialist.

Under the proposed amendments, a PSE registered specialist would be required to meet with the EAC on an informal basis if such specialist is in the bottom 10% of all registered specialists on his trading floor as determined by the overall performance evaluation scores received by each specialist in any one quarterly evaluation. The EAC shall consider a registered specialist's performance to be below acceptable performance levels if such specialist is in the bottom 10% of all registered specialists on his trading floor as determined by the overall evaluation scores received by each specialist in any two out of four consecutive quarterly evaluations. A second informal meeting would be required if the registered specialist was in the bottom 10% of all registered specialists on his trading floor in any two out of four consecutive quarterly evaluations. If, during the second informal meeting the Committee finds no mitigating circumstances which would demonstrate substantial improvement of or reasonable justification for the most recent performance evaluation score, the Committee may request a formal hearing which could result in the withdrawal of Exchange approval to act as a registered specialist or alternate specialist in one or more stocks.

Specialists will continue to be evaluated on a quarterly basis in each of three measures of performance, all three of which will then be consolidated into one overall evaluation score. The Pilot Program will continue to evaluate: (1) The percentage of time in a given quarter that a specialist's bid and/or offer is equal to or greater than the bid

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[1] The Commission has approved on an accelerated basis the effectiveness of the proposed rule change from January 1, 1983 to March 31, 1983. Securities Exchange Act Release No. 19385, December 30, 1982. This release serves as notice for the pilot program's proposed effectiveness from January 1, 1983 to March 31, 1983 as well as notice of the proposed effectiveness of the pilot program through December 31, 1983. The timing for Commission action on this second period of effectiveness is described in Item III below. Comments are invited on both proposals.

and/or offer in the primary market for each dually traded security; (2) a specialist's performance based upon written responses solicited and received in connection with the Specialist Evaluation Questionnaire Survey; and (3) a specialist's SCOREX Limit Order Acceptance Performance. These three measures are afforded different weight in determining the specialist overall grade; measure (1) carrier 45% weight, measure (2) 40% and measure (3) 15%.

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. 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

The purposes of the proposed amendments to the PSE Pilot Program are: (1) To revise established procedures for the periodic review and evaluation of specialist performance based upon the experience gained during the first year of the Pilot Program; (2) to define the basis upon which the EAC may cancel a specialist's registration in selected stocks where the specialist's performance has been found to be substandard; (3) to codify the due process and appellate rights of specialists and applicant specialists in connection with both informal and formal specialist evaluation proceedings for the appointment of registered specialists; and (4) to extend the Pilot Program for one additional year. The Pilot Program and the rules and procedures established as part of that Program are intended to improve the quality of the PSE marketplace through non-disciplinary proceedings. The proposed new rules will not replace nor impair the PSE's authority to cancel a specialist's registration or impose other sanctions through disciplinary proceedings for violations of Exchange Rules.

The proposed amendments to the Pilot Program are consistent with Section 6(b) of the Act, in general, and further the objectives of Section 6(b)(5) of the Act, in particular, in that they would promote just and equitable principles of trade, foster cooperation and coordination with persons engaged in facilitating transactions in securities, remove impediments to, and perfect the mechanism of, a free and open market, and protect investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change imposes no burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Comments on the proposed rule change were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Commission has found good cause for approving the proposed rule change on a temporary basis, from January 1, 1983 to March 1, 1983, prior to the thirtieth day after the date of publication of filing thereof in that the proposed amendments to the Pilot Program serve to strengthen the Exchange's regulation of specialists and thus should help the Exchange assure that its specialists maintain fair and orderly markets and fulfill their other obligations as well. The Commission found additional good cause for accelerated and temporary approval in that such approval permits the Pilot Program to commence during the first calendar quarter of 1983, rather than delaying the implementation until the second quarter.

As noted above,[2] this release also serves as notice of the proposal to amend the Pilot Program and extend the program, as amended, through December 31, 1983. Within 35 days of the date of the publication in the **Federal Register** of this notice 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, 450 5th Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 5th Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned, self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted within 21 days after the date of this publication.

[2] See note 1, supra.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: December 30, 1982.

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 83-678 Filed 1-10-83; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-19387; File No. SR PHLX 82-19]

Self-Regulatory Organizations; Proposed Rule Change; Philadelphia Stock Exchange, Inc.; New Fees and Charges

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on December 23, 1982, the Philadelphia 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

1. *Floor Brokerage Transaction Fee.* Commencing January 3, 1983, the Exchange shall charge a floor brokerage transaction fee measured by the number of shares or contracts per transaction done by a partner, officer or employee of a member organization, who acts as

floor broker for such member organization. This fee will be set at $.05 for each 100 shares or each options contract, provided that the maximum fee per transaction on the equity floor shall be $5.00, and provided further, that there shall be no maximum fee limit per transaction on the options floor.

2. *Foreign Currency Options Fees and Charges.* (a) Retail fees and charges:

Transaction Fee—$.30 per contract
Value Charge on Premiums:
$0–$9,999,000—$.12 per contract
$10,000,000 to $50,000,000—$.10 per $1,000
over $50,000,000—$.08 per $1,000

(b) Firm transaction fee—$.05 per contract.

The above fees and charges are effective as of the commencement of foreign currency options trading on the PHLX on December 10, 1982.

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

The PHLX currently charges a floor brokerage fee which is based on a fixed percent of floor brokerage income earned. This fee is set at five percent of such earned income. Floor brokers executing on behalf of member organizations by which they are employed do not pay this fee. The number of member organizations executing through use of their own floor brokers is increasing and, consequently income from the floor brokerage fee on earned commissions can be expected to decrease. In order, to offset this decrease in revenue and steadily increasing expenses and provide for equitable allocation of fees, the PHLX is proposing to charge a fee on transactions executed by floor brokers for member organizations by which they are employed.

2. *Foreign Currency Options Fees and Charges.* The purpose of this portion of this rule change is to establish fees for foreign currency options transactions in order to offset the PHLX's costs.

The basis under the Securities Exchange Act of 1934 ("Act") for this rule change concerning floor brokerage and foreign currency options fees is Section 6(b)(4) which requires that reasonable fees be allocated equitably.

B. Self-Regulatory Organization's Statement on Burden on Competition

The PHLX does not believe that the porposed rule change will impose any burden on competition.

C. Self-Regulatory Organization's Statement on comments on the Proposed Rule Change Received from Members, Participants, or Others

No comments on this proposed rule change have been solicited or received from members.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3) of the Securities Exchange Act of 1934 and subparagraph (e) of Securities Exchange Act Rule 19b–4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

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, 450 5th Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 5th Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submission should refer to the file number in the caption above and should be submitted within 21 days after the date of this publication.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: December 30, 1982.

Shirley E. Hollis,
Assistant Secretary.

[FR Doc. 83–679 Filed 1–10–83; 8:45 am]

BILLING CODE 8010–01–M

SMALL BUSINESS ADMINISTRATION

[License No. 05/05–0155]

Pathfinder Venture Capital Corp.; License Surrender

Notice is hereby given that Pathfinder Venture Capital Corporation, One Corporate Center, 7300 Metro Boulevard, Suite 585, Minneapolis, Minnesota 55435 has surrendered its license to operate as a small business investment company under the Small Business Investment Act of 1958, as amended (the Act). Pathfinder Venture Capital Corporation was licensed by the Small Business Administration on September 10, 1981.

Under the authority vested by the Act and pursuant to the regulations promulgated thereunder, the surrender was accepted on December 27, 1982, and accordingly, all rights, privileges, and franchises derived therefrom have been terminated.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: January 5, 1983.

Robert G. Lineberry,
Deputy Associate Administrator for Investment.

[FR Doc. 83–758 Filed 1–10–83; 8:45 am]

BILLING CODE 8025–01–M

Region IX—Advisory Council; Public Meeting

The Small Business Administration Region IX Advisory Council, located in the geographical area of Honolulu, Hawaii, will hold a public meeting at 9:00 a.m. on Thursday, February 3, 1983, at the Prince Kuhio Federal Building, 300 Ala Moana Boulevard, Room 7323 (7th Floor), Honolulu, Hawaii, to discuss such business as may be presented by members, and staff of the U.S. Small Business Administration, or others present.

For further information, write or call David K. Nakagawa, District Director, U.S. Small Business Administration, 300 Ala Moana Boulevard, Room 2213, Honolulu, Hawaii 96850, (808) 546–8950.

Dated: January 5, 1983.

Jean M. Nowak,

Acting Director, Office of Advisory Councils.

[FR Doc. 83-756 Filed 1-10-83; 8:45 am]

BILLING CODE 8025-01-M

[Proposed License No. 02/02-0458]

Venray Capital Corp.; Application for a License To Operate as a Small Business Investment Company

Notice is hereby given of the filing of an Application with the Small Business Administration (SBA), pursuant to Section 107.102 of the SBA Regulations (13 CFR 107.102 (1982)) by Venray Capital Corporation, 981 Route 22, Somerville, New Jersey 08876, for a license to operate as a small business investment company (SBIC) under the provisions of the Small Business Investment Act of 1958, as amended (the Act), (15 U.S.C. 661 *et seq.*), and the Rules and Regulations promulgated thereunder.

The proposed officers, directors and sole shareholder of the Applicant are:

Raymond J. Skiptunis, President, Director, General Manager, RD 2, Box 49 H, Ringoes, New Jersey 08551

James W. MacDonald, Vice President, Director, RD 2, Box 218, Fox Hunt Road, Ringoes, New Jersey 08551

Thomas P. Smyth, Vice President, Director, 1 Evergreen Drive, Marlboro, New Jersey 07746

Richard K. Greene, Director, 1810 Mountain Top Road, Bridgewater, New Jersey 08807

Venray Capital Management, Sole shareholder, Corporation (VCMC), 981 Route 22, Somerville, New Jersey 08876

Mr. Skiptunis owns approximately 35 percent of the voting securities of VCMC and Mr. Greene owns approximately 15 percent. No other individual will own as much as 10 percent of the voting securities of VCMC. Substantially all of VCMC's assets will be accounted for by securities issued by the Applicant.

There is one class of stock authorized: 1,000 shares of common stock. Initially, all of those shares will be issued with a resultant private capital of $1,500,000.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed officers, directors, and shareholder, and the probability of successful operation of the Applicant in accordance with the Act and Regulations.

Notice is further given that any person may, not later than (fifteen days from the date of publication of this notice), submit to SBA, in writing, comments on the proposed licensing of this company. Any such communications should be addressed to: Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, N.W., Washington, D.C. 20416.

A copy of this notice shall be published by the Applicant in a newspaper of general circulation in Somerville, New Jersey.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: January 5, 1983.

Robert G. Lineberry,

Deputy Associate Administrator for Investment.

[FR Doc. 83-757 Filed 1-10-83; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF STATE

[Public Notice CM-81593]

Study Group C of the U.S. Organization for the International Telegraph and Telephone Consultative Committee (CCITT); Meeting

The Department of State announces that Study Group C of the U.S. Organization for the International Telegraph and Telephone Consultative Committee (CCITT) will meet on January 20, 1983 at 9:30 a.m. in Room 1205, of the Department of State, 2201 C Street, N.W., Washington, D.C. This Study Group relates to the worldwide telephone network and the international telecommunications questions concerning telephone transmission, switching, signaling, operations and maintenance as embraced by various Study Groups in the CCITT.

This meeting of Study Group C will concentrate entirely on the Study Group XVIII Expert Group which was chartered to recommend a single method of PCM coding at 32 kilobits/second. The U.S. participants will discuss the objectives and work program of this Expert Group and the progress of the CCITT-sponsored laboratory evaluations in the United States and France. Owing to the quickened pace of international activity and the urgent requirement for assembling expert opinion in the United States on an accelerated schedule, it has not been possible to provide the normal advance two-week public notice of this meeting.

Members of the general public may attend the meeting and join in the discussion, subject to the instructions of the Chairman. Admittance of public members will be limited to the seating available. In that regard, entrance to the Department of State building is controlled and entry will be facilitated if arrangements are made in advance of the meeting. It is suggested that prior to January 20 members of the general public who plan to attend the meeting contact the Office of International Communications Policy, Department of State, Washington, D.C. 20520, telephone (202) 632-6583. All non-Government attendees must use the C Street entrance to the building.

Dated: January 7, 1983.

Arthur L. Freeman,

Director, Office of International Communications Policy.

[FR Doc. 83-826 Filed 1-10-83; 8:45 am]

BILLING CODE 4710-07-M

UNITED STATES INFORMATION AGENCY

Culturally Significant Objects Imported for Exhibition; Determination

Notice is hereby given of the following determination: Pursuant to the authority vested in me by the act of October 19, 1965 (79 Stat. 985, 22 U.S.C. 2459) and Executive Order 12047 of March 27, 1978 (43 FR 13359, March 29, 1978), I hereby determine that the objects in the exhibit, "Italian Still-Life Painting from Three Centuries" (included in the list [1] filed as a part of this determination) imported from aboard for the temporary exhibition without profit within the United States are of cultural significance. These objects are imported pursuant to loan agreements between the foreign lenders and the International Exhibitions Foundation. I also determine that the temporary exhibition or display of the listed exhibit objects at the National Academy of Design, New York, New York, beginning on or about February 1, 1983, to on or about March 20, 1983; the Philbrook Art Center, Tulsa, Oklahoma, beginning on or about April 9, 1983, to on or about June 30, 1983; and the Dayton Art Institute, Dayton, Ohio, beginning on or about July 30, 1983, to on or about September 11, 1983, is in the national interest.

Public notice of this determination is ordered to be published in the Federal Register.

Dated: January 7, 1983.

Jonathan W. Sloat,

General Counsel and Congressional Liaison.

[FR Doc. 83-847 Filed 1-10-83; 8:45 am]

BILLING CODE 8230-01-M

[1] An itemized list of objects included in the exhibit is filed as part of the original document.

New Directions Advisory Committee

New Directions Advisory Committee will meet Tuesday, February 8, 1983, from 2 p.m. to 4:30 p.m. in Conference Room 600, 1750 Pennsylvania Avenue, NW., Washington, D.C. The purpose of this meeting is to review USIA activities and advise on political, military, economic, social and other trends.

Dated: January 5, 1983.

Mary Jane Winnett,

Management Analyst, Management Plans, Analysis, Directives Staff, Bureau of Management.

[FR Doc. 83-643 Filed 1-10-83; 8:45 am]

BILLING CODE 8230-01-M

Sunshine Act Meetings

Federal Register

Vol. 48, No. 7

Tuesday, January 11, 1983

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONTENTS

1

COMMODITY FUTURES TRADING COMMISSION

TIME AND DATE: 10:00 a.m., Thursday, January 13, 1983.

PLACE: 2033 K Street, N.W., Washington, D.C., 5th floor hearing room.

STATUS: Open.

MATTERS TO BE CONSIDERED: Kansas City Board of Trade Value Line Options Contract.

CONTACT PERSON FOR MORE INFORMATION: Jane Stuckey, 254-6314.

[S-30-83 Filed 1-7-83; 11:22 am]

BILLING CODE 6351-01-M

2

FEDERAL ELECTION COMMISSION:Q02

PREVIOUSLY ANNOUNCED DATE AND TIME: Thursday, January 13, 1983 at 10:00 a.m.

CHANGE IN MEETING:

The following matter has been added for the open meeting scheduled for this date:

Threshold submission and letter of candidate certifications and agreements received from Mondale for President Committee, Inc.

PERSON TO CONTACT FOR INFORMATION: Mr. Fred Elland, Public Information Officer, telephone: 202-523-4065.

Marjorie W. Emmons

Secretary of the Commission.

[S-28-83 Filed 1-7-83; 10:06 am]

BILLING CODE 6715-01-M

3

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 10:45 a.m. on Thursday, January 6, 1983, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session, by telephone conference call, to consider a personal matter.

In calling the meeting, the Board determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Director C. T. Conover (Comptroller of the Currency), that Corporation business required its consideration of the matter on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matter in a meeting open to public observation; and that the matter could be considered in a closed meeting pursuant to subsections (c)(2) and (c)(6) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(2) and (c)(6)).

Dated: January 6, 1983.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-31-83 Filed 1-7-83; 12:12 pm]

BILLING CODE 6714-01-M

4

FEDERAL ENERGY REGULATORY COMMISSION

Meeting

January 6, 1983.

TIME AND DATE: January 13, 1983, 1:00 p.m.

PLACE: 825 North Capitol Street, N.E., Washington, D.C. 20426, Room 9306.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

Note.—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION: Kenneth F. Plumb, Secretary, Telephone (202) 357-8400.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda; however, all public documents may be examined in the Division of Public Information.

Consent Power Agenda, 762nd Meeting, January 13, 1983, Regular Meeting (1:00 p.m.)

CAP-1. Project No. 2149-010, Public Utility District No. 1 of Douglas County, Washington

CAP-2.
- Project Nos. 67-000 and 2868-000, Southern California Edison Company
- Project No. 2904-000, the Cities of Anaheim and Riverside, California

CAP-3. Project No. 6628-000, Waterfall Electric Company

CAP-4. Project No. 6617-000, Olypmus Energy Corporation

CAP-5. Project No. 6635-000, New Generation Power Company

CAP-6. Project No. 4059-001, South Fork Irrigation District

CAP-7.
- Project Nos. 4190-000 and 4329-000, Consolidated Hydroelectric, Inc.
- Project Nos. 4830-000 and 4973-000, City of Rohnert Park, California
- Project Nos. 4953-001 and 5224-000, Modesto Irrigation District
- Project Nos. 5232-001 and 5375-002, Tehama County Flood Control and Water Conservation District

CAP-8. Project No. 1984-010, Wisconsin River Power Company

CAP-9. Project No. 2930-003, Idaho Power Company

CAP-10. Project Nos. 2849-002 and 3295-000, East Columbia Basin Irrigation District, Quincy-Columbia Basin Irrigation District and South Columbia Basin Irrigation District

CAP-11. Project No. 2100-023, Califorina Department of Water Resources

CAP-12. Project No. 5906-002, North Canal Waterworks

CAP-13. Project No. 344-001, Southern California Edison Company

CAP-14. Project No. 3342-003, New Hampshire Hydro Associates

CAP-15. Project No. 289, Louisville Gas and Electric Company

CAP-16. Docket No. ER83-152-000, Union Light, Heat and Power Company

CAP-17. Docket No. ER83-138-000, Cleveland Electric Illuminating Company

CAP-18. Docket No. ER83-154-000, Pacific Gas and Electric Company

CAP-19. Docket Nos. ER83-21-001 and ER82-79-001, Ohio Edison Company

CAP-20. Docket Nos. ER82-673-003 and ER82-673-004, Kentucky Utilities Company

CAP-21.
- Docket No. ER82-774-002, Tapoco, Inc.
- Docket No. ER82-829-002, Nantahala Power & Light Company

CAP-22. Docket No. EL80-25-002, Village of Winnetka, Illinois v. Commonwealth Edison Company

CAP-23. Docket No. EL82-20-001, Town of Highlands, et al. v. Nantahala

CAP-24. Docket No. ER77-578-003, Kansas Gas and Electric Company

CAP-25. Docket Nos. ER77-175-002 and ER78-19-000 (Phase II), *et al.*, Florida Power & Light Company
CAP-26. Docket No. ER82-579-000, Southern Company Services, Inc.
CAP-27. Docket No. ER76-532-004, Pacific Gas & Electric Company
CAP-28. Docket No. ER81-504-003, Delmarva Power and Light Company
CAP-29. Docket No. ER82-423-000, Virginia Electric and Power Company
CAP-30. Docket No. ER82-128-000, Mississippi Power and Light Company
CAP-31. Omitted.
CAP-32.
Docket No. EL80-19-003, Massachusetts Municipal Wholesale Electric Company v. Power Authority of the State of New York
Docket No. EL80-24, Connecticut Municipal Electric Energy Cooperative v. Power Authority of the State of New York
CAP-33. Project No. 2796-002, Siskiyou County Flood Control and Water Conservation District

Consent Miscellaneous Agenda

CAM-1. Docket No. RM79-76-119 (New Mexico—2 Addition), High-Cost Gas Produced From Tight Formations
CAM-2. Docket No. RM79-76-138 (New Mexico—17), High-Cost Gas Produced From Tight Formations
CAM-3. Omitted.
CAM-4. Docket No. RM79-76-120 (Oklahoma—2), High-Cost Gas Produced From Tight Formations
CAM-5. Docket No. GP82-28-000, Minerals Management Service, El Paso Natural Gas Company, Section 108 NGPA Determination, San Juan 27-4 Unit No. 71 Well, FERC No. JD81-49860
CAM-6. Docket No. GP82-37-000, New Mexico Department of Energy and Minerals Oil, Conservation Department, Getty Oil Company, Section 108 NGPA Determination, Mexico "D" Well No. 1, FERC No. JD79-12361
CAM-7. Docket No. GP82-53-000, Railroad Commission of Texas, Getty Oil Company, Section 108 NGPA Determination, J. M. Treadwell Well No. 5-U, FERC No. JD81-33968
CAM-8. Docket No. GP80-12-002, Consolidated Gas Supply Corporation
CAM-9. Docket No. RO82-16-000, Vic and Lou's Union
CAM-10. Docket No. RO81-73-001, Sierra Petroleum Company, Inc.
CAM-11. Docket No. RO82-81-000, Beacon Bay Enterprises
CAM-12. Docket Nos. RO82-85-000 and RA83-1-000, Meeker and Company
CAM-13. Docket No. RA82-28-000, MGPC, Inc.

Consent Gas Agenda

CAG-1. Docket No. OR78-1-011, Trans-Alaska Pipeline System
CAG-2. Docket Nos. RP79-8-008 and RP80-8-001, Kansas-Nebraska Natural Gas Company, Inc.
CAG-3. Docket No. RP82-71-005, Northern Natural Gas Company
CAG-4. Docket No. RP83-13-001, El Paso Natural Gas Company
CAG-5. Docket No. TA82-2-33-015, El Paso Natural Gas Company
CAG-6. Docket Nos. TA82-2-42-009, TA82-2-42-001, RP81-130-000, and TA83-1-42-000, Transwestern Pipeline Company
CAG-7.
Docket Nos. TA83-1-33-007 and TA82-2-33-001, et al., El Paso Natural Gas Company
Docket No. RP82-33-000, El Paso Natural Gas Company
CAG-8. Docket Nos. RP83-35, RP81-109-000 and RP74-41-000, Texas Eastern Transmission Corporation
CAG-9. Docket No. RP83-32-000, Eastern Shore Natural Gas Company
CAG-10. Docket No. TA83-1-44-003, Commercial Pipeline Company, Inc.
CAG-11. Docket No. RP83-30-000, Transcontinental Gas Pipe Line Corporation
CAG-12. Docket No. RP82-79-000, Louisiana-Nevada Transit Company
CAG-13. Docket No. RP82-82-000, Honeoye Storage Corporation
CAG-14. Docket No. RP82-7-000, Gas Gathering Corporation
CAG-15. Docket No. IS80-83, et al., Mid-Valley Pipeline Company
CAG-16. Docket No. IS80-74, et al., Sun Pipe Line Company
CAG-17. Docket No. IS80-189-000, et al., Southern Pacific Pipe Lines, Inc.
CAG-18.
Docket Nos. CI68-1027-002, CI68-1027-003 and CI83-20-001, Eugene Shoal Oil Company
Docket Nos. CI83-7-001 and CI83-8-001, Arco Oil and Gas Company, Division of Atlantic Richfield Company
Docket No. CI83-18-001, Amoco Production Company
Docket Nos. CI83-23-001, CI83-25-001 and CI83-26-001, Mesa Petroleum Company
Docket No. G-7193-003, Union Oil Company of California
CAG-19. Docket No. TC82-10-000, El Paso Natural Gas Company
CAG-20. Docket No. CP82-360-001, Transcontinental Gas Pipe Line Corporation
CAG-21. Docket No. CP82-532-001, Michigan Consolidated Gas Company
CAG-22. Docket No. CP82-37-001, Galaxy Energies, Inc.
CAG-23.
Docket No. CP82-460-000, Mountain Fuel Supply Company
Docket No. CP82-483-000, Colorado Interstate Gas Company
CAG-24.
Docket Nos. CP75-23-008 and CP75-23-009, Tennessee Gas Pipeline Company, a Division of Tenneco, Inc.
Docket No. CP81-243-000, Tenneco Oil Company and El Paso Natural Gas Company
Docket No. CP81-320-000, Tennessee Gas Pipe Company, a Division of Tenneco, Inc.
CAG-25. Docket No. CP82-437-000, Trunkline Gas Company
CAG-26. Docket No. CP83-74-000, Texas Eastern Transmission Corporation
CAG-27. Omitted.
CAG-28. Docket No. CP83-72-000, El Paso Natural Gas Company
CAG-29.
Docket No. CP77-378, Northwest Pipeline Corporation
Docket No. CP77-381, Pacific Interstate Transmission Company
Docket No. CP77-407, El Paso Natural Gas Company
CAG-30.
Docket No. CP83-38-000, Transcontinental Gas Pipe Line Corporation
Docket No. CP83-52-000, Consolidated Gas Supply Corporation
CAG-31. Omitted.
CAG-32. Docket No. CP83-99-000, Arkansas Louisiana Gas Company, a Division of Arkla, Inc.
CAG-33. Docket No. CP75-93-005 (Remand), Black Marlin Pipeline Company
CAG-34. Docket No. CP82-440-000, J-W Gathering Company

I. Licensed Project Matters

P-1. Reserved

II. Electric Rate Matters

ER-1. Docket No. ER82-257-003, Kansas Gas and Electric Company
ER-2. Docket Nos. ER81-70-000 and ER81-71-000 (Consolidated), New England Power Company
ER-3. Docket No. QF82-181-000, United States Army Corps of Engineers Pittsburgh District

Miscellaneous Agenda

M-1. Docket No. RM83-9-000, Exemption From, and Revisions to Procedures Governing Collection and Reporting of Information Concerning Cost of Providing Retail Electric Service
M-2. Reserved.
M-3. Reserved.
M-4.
(A) Docket No. RM80-47, Regulations Implementing Section 110 of the Natural Gas Policy Act of 1978 and Establishing Policy Under the Natural Gas Act
(B) Docket No. RM80-73-000, Gathering Allowances Under Section 110 of the Natural Gas Policy Act of 1978
Docket No. RM80-74-000, Compression Allowances Under Section 110 of the Natural Gas Policy Act of 1978
(C) Docket No. RM80-14, Regulations Implementing Sections 105, 106(b), and 110 of the Natural Gas Policy Act of 1978
(D) Docket No. RM83-6-000, Regulations Implementing Refund and Enforcement Provisions Under Subpart K of Part 271 for Recovering Production-Related Costs
(E) Docket No. CI77-412-000, Phillips Petroleum Company
M-5.
Docket No. CP79-70, Transcontinental Gas Pipe Line Corporation and United Gas Pipe Line Company
Docket No. CP80-217, Transcontinental Gas Pipe Line Corporation
Docket No. CP80-218, Transcontinental Gas Pipe Line Corporation and United Gas Pipe Line Company
Docket No. CP80-236, Transcontinental Gas Pipe Line Corporation
Docket No. CP80-82, Michigan Wisconsin Pipe Line Company, Texas Eastern Transmission Corporation and

Transcontinental Gas Pipe Line Corporation
Docket Nos. CP80-227, CP80-251, CP80-286 and CP80-384, Michigan Wisconsin Pipe Line Company
Docket No. CP80-267, Columbia Gulf Transmission Company and Southern Natural Gas Company
Docket No. CP80-375, Consolidated Gas Supply Corporation, Northern Natural Gas Company, Division of Internorth, Inc., Michigan Wisconsin Pipe Line Company and El Paso Natural Gas Company

M-6.
Docket No. GP82-50-000, Indicated Producers—Shell Oil Company, et al., in the Matter of the Transportation of Liquid and Liquefiable Hydrocarbons by Natural Gas Pipelines [RM81-32]
Docket No. GP82-51-000, Associated Gas Distributors, Transportation by Natural Gas Pipelines of Producer-Owned Liquids and Liquefiable Hydrocarbons Under Title I of the Natural Gas Policy Act of 1978 [RM81-39]
Docket No. GP82-52-000, Texas Eastern Transmission Corporation, Transportation by Natural Gas Pipelines of Producer-Owned Liquids and Liquefiable Hydrocarbons [RM81-43]

M-7.
Docket Nos. RM80-50-003, 004 and 005, High-Cost Natural Gas: Production Enhancement Procedures

M-8.
Docket No. RM82-34-000, High-Cost Gas Produced From Tight Formations; Recompletion Tight Formation Gas

M-9. Omitted

M-10.
(A) Docket No. RM79-76-089 (Louisiana-3 Addition), High-Cost Gas Produced From Tight Formations
(B) Docket No. RM79-76-124 (Louisiana-8), High-Cost Gas Produced From Tight Formations

Gas Agenda

I. Pipeline Rate Matters

RP-1. Omitted
RP-2. Docket No. RP80-106-010, Trunkline Gas Company
RP-3. Docket Nos. RP80-91-000 and RP80-93-000, Arkansas-Louisiana Gas Company
RP-4. Docket No. OR82-2-000, Tipco Crude Oil Company v. Shell Pipe Line Company

II. Produced Matters

CI-1. Reserved

III. Pipeline Certificate Matters

CP-1. Omitted

CP-2.
Docket No. CP80-22-004, Northern Natural Gas Company, Division of Internorth, Inc.
Docket No. CP78-124-007, Northern Border Pipeline Company
Docket Nos. CP80-43-002 and CP66-110, et al., Great Lakes Gas Transmission Company

CP-3.
Docket No. CP82-531-000, Consolidated Gas Supply Corporation
Docket No. CP82-550-000, Transcontinental Gas Pipe Line Corporation

CP-4. Docket No. CP82-355-000, Natural Gas Pipeline Company of America

CP-5. Omitted

CP-6. Docket Nos. CP82-403-000, CP82-418-000 and CP82-419-000, Texas Gas Transmission Corporation

CP-7.
Docket No. CP80-435-000, Alaskan Northwest Natural Gas Transportation Company
Docket No. CP78-123-000, et al., Northwest Alaskan Pipeline Company

Kenneth F. Plumb,
Secretary.

[S-32-83 Filed 1-7-83; 3:09 pm]

BILLING CODE 6717-01-M

5

FEDERAL RESERVE SYSTEM,

(Board of Governors)

TIME AND DATE: 10:00 a.m., Monday, January 17, 1983.

PLACE: 20th Street and Constitution Avenue, N.W., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Conceptual design plan and budget estimate for proposed renovation of certain areas of the Federal Reserve Bank of Kansas City.
2. Proposed changes to the Plans administered under the Federal Reserve System's employee benefits program.
3. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
4. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board, (202) 452-3204.

Dated: January 7, 1983.

William W. Wiles,
Secretary of the Board.

[S-33-83 Filed 1-7-83; 3:56 pm]

BILLING CODE 6210-01-M

6

FEDERAL RESERVE SYSTEM

(Board of Governors)

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 48 FR 769, Thursday, January 6, 1983.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: Approximately 11:00 a.m., Wednesday, January 12, 1983, following a recess at the conclusion of the open meeting.

CHANGES IN THE MEETING:

Addition of the following closed item(s) to the meeting:

Proposed changes to the employee benefits program to implement the Omnibus Reconciliation Act of 1982.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board, (202) 452-3204.

Dated: January 7, 1983.

James McAfee,
Associate Secretary of the Board.

[S-34-83 Filed 1-7-83; 3:57 am]

BILLING CODE 6210-01-M

7

INTERNATIONAL TRADE COMMISSION

Government in the Sunshine: Emergency Notice of the Commission Meeting for Tuesday, January 11, 1983.

Interested members of the public are invited to attend and to observe the meeting of the United States International Trade Commission to be held on Tuesday, January 11, 1983, beginning at 2:30 p.m., in Room 117 of the United States International Trade Commission, 701 E Street, N.W., Washington, D.C. 20436. The Commission plans to consider the following agenda item in open session:

1. Agenda.
2. Minutes.
3. Ratifications.
4. Petitions and complaints, if necessary.
5. Investigation 731-TA-88 [Final] (Carbon Steel Wire Rod from Venezuela)—briefing and vote.
6. Any items left over from previous agenda.

Commissioners Eckes, Stern, and Haggert determined by recorded vote that Commission business requires that the meeting of Janaury 11, 1983, be called with less than ten days' prior notice and directed the issuance of this notice at the earliest practicable time.

If you have any questions concerning the agenda for the January 11, 1983, Commission meeting, please contact the Secretary to the Commission at (202) 523-0161. Access to documents to be considered by the Commission at the meeting is provided for by access to the public files of the Commisson, or when such documents are not in such files, as provided for in Subpart C of the Commission's rules (19 CFR 201.17–201.21).

In conformity with 19 CFR 201.38(a), when a person's privacy interests may be directly affected by holding a portion of a Commission meeting in public, that person may request the Commission to close such portion to public observation. Such requests should be communicated to the Office of the Chairman of the Commission.

Issued: January 6, 1983.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[S-29-83 Filed 1-7-83; 11:03 am]

BILLING CODE 7020-02-M

federal register

Tuesday
January 11, 1983

Part II

Office of Management and Budget

Budget Rescissions and Deferrals

OFFICE OF MANAGEMENT AND BUDGET

Budget Rescissions and Deferrals

TO THE CONGRESS OF THE UNITED STATES:

In accordance with the Impoundment Control Act of 1974, I herewith report four deferrals totaling $38,897,952 and a revision to a previous deferral, increasing the amount deferred by $10,000,000.

The deferrals affect programs in the Departments of Agriculture, Commerce, Housing and Urban Development, and Interior.

The details of the deferrals are contained in the attached reports.

Ronald Reagan.

THE WHITE HOUSE,
January 5, 1983.

BILLING CODE 3110-01-M

CONTENTS OF SPECIAL MESSAGE
(in thousands of dollars)

Deferral #	Item	Budget Authority
	Department of Agriculture	
	Agricultural Stabilization and Conservation Service	
D83-36	Dairy indemnity program......................	7,000
	Department of Commerce	
	Economic Development Administration	
D83-37	Economic development revolving fund.........	25,350
	National Bureau of Standards	
	Scientific and technical research and	
D83-38	services..................................	6,500
	Department of Housing and Urban Development	
	Community Planning and Development	
D83-32A	Urban development action grants.............	244,000
	Department of Interior	
	Minerals Management Service	
	Payments for proceeds, sale of water	
D83-39	mineral leasing..........................	48
	Total, Deferrals.........................	282,898

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SUMMARY OF SPECIAL MESSAGES
FOR FY 1983
(in thousands of dollars)

	Rescissions	Deferrals
Fourth special message		
New items...........................	---	38,898
Change to amount previously submitted........................	---	10,000
Effects of Fourth special message...	---	48,898
Amounts previously submitted that were changed by this message......	---	234,000
Total, rescissions and deferrals....	---	282,898
Amounts previously submitted that were not changed by this message..	2,000	3,130,781
Total amount proposed to date in all special messages..............	2,000	3,413,679 1/

1/ All amounts listed represent budget authority except for $14,446,000 in one general revenue sharing deferral of outlays only.

Deferral No: D83-36

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

Agency: U.S. Department of Agriculture	New budget authority (P.L. 97-370) $ 7,000,000
Bureau: Agricultural Stabilization and Conservation Service	Other budgetary resources ______
Appropriation title & symbol: Dairy Indemnity Program 1233314 1/	Total budgetary resources 7,000,000
	Amount to be deferred: Part of year 7,000,000; Entire year ______
OMB identification code: 12-3314-0-1-351	Legal authority (in addition to sec. 1013): [X] Antideficiency Act
Grant program [ ] Yes [X] No	[ ] Other ______
Type of account or fund: [X] Annual; [ ] Multiple-year ______ (expiration date); [ ] No-year	Type of budget authority: [X] Appropriation; [ ] Contract authority; [ ] Other ______

Justification: The Dairy indemnity program compensates dairy farmers and dairy product manufacturers who, through no fault of their own, suffer losses caused by removal of milk or milk products from the market because of chemical contamination or nuclear radiation or fallout. The funds being deferred were provided to address a problem that is of limited scope and that developed subsequent to the transmittal of the FY 1983 Budget to the Congress. Hawaiian dairy farmers and manufacturers suffered losses due to contamination. The source of the contamination has been identified and recourse is being sought by several damaged parties through the courts.

In addition, a number of legal questions regarding eligibility would have to be resolved before any claims could be approved for payment. The complex structure of milk marketing in Hawaii has made it extremely difficult to determine which milk is eligible for payment. To date, no claims have been certified for payment.

Accordingly, the situation will be monitored to determine later in the fiscal year whether or not the $7 million provided by this appropriation is needed for the purposes intended. This deferral action is taken under the provisions of the Antideficiency Act (31 U.S.C. 1512).

Estimated Effects: Any indemnity to dairy farmers and manufacturers for FY 1982 losses in Hawaii under the Dairy indemnity program will be delayed for part of the fiscal year.

Outlay Effect: This deferral action will have no effect on FY 1983 outlays.

1/ This account was the subject of a deferral in FY 1982 (D82-88).

Deferral No: D83-37

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Commerce	New budget authority (P.L. ______) $ ______
Bureau: Economic Development Administration	Other budgetary resources 299,543,053
Appropriation title & symbol: Economic Development Revolving Fund 13X4406	Total budgetary resources 299,543,053
	Amount to be deferred: Part of year 25,350,000; Entire year ______
OMB identification code: 13-4406-0-3-452	Legal authority (in addition to sec. 1013): [ ] Antideficiency Act
Grant program [X] Yes [ ] No	[ ] Other ______
Type of account or fund: [ ] Annual; [ ] Multiple-year ______ (expiration date); [X] No-year	Type of budget authority: [ ] Appropriation; [ ] Contract authority; [X] Other Fund balances

Justification: Interest on loans, principal repayments from loans made under the Area Redevelopment Act and the Public Works and Economic Development Act of 1965, and proceeds from the sale of collateral are deposited in the Economic Development Revolving Fund. Interest payments are made to the Treasury from the fund.

This deferral reflects action taken during the period of the continuing appropriations for FY 1983 (Public Law 97-276) to preserve these funds pending Congressional interest in their transfer to the Salaries and expenses and Economic development assistance program accounts. These funds were subsequently transferred by Congress in the act making further continuing appropriations for FY 1983 (Public Law 97-377).

Estimated Effects: The deferral has no programmatic or budgetary effects.

Outlay Effect: There is no effect on outlays in 1983 resulting from this deferral.

Deferral No: D83-39

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Commerce	New budget authority (P.L. 97-377) $ 24,142,000
Bureau: National Bureau of Standards	Other budgetary resources 11,643,933
Appropriation title & symbol: Scientific and Technical Research and Services (13X0500) 1/	Total budgetary resources 35,785,933
	Amount to be deferred: Part of year 6,500,000; Entire year
OMB identification code: 13-0500-0-1-376	Legal authority (in addition to sec. 1013): [x] Antideficiency Act; [ ] Other
Grant program [ ] Yes [x] No	
Type of account or fund: [ ] Annual; [ ] Multiple-year (expiration date); [x] No-year	Type of budget authority: [x] Appropriation; [ ] Contract authority; [ ] Other

Justification: This deferral is a continuation of the deferral of NBS central computer replacement funds approved in fiscal year 1982. These funds will be deferred for part of fiscal year 1983 and will allow the Department of Commerce time to do a comprehensive study on the feasibility of establishing a department-wide scientific computer center to provide for a large-scale scientifically oriented computer capability. This computer facility, recommended in a GAO Report, would improve service at lower costs to its users. The study is planned for completion by December 31, 1982. Pending recommendations of the study, deferred funds can then be released in January, 1983. This deferral action is taken under the provisions of the Antideficiency Act (31 U.S.C. 1512).

Estimated Effects: The effects of the deferral would be to delay the procurement of the NBS computer until the summer of 1983.

Outlay Effect: This deferral action will have no effect on 1983 outlays.

1/ This account was the subject of a similar deferral in FY 1982 (D82-253).

D83-32A

SUPPLEMENTARY REPORT

Report Pursuant to Section 1014(c) of P.L. 93-344

This report updates Deferral No. D83-32 transmitted to the Congress on December 7, 1982.

This revision to a deferral for the Department of Housing and Urban Development's Urban Development Action Grants increases the amount previously deferred from $234,000,000 to $244,000,000. This increase of $10,000,000 is attributable to a more recent and higher estimate of the unreserved and unobligated funds carried forward into FY 1983 that are deferred to maintain program levels proposed and approved for the FY 1983 budget.

Deferral No: D83-32A

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Housing and Urban Development	New budget authority (P.L. 97-272) $ 440,000,000
Bureau: Community Planning and Development	Other budgetary resources 370,000,000*
Appropriation title & symbol Urban Development Action Grants 1/ 862/30170 862/40170 2/* 862/50170 2/ 863/60170	Total budgetary resources 810,000,000*
	Amount to be deferred: Part of year $ ______ Entire year 244,000,000*
OMB identification code: 86-0170-0-1-451	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program ☒ Yes ☐ No	☐ Other ______
Type of account or fund: ☐ Annual ☒ Multiple-year September 30, 1983; September 30, 1984; September 30, 1985; September 30, 1986 (expiration date) ☐ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ______

Justification:* Urban Development Action Grants provide localities with discretionary funding to be used in conjunction with private and other public funds to promote local economic development. In order to be more consistent with the levels proposed and approved for the FY 1983 Budget, $234 million of the FY 1982 appropriation was deferred and reported to Congress (see Deferral No. D83-32). However, it is now estimated that $244 million, not $234 million, in unreserved and unobligated funds were carried over into FY 1983. Hence, the deferral has been increased to account for this higher estimate.

Estimated Effects:* This deferral action will result in a program level and new grant announcements during FY 1983 more consistent with the proposed and approved 1983 budget. This could result in approximately 190 fewer grant announcements being made in FY 1983 than would otherwise be announced without this deferral, if all available resources were in fact used in FY 1983.

Outlay Effect:* This deferral action will shift an estimated $12 million in FY 1983 outlays to FY 1984, $49 million in FY 1984 outlays to FY 1985, and $61 million in each FY 1985, 1986, and 1987 to FY 1986, 1987, and 1988.

1/ This account was subject of a deferral in FY 1982, D82-113.
2/ The deferral applies to these accounts.
* Revised from previous report.

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BILLING CODE 3110-01-C

Deferral No: D83-39

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of the Interior	New budget authority (P.L. ______) $ ______
Bureau: Minerals Management Service	Other budgetary resources 47,952
Appropriation title & symbol Payments for Proceeds, Sale of Water Mineral Leasing Act of 1920, Sec. 40(d) 14X5662	Total budgetary resources 47,952
	Amount to be deferred: Part of year ______ Entire year 47,952
OMB identification code: 14-5662-0-2-301	Legal authority (in addition to sec. 1013): ☒ Antideficiency Act
Grant program ☐ Yes ☒ No	☐ Other ______
Type of account or fund: ☐ Annual ☐ Multiple-year ______ (expiration date) ☒ No-year	Type of budget authority: ☐ Appropriation ☐ Contract authority ☒ Other receipts

Justification: Section 40(d) of the Mineral Leasing Act of 1920 (30 U.S.C. 229(a)) provides that when lessees or operators drilling for oil or gas on public lands strike water, water wells may be developed by the Department from the proceeds from sale of water from existing wells. Receipts have been accruing to this permanent account at the rate of about $3,000 per year. At the start of fiscal year 1965, the account had an unobligated balance of $16,000. At the start of fiscal year 1983 the unobligated balance was $47,952. None of these receipts have been obligated over the past ten years and none are planned for obligation in fiscal year 1983 because the total available is too small to be put to practical use for the purpose designated by law. Deferral is planned because funds could not be used effectively during the current period even if made available for obligation. This reserve action is taken pursuant to the Antideficiency Act (31 U.S.C. 1512).

Estimated Effects: There will be no programmatic or outlay impact in fiscal year 1983 since the receipts will continue to accrue but will remain unobligated until such time as an amount is available which can be used for effective purposes.

Outlay Effect: This deferral will have no effect on FY 1983 outlays.

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FEDERAL REGISTER PAGES AND DATES, JANUARY

CFR PARTS AFFECTED DURING JANUARY

At the end of each month, the Office of the Federal Register publishes separately a list of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

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.) Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
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DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
DOT/FHWA	USDA/SCS		DOT/FHWA	USDA/SCS
DOT/FRA	MSPB/OPM		DOT/FRA	MSPB/OPM
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Listing of Public Laws

Last Listing January 10, 1983

This is a continuing list of public bills from the current session of Congress which have become Federal laws. The text of laws is not published in the **Federal Register** but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (phone 202-275-3030).

H.R. 3809 / Pub. L. 97-425 Nuclear Waste Policy Act of 1982. (Jan. 7, 1983; 96 Stat 2201) Price: $4.50.