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Tuesday
March 1, 1983

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12-Vols

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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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The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

MERIT SYSTEMS PROTECTION BOARD

5 CFR Part 1201

Practices and Procedures

Correction

In FR Doc. 83-2962 beginning on page 5213 in the issue of Friday, February 4, 1983, make the following correction.

On page 5215, first column, §1201.73 (d)(4), in the third line, insert the following after "of" and before "the": "receipt of objections, or within 5 days of".

BILLING CODE 1505-01-M

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1136

[Docket No. AO-309-A24]

Milk in the Great Basin Marketing Area; Amending Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This action amends the pooling provisions of the Great Basin Federal milk order. The amendment provides that a distributing plant located in the marketing area that processes and distributes primarily aseptically processed fluid milk products would be fully regulated under the order irrespective of the market or markets in which the products may be distributed. The action is based on industry proposals considered at a public hearing held on December 9, 1982. The change, which has been approved by more than two-thirds of the producers in the market, is necessary to reflect current marketing conditions and to assure continued orderly marketing in the area.

EFFECTIVE DATE: March 1, 1983.

FOR FURTHER INFORMATION CONTACT: Maurice M. Martin, Marketing Specialist, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, 202-447-7183.

SUPPLEMENTARY INFORMATION: This administrative action is governed by the provisions of Sections 556 and 557 of Title 5 of the U.S. Code and, therefore, is excluded from the requirements of Executive Order 12291.

Prior documents in this proceeding:

Notice of Hearing: Issued November 19, 1982, published November 26, 1982 (47 FR 53395).

Emergency Final Decision: Issued February 8, 1983, published February 14, 1983 (48 FR 6545).

Findings and Determinations

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

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Great Basin marketing area.

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than March 1, 1983. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of this order are known to handlers. The decision of the Assistant Secretary containing all amendment provisions of this order was issued February 8, 1983 (48 FR 6545). The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective March 1, 1983, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the **Federal Register.** (Sec. 553(d), Administrative Procedure Act, 5 U.S.C. 551-559).

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

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to declared policy of the Act of advancing the interests of producers as defined in the respective orders; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

List of Subjects in 7 CFR Part 1136

Milk marketing orders, Milk, Dairy products.

Order Relative to Handling

It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Great Basin marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended as follows:

PART 1136—MILK IN THE GREAT BASIN MARKETING AREA

1. Section 1136.7 is revised to read as follows:

§ 1136.7 Pool plant.

Except as provided in paragraph (d) of this section, "pool plant" means:

(a) A fluid milk plant, other than a plant specified in paragraph (b) of this section, from which not less than 50 percent in any month of September through February, not less than 45 percent in any month of March and April, and not less than 40 percent in any month of May through August of the fluid milk products, except filled milk, approved by a duly constituted health authority for fluid consumption that are physically received at such plant (excluding milk received at such plant from other order plants or dairy farms which is classified in Class III under this order and which is subject to the pricing and pooling provisions of another order issued pursuant to the Act) or diverted therefrom as producer milk to a nonpool plant pursuant to § 1136.13 are disposed of as route disposition, and not less then 15 percent of such receipts are disposed of as route disposition in the marketing area.

(1) For the purpose of determining the qualification pursuant to this paragraph of a fluid milk plant pursuant to § 1136.5 (a) or (b) operated by a cooperative association, producer milk which such cooperative association causes to be delivered to the pool plant of another handler or diverted therefrom shall be included with receipts of producer milk at such cooperative's plant and the quantity of such milk assigned to Class I pursuant to § 1136.45(d) shall be included as route disposition from such cooperative's plant;

(i) If such a cooperative association operates more than one fluid milk plant as defined in § 1136.5(a), such producer milk and Class I milk shall be included in the computation for whichever plant the cooperative association requests in writing to the market administrator; and

(ii) If no such written request is made, such producer milk and Class I milk shall be prorated among the plants; and

(2) If a handler operates more than one fluid milk plant, the combined receipts and fluid milk products disposition, except filled milk, of any such plants may be used as the basis for qualifying the respective plants pursuant to the preceding computations specified in this paragraph if a handler in writing so requests the market administrator.

(b) A fluid milk plant that meets the following conditions:

(1) The plant is located in the marketing area;

(2) The plant has route disposition, except filled milk, during any month of September through February of not less than 50 percent, during any month of March and April of not less than 45 percent and during any month of May through August of not less than 40 percent, of the fluid milk products, except filled milk, approved by a duly constituted health authority for fluid consumption that are physically received at such plant (excluding milk received at such plant from other order plants or dairy farms which is classified in Class III under this order and which is subject to the pricing and pooling provisions of another order issued pursuant to the Act) or diverted therefrom as producer milk to a nonpool plant pursuant to § 1136.13, and

(3) The principal activity of such plant is the processing and distribution of aseptically processed fluid milk products.

(c) A fluid milk plant from which during the month fluid milk products, except filled milk, equal to not less than 50 percent of the total receipts at the plant from dairy farmers meeting the inspection requirements described in § 1136.12, milk diverted pursuant to § 1136.13 by the handler operating the plant and other fluid milk products, except filled milk, qualified for distribution for fluid consumption received at the plant are shipped to a plant described in paragraph (a) or (b) of this section: *Provided,* That a plant which so qualifies in each of the months of August through January as a pool plant shall be a pool plant in each of the following months of February through July unless the operator requests in written notice to the market administrator that such plant not be a pool plant, such nonpool status to be effective the first month following such notice and thereafter until the plant qualifies as a pool plant on the basis of shipments.

(d) The term "pool plant" shall not apply to the following plants:

(1) A producer-handler plant;

(2) An exempt plant; and

(3) Any plant described in paragraph (d)(3) (i) or (ii) of this section shall be exempt from paragraph (a) or (c) of this section, unless the Secretary determines otherwise, if it would be fully regulated subject to the classification and pooling provisions of another order issued pursuant to the Act if not so subject to this part:

(i) Any plant from which there is less route disposition, except filled milk, in the Great Basin marketing area than in the marketing area regulated pursuant to such other order if not so subject to this part; or

(ii) Any plant during the months of February through July which qualifies as a pool plant only pursuant to the proviso of paragraph (c) of this section.

§ 1136.76 [Amended]

2. In § 1136.76(b)(1)(iii), the reference to "§ 1136.7(b)" is changed to "§ 1136.7(c)."

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

Effective date: March 1, 1983.

Signed at Washington, D.C., on February 23, 1983.

C. W. McMillan,

Assistant Secretary, Marketing and Inspection Services.

[FR Doc. 83-5163 Filed 2-28-83; 8:45 am]

BILLING CODE 3410-02-M

Rural Electrification Administration

7 CFR Part 1701

Incorporations by References

CFR Correction

The list of Materials Approved for Incorporation by Reference in the Finding Aids section of 7 CFR Parts 1500–1899, revised as of January 1, 1982, erroneously omitted REA Bulletin 300–5, General Funds, 8/69. This bulletin will be listed in the January 1, 1983, edition.

BILLING CODE 1505-01-M

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

12 CFR Part 1

[Docket No. 83-9]

Eligibility of Securities for Purchase, Dealing in Underwriting and Holding by National Banks; Rulings Issued by the Comptroller

AGENCY: Comptroller of the Currency, Treasury.

ACTION: Notice of rulings.

SUMMARY: The Comptroller is publishing investment securities rulings issued in 1982 that are considered to be of significant public interest. The rulings are issued to advise banks on the application of federal banking law and regulations to securities which the bank holds, or desires to purchase, deal in or underwrite.

EFFECTIVE DATE: The rulings became effective when originally issued in letter form. The date of issuance is indicated in parentheses at the end of each ruling.

FOR FURTHER INFORMATION CONTACT: Radcliffe Park, Assistant Director, Legal Advisory Services Division, Comptroller of the Currency, Washington, D.C. 20219. (202) 447-1880.

SUPPLEMENTARY INFORMATION: On December 26, 1979, the Comptroller discontinued the codification of individual investment securities rulings in 12 CFR Part 1, 44 FR 76263. However, the Comptroller determined that certain individual rulings issued during the year beginning in December 1978, but not theretofore published in the **Federal Register** were sufficiently significant to warrant their publication, 45 FR 8934 (February 11, 1980). He has made the same determination with respect to rulings issued during 1980, 46 FR 16240 (March 12, 1981); 1981, 47 FR 18323 (April 29, 1982); and 1982.

The rulings in question were issued in response to specific requests from banks or bank counsel made in accordance with 12 CFR 1.9 relating to the application of federal banking law and regulations to securities which the bank holds, or desires to purchase, deal in, or underwrite.

List of Subjects in 12 CFR Part 1

National banks, Investment securities.

These rulings are numbered in sequence to those published earlier in order to facilitate future references.

Sec.

506 Industry-Urban Development Agency Tax Allocation Bonds (California).
507 Military Sealift Command Bonds.

506 Industry-Urban Development Agency Tax Allocation Bonds (California).

(a) *Request.* Ruling on the $85,000,000 Civic-Recreational-Industrial Project No. 1, Subordinate Tax Allocation Bonds, Issue of 1982 ("Project 1 bonds"), and the $10,000,000 Transportation-Distribution-Industrial Project No. 2, Subordinate Tax Allocation Bonds, Issue of 1982 ("Project 2 bonds"), of the Industry Urban-Development Agency ("Agency") of the City of Industry, Los Angeles County, California ("City"). You inquired whether these bonds are eligible for underwriting, dealing in, unlimited purchase and holding by national banks under paragraph seventh of 12 U.S.C. 24.

(b)(1) *Opinion.* The agency is a public body, corporate and politic, established by the City pursuant to the Community Redevelopment Law of California. CAL. HEALTH AND SAFETY CODE, Div. 24, Part 1 (West. Cum. Supp. 1982). It does not have the power to levy taxes, but it has the authority to acquire, develop as a building site, administer and sell or lease property, the right to accept financial assistance and the power to issue bonds, notes or other evidences of indebtedness, and expend their proceeds.

(2) Project 1 bonds and Project 2 bonds are payable from property taxes collected in Project 1 and Project 2, respectively, based upon any increase over the 1971-72 assessed valuation. As these tax revenues are irrevocably pledged by the City for the payment of the bonds, it was your opinion that the bonds qualify as indirect general obligations of the City under 12 CFR 1.3(g).

(3) The California Constitution, in Article XVI, section 16, provides that upon the enactment of enabling legislation by the State Legislature, the assessed valuation of property may be frozen at a point in time ("frozen base") and any ad valorem taxes levied on any increase in the assessed valuation of such property ("tax increment revenues") may be pledged by a redevelopment agency to the payment of its indebtedness. The California Legislature has enacted the enabling legislation to activate this financing mechanism. CAL. HEALTH AND SAFETY CODE sections 33670-33679 (West Cum. Supp. 1982). Specifically, in Section 33670 of the Health and Safety Code, the California Legislature has provided (a) that the redevelopment plan may provide for a frozen base and the generation of tax increment revenues and (b) that tax increment revenues shall be paid into a special fund of the relevant redevelopment agency and used by it to pay the principal of and interest on its indebtedness. In section 33671, the Legislature authorizes, the redevelopment agency to pledge tax increment revenues to the payment of its indebtedness. In section 33675, the Legislature has directed the County auditor or other officer responsible for the payment of ad valorem taxes collected by the County for the account of local taxing entities, to pay to the relevant redevelopment agency that portion of the tax increment revenues required for the payment of its indebtedness.

(4) The amount of available tax increment revenues obviously depends on the property assessments and property taxes in the relevant area. As a result of Proposition XIII, which was adopted in the California general primary election on June 6, 1978, the California Constitution was amended to restrict the taxing power of California public agencies. Consequently, Section 1 of Article XIIIA of the California Constitution now limits the maximum ad valorem tax on real property to 1% of full cash value to be collected by the counties and apportioned according to law. Section 2 of Article XIIIA defines "full cash value" to mean "the county assessor's valuation of real property as shown on the 1975-76 tax bill under 'full cash value' or, thereafter, the appraised value of real property when purchased, newly constructed, or a change in ownership has occurred after the 1975 assessment." The full cash value may be adjusted annually to reflect inflation at a rate not to exceed 2% per year, or reduction in the consumer price index or comparable local data, or reduced in the event of declining property value caused by damage, destruction or other factors. However, the California Tax and Revenue Code implementing this part of the Constitution does not *require* that such inflationary increases be made automatically to the assessed value.

(5) 12 CFR 1.3(g) provides in part as follows:

> * * * [t]he phrase "general obligation of any State or any political subdivision thereof" means an obligation supported by the full faith and credit of an obligor possessing general powers of taxation, including property taxation. It includes an obligation payable from a special fund or by an obligor not possessing general powers of taxation, when an obligor possessing general powers of taxation, including property taxation, has unconditionally promised to make payments into the fund or otherwise available for the payment of the obligation of amounts which (together with any other funds available for the purpose) will be

sufficient to provide for all required payments in connection with the obligation.

(c)(1) *Ruling.* As discussed above, in this case, the Constitution and the laws of California require the County of Los Angeles to deposit the tax increment revenues with the Agency, and the Agency has pledged these revenues for the payment of the bonds. Consequently, if the revenues pledged in this manner are sufficient for the payment of the bonds, the bonds would qualify as indirect general obligations under § 1.3(g) for underwriting, dealing in, and unlimited purchase by national banks.

(2) Based on our review of the applicable law and the other available materials, it appears that revenues have not been pledged in the amount which would meet the requirements of 12 CFR 1.3(g). Consequently, it is our conclusion that neither Project 1 bonds nor Project 2 bonds qualify as indirect general obligations for underwriting, dealing in, and unlimited purchase by national banks under 12 U.S.C. 24(Seventh). (Letter dated August 17, 1982.)

507 Military Sealift Command Bonds.

(a) *Request.* Ruling on the eligibility of proposed Military Sealift Command Bonds for purchase, dealing in, underwriting and unlimited holding by national banks under 12 U.S.C. 24 and by state banks that are members of the Federal Reserve System under 12 U.S.C. 335. The bonds are proposed to be issued to provide long-term financing for the construction or acquisition and conversion of vessels that will be chartered by the Military Sealift Command ("MSC") of the Department of the Navy.

(b)(1) *Opinion.* The Attorney General of the United States, in an opinion dated June 20, 1972, addressed to the General Counsel of the Department of the Navy, concluded that obligations incurred by the MSC under bare boat charter agreements similar to that involved in the instant case are authorized by the statutory scheme cited in the opinion and are valid and binding general obligations of the United States, enforceable in accordance with their terms and secured by the full faith and credit of the United States.

(2) As was the case with respect to the 1972 bare boat charters, the instant agreement to charter requires that the Comptroller of the MSC certify that sufficient unobligated funds are available in the Navy Industrial Fund to cover obligations under the agreement as well as requiring an opinion of the General Counsel of the Department of the Navy that these are valid and binding general obligations secured by the full faith and credit of the United States.

(c) *Ruling.* If the proposed Time Charter and Agreement to Charter are executed, and the opinion of the General Counsel of the Department of the Navy is rendered, it appears that the instant charter will be in accord with the 1972 opinion of the Attorney General. In that case, it would be our conclusion that the Military Sealift Command Bonds are obligations of the United States and are eligible for purchase, dealing in, underwriting, and unlimited holding by national banks under 12 U.S.C. 24 (Seventh) and by state member banks under 12 U.S.C 334. (Letter dated September 23, 1982.)

Dated: February 18, 1983.

C. T. Conover,

Comptroller of the Currency.

[FR Doc.83-5136 Filed 2-28-83; 8:45 am]

BILLING CODE 4810-33-M

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12 CFR Part 5

[Docket No. 83-8]

Rules, Policies and Procedures for Corporate Activities

AGENCY: Office of the Comptroller of the Currency, Treasury.

ACTION: Final rule.

SUMMARY: In order to incorporate provisions of the Garn-St Germain Depository Institutions Act of 1982 (Act) and as a part of the ongoing Corporate Activities Review and Evaluation (CARE) Program, the Office of the Comptroller of the Currency (Office) is amending its policy statements and procedures concerning proposed corporate titles and change of corporate titles. The Act has eliminated the requirement that the Office approve the proposed title of a new national bank and any change of a national bank's corporate title. However, a bank must still notify the Office of a change in title. This final rule sets forth the procedure by which an existing national bank can change its title. A technical change to § 5.20 concerning titles for new national banks is also made.

EFFECTIVE DATE: March 31, 1983.

FOR FURTHER INFORMATION CONTACT: Joseph W. Malott, Policy Analyst, Bank Organization and Structure (202) 447-1184, or Brenda Curry, Legal Advisory Services Division (202) 447-1880, Office of the Comptroller of the Currency, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20219. Information also may be obtained from the Regional Director of Corporate Activities in any OCC Regional Office.

SUPPLEMENTARY INFORMATION: Section 405 of the Act (Pub. L. 97-320) amended 12 U.S.C. 22 and 12 U.S.C. 30 by deleting the requirement that the Office approve the proposed corporate title of a new national bank and any change of a bank's corporate title. As a result, the Office will no longer review a proposed or new bank name for similarity to the names of other depository institutions. Titles of national banks must still include the word "National." Abbreviations such as "N.A." are not acceptable for an official title.

The Act deletes the requirement that the Office approve the title of a newly chartered national bank. Section 5.20(c)(4)(v) is modified to reflect that amendment. Organizers of a national bank still must include the proposed corporate title in the charter application to the Office, together with the other specific information listed in 12 U.S.C. 22.

The Act amends 12 U.S.C. 30 to provide that any existing national bank may change its title upon written notice to the Office. Section 5.42 is revised to require a national bank to submit written notice to the appropriate District Office prior to changing its title. The notice should contain the old and new titles and effective date of the title change. If a bank's articles of association contains its title, the articles of association must be amended to effect the title change and a certified copy of the amendment must be sent to the District Office for forwarding to the Washington Office. The copy of the amendment to the articles of association will suffice as written notice if it includes the old and new names and the effective date of the title change.

The Office will no longer review new titles to determine if they are sufficiently dissimilar from existing titles. A national bank that wants to protect its proprietary interest in its corporate title may wish to consult legal counsel to determine whether protection is available under state or Federal law. Further, banks may wish to seek legal counsel prior to a title change to determine whether a proposed title could be challenged.

Banks changing their corporate titles are no longer required to pay a fee, file an application, or publish the title change in a newspaper. Further, the Office will not issue a certificate for a change in title.

Adoption Without Notice and Comment

The Office has found that notice and public procedure concerning this rulemaking is unnecessary and contrary to the public interest. This rulemaking

adopts those statutory changes made by the Act and alleviates an expensive, time-consuming regulatory procedure. These results are beneficial and a delay in their implementation would be contrary to the public interest.

Regulatory Flexibility Act Analysis

Because the Office has found that notice and public procedure concerning this rulemaking are unnecessary and contrary to the public interest, the provisions of the Regulatory Flexibility Act are not applicable. The Act does not apply when an agency is not required to issue a notice of proposed rulemaking under 5 U.S.C. 553 or any other statute. The amendments ease the application of existing regulations. The effect of the amendments is beneficial rather than adverse, and small entities will share the benefits of the amendments equally with larger institutions.

Regulatory Impact Analysis

The Office has determined that the amendments do not constitute a major rule within the meaning of Executive Order 12291. The amendments ease burdens imposed by regulations. The amendments will not have an annual effect on the economy of $100 million or more, will not affect costs or prices for consumers, individual industries, government agencies or geographic regions, and will not have an adverse effect on competition, employment, investment, productivity, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

List of Subjects in 12 CFR Part 5

National banks, Administrative procedure and practice.

Authority and Issuance

Accordingly, 12 CFR Part 5 is amended as follows:

PART 5—[AMENDED]

1. The authority citation for PART 5—RULES, POLICIES, AND PROCEDURES FOR CORPORATE ACTIVITIES—reads as follows:

Authority: 12 U.S.C. 1 *et seq.*

2. Section 5.20 is amended by revising (c)(4)(v) to read as follows:

§ 5.20 Organization of a national bank.

* * * * *

(c) * * *

(4) * * *

(v) *Choice of corporate title.* The name of the proposed bank shall include the entire word "National."

* * * * *

3. Section 5.42 is revised to read as follows:

§ 5.42 Change of corporate title.

(a) *Authority.* 12 U.S.C. 21a and 30.

(b) *Rules of general applicability.* Sections 5.8, 5.9, 5.10 and 5.11 do not apply to this section.

(c) *Policy.* Any national banking association may change its title (name) upon written notice to the appropriate District Office provided the new title includes the entire word "National."

(d) *Procedure.* A bank that desires to change its title must submit written notice to the appropriate District Office prior to the title change. The notice shall include the old and new titles, the effective date of the change and, if required under paragraph (e) of this section, a certified copy of the amendment to the articles of association. The certified copy of the amendment will suffice as written notice if it includes all of the required notice information.

(e) *Amendment to the articles of association.* If a bank's title is in its articles of association, a change of title requires an amendment to the articles of association. 12 U.S.C. 21a requires that amendments to the articles of association be approved by the shareholders owning a majority of the voting stock.

(f) *Fees.* None.

(g) *Forms.* None.

Dated: February 3, 1983.

C. T. Conover,

Comptroller of the Currency.

[FR Doc. 83-5127 Filed 2-28-83; 8:45 am]

BILLING CODE 4810-33-M

FEDERAL HOME LOAN BANK BOARD

12 CFR Parts 544, 563, and 563b

[No. 83-91]

Amendments Relating to Charters of Federal Associations, Mutual Capital Certificates, and Conversion From Mutual to Stock Form

Dated: February 18, 1983.

AGENCY: Federal Home Loan Bank Board.

ACTION: Final rule.

SUMMARY: The Federal Home Loan Bank Board ("Board") is adopting amendments to its mutual-to-stock conversion regulations to lengthen the maximum period for establishment of the record date for the special meeting held to vote on the plan of conversion from 50 days to 60 days prior to the date of the meeting; to make certain technical amendments to its regulations on the use of summary proxy statements; and to permit preferred stock issued in exchange for mutual capital certificates in a conversion to have priority rights upon liquidation over the rights established for accountholders in the liquidation account. The Board also is adopting conforming amendments to its Federal mutual association charter regulations, and it is amending its mutual capital certificate regulations to permit the exchange of mutual capital certificates for preferred stock. The purpose of the amendments is to clarify the use of the summary proxy statement, and to permit converting institutions with outstanding mutual capital certificates more flexibility in structuring their conversions.

EFFECTIVE DATE: February 28, 1983.

FOR FURTHER INFORMATION CONTACT: Harry M. Zimmerman, Jr., Associate General Counsel and Director, Division of Securities and Corporate Analysis, Office of General Counsel, (202) 377-6459, or J. Larry Fleck, Deputy Director, (202) 377-6413, Federal Home Loan Bank Board, 1700 G Street, NW., Washington, D.C. 20552.

SUPPLEMENTARY INFORMATION: On February 10, 1983, the Board adopted amendments to its mutual-to-stock Conversion Regulations, 12 CFR Part 563b, which provided for the use by converting institutions of a summary proxy statement in connection with the special meeting of mutual association members held to vote on the plan of conversion. Board Resolution No. 83-74 (February 10, 1983); 48 FR 7432; February 22, 1983. The Board today is adopting additional amendments of a technical nature to § 563b.3(d)(14)(i) to clarify that the last date on which the summary proxy statement is mailed shall be deemed the date on which notice of the meeting is given for purposes of § 563b.6(c), provided that the special meeting shall be held not less than 20 days after the last date the supplemental information statement is mailed to requesting members. In addition, because the use of a summary proxy statement will extend the proxy solicitation period, the Board is amending § 563b.6(d) to lengthen the maximum period for establishment of the record date from 50 days prior to the meeting to 60 days, and adding new § 544.2(j) to its Federal Regulations and new § 563b.3(b) to its Conversion Regulations to confirm that the provisions of the Conversion Regulations supersede all inconsistent provisions of the charter and bylaws of a Federal association converting to

stock form. The Board also is amending Items 8(h)(4) and 17 of Form PS under Part 563b to provide that converting institutions are not required to attach a copy of the plan of conversion to the proxy statement or the supplemental information statement if they provide members with a postage-paid postcard or other written communication to request a copy of the plan of conversion within a specified period.

The Board's mutual capital certificate regulations provide in § 563.7–4(l)(2)(ix) that mutual capital certificates shall not be convertible into any account, security, or interest. The principal purpose of this provision is to prohibit the conversion of mutual capital certificates into common stock in a conversion. Upon further consideration, however, the Board is of the view that the conversion of mutual capital certificates into preferred stock of a converted institution having substantially the same rights, preferences, and benefits as the mutual capital certificates would not be detrimental to the conversion process. Therefore, the Board is amending § 563.7–4 to provide that mutual capital certificates may be exchanged for preferred stock in connection with a conversion. In addition, the Board is amending § 563b.3(f)(3) to provide that, upon the complete liquidation of the converted institution, and prior to the liquidation distribution to qualifying members from the liquidation account, a liquidation distribution may be made with respect to preferred stock issued in exchange for mutual capital certificates issued by the institution prior to the conversion. This would preserve the relative liquidation priorities established at the time the mutual capital certificates were issued.

Regulatory Flexibility Act Certification

Although the regulations promulgated herein have not been proposed for public notice and comment, pursuant to Section 3 of the Regulatory Flexibility Act, Pub. L. No. 96–354, 94 Stat. 1164 (September 19, 1980), the Chairman certifies that the amendments will not have a significant impact on a substantial number of small entities. The regulations clarify existing regulations designed to reduce paperwork and costs. Moreover, the amendments will permit a converting institution with outstanding mutual capital certificates more flexibility in its conversion.

Because it is in the public interest to as expeditiously as possible clarify existing regulations, and to permit the flexibility afforded by the ability to convert mutual capital certificates to preferred stock, the Board has determined that the offering of a notice and comment period pursuant to 12 CFR 508.11 and 5 U.S.C. 553(b) and the 30-day delay of effective date following publication of the regulations pursuant to 12 CFR 508.14 and 5 U.S.C. 553(d) is unnecessary.

List of Subjects in 12 CFR Parts 544, 563 and 563b

Savings and loan associations.

Accordingly, the Board hereby amends Part 544 of Subchapter C, and Parts 563 and 563b of Subchapter D, Chapter V of Title 12, Code of Federal Regulations, as set forth below.

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

PART 544—CHARTER AND BYLAWS

1. Add new paragraph (j) to § 544.2 as follows:

§ 544.2 Amendment of charters.

* * * * *

(j) The provisions of Part 563b of this Chapter shall supersede all inconsistent charter and bylaw provisions of Federally chartered associations converting to the stock form.

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

PART 563—MUTUAL CAPITAL CERTIFICATES

2. Revise paragraph (ix) of § 563.7–4(l)(2) as follows:

§ 563.7–4 Mutual capital certificates.

* * * * *

(l) *Requirements as to mutual capital certificates.* * * *

(2) *Legal requirements.* Mutual capital certificates issued pursuant to this section shall: * * *

(ix) Not be convertible into any account, security, or interest, except that mutual capital certificates may be surrendered in exchange for preferred stock issued in connection with the conversion of the issuing institution to the stock form pursuant to Part 563b of this Subchapter, provided that the preferred stock shall have substantially the same voting rights, designations, preferences and relative, participating optional, or other special rights, and qualifications, limitations, and restrictions, as the mutual capital certificates exchanged for the preferred stock.

* * * * *

PART 563b—CONVERSIONS FROM MUTUAL TO STOCK FORM

3. Amend § 563b.3 by: Revising paragraphs (d)(14)(i) (*a*), (*b*) and (*c*); revising the first two sentences of paragraph (f) (3); and adding new paragraph (k); as follows:

§ 563b.3 General principles for conversions.

* * * * *

(d) *Optional provisions in plan of conversion.* * * *

(14) *Summary proxy statement.* That: (i) The proxy statement required by § 563b.6(c) may be in summary form, *Provided:*

(*a*) A statement is made in bold-faced type on the notice to members required by § 563b.6(c) that a more detailed description of the proposed transaction may be obtained by returning an attached postage-paid post-card or other written communication requesting a supplemental information statement which, together with the summary proxy statement, complies with the requirements of Form PS.

(*b*) The last date on which the summary proxy statement is mailed to members will be deemed the date on which notice is given for purposes of § 563b.6(c). Without prior approval by the Board, the special meeting of members shall not be held less than twenty days after the last date on which the supplemental information statement is mailed to requesting members.

(*c*) The supplemental information statement required to be furnished to members pursuant to paragraph (d)(14)(i)(*a*) of this section may be combined with Form OC, if the subscription offering is commenced concurrently with or during the proxy solicitation period pursuant to paragraph (d)(1) of this section.

* * * * *

(f) *Liquidation account.* * * *

(3) In the event of a complete liquidation of the converted insured institution (and only in such event), each eligible account holder and supplemental eligible account holder shall be entitled to receive a liquidation distribution from the liquidation account in the amount of the then-current adjusted subaccount balances for savings accounts then held, before any liquidation distribution may be made with respect to capital stock, except with respect to preferred stock issued in exchange for the surrender at the time of the conversion of mutual capital certificates issued by the institution prior to conversion. Preferred stock issued in exchange for mutual capital certificates may receive distributions in liquidation prior to those with respect to the liquidation account to the same extent that the holders of the mutual capital certificates would have been

entitled to priority over the residual rights of depositors had the institution not been converted as of the date of liquidation. * * *

(k) *Priority of regulations.* The provisions of this Part shall supersede all inconsistent charter and bylaw provisions of Federally chartered associations converting to the stock form.

* * * * *

4. Revise paragraph (b) of § 563b.6 as follows:

§ 563b.6 Vote by members.

* * * * *

(b) *Determining members eligible to vote.* The record date for determining those members eligible to vote at the meeting called to consider a plan of conversion shall not be more than 60 nor less than 10 days prior to the date of such meeting, without prior approval of the Board, unless State law requires a different voting record date.

* * * * *

5. Revise Items 8(h) (14) and 17 of Form PS, following § 563b.9 and Form AC, as follows:

FORM PS

* * * * *

Item 8. Description of the Plan of Conversion.

* * * * *

(h) * * *

(4) state that the plan of conversion is attached as an exhibit to the proxy statement (or will be made available on request) and should be consulted for further information.

* * * * *

Item 17. Attachments.

There shall be attached to the proxy statement distributed to association members and others a copy of the applicant's plan of conversion as approved by the Corporation unless the following procedure is observed. The association may in the alternative set forth in the proxy statement that the plan of conversion will not be provided unless the recipient so requests by returning within a specified period a postage-paid postcard or other written communication.

* * * * *

(Sec. 409, 94 Stat. 160. Secs. 402, 403, 407, 48 Stat. 1256, 1257, 1260, as amended (12 U.S.C. 1726, 1730). Sec. 5A, 47 Stat. 727, as amended by sec. 1, 64 Stat. 256, as amended: sec. 17, 47 Stat. 736, as amended (12 U.S.C. 1464) as amended by Pub. L. 72-320; Reorg. Plan No. 3 of 1947, 12 FR 4891, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

J. J. Finn,

Secretary.

[FR Doc. 83-5152 Filed 2-28-83; 8:45 am]

BILLING CODE 6720-01-M

12 CFR Parts 552, 561, and 563

[No. 83-90-A]

Industry Conflicts of Interest; Limitations on Loans to One Borrower

Dated: February 18, 1983.

AGENCY: Federal Home Loan Bank Board.

ACTION: Final rule.

SUMMARY: The Federal Home Loan Bank Board ("Board") is adopting amendments to its regulations on industry conflicts of interest and limitations on loans to one borrower. This action changes regulations regarding: (1) When a partnership will be deemed an "affiliated person" of an insured institution; (2) when a loan to a partnership will be attributed to its limited partner, and vice-versa, for purposes of limitations on loans to one borrower; (3) the percentage of an institution's board of directors that may be salaried officers or employees or live outside the institution's normal lending territory; and (4) reporting requirements for insured institutions that are wholly owned by holding companies. It also withdraws a proposal regarding prohibited fees and kickbacks relating to services of an insured institution. These changes are intended to make the regulations more effective, to alleviate compliance burdens, and to update the regulations in view of the significant changes in the economy and in the powers and activities of insured institutions.

EFFECTIVE DATE: February 18, 1983.

FOR FURTHER INFORMATION CONTACT: Michael D. Schley, Attorney (202-377-6444), Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, NW., Washington, D.C. 20552.

SUPPLEMENTARY INFORMATION: On September 30, 1982, the Board proposed to revise substantially its regulations relating to conflicts of interest at institutions insured by the FSLIC (*see* 47 FR 44334, Oct. 7, 1982). The stated purposes of the proposed revision were to make the regulations more effective, to alleviate compliance burdens, and to update the regulations in view of the significant changes in the economy and in the powers and activites of insured institutions since the enactment of the regulations in 1976.

The proposed rules issued in September included both major revisions of regulations relating to transactions involving affliated persons and minor but significant changes to regulations defining the term "affiliated person," limiting loans to one borrower, prescribing the composition of an institution's board of directors, and prohibiting fees and kickbacks in certain circumstances. A total of 207 commenters responded to the proposal, representing insured institutions (166), law firms (20), thrift trade associations (11), and others (10). The response was mixed: many of the Board's specific proposals were supported almost unanimously, while other proposals generated strong opposition. In addition, many suggestions for further changes to the regulations were received.

After careful consideration of the comments received and the issues involved, the Board has decided to treat the subject matter of its proposal in two separate resolutions issued today. Issues on which there was little disagreement among commenters—i.e., what type of insider's interest in a partnership should render the partnership an "affiliated person" subject to conflict-of-interest regulations, a related issue regarding attribution of loans to partnerships for purposes of the limitations on loans to one borrower, the composition of an institution's board of directors, and the prohibition of fees and kickbacks relating to services rendered by an institution—are treated in this final rule. A separate resolution of this date and published elsewhere in this issue of the **Federal Register** sets forth revised proposals relating to issues that generated less agreement: the appropriate treatment of transactions of an institution involving its affiliated persons, and the elimination of Form AR reporting requirements.

Definition of "Affiliated Person": Limitations on Loans to One Borrower

In its action of September 30, the Board proposed to change its rules in § 561.29 (12 CFR 561.29) regarding when a partnership would be deemed an "affiliated person" subject to restrictions in the conflict-of-interest regulations. Currently, any partnership of which one of the partners is also a director, officer, or controlling person of an insured institution is considered an "affiliated person" of the institution. The Board proposed to change this rule so than an insider of an institution who is a limited partner with less than a ten-percent interest in the partnership's profits would not cause the partnership to be an affiliated person. The Board reasoned that this rule would be consistent with the rule that an insider's ownership of less than ten percent of a class of equity securities should not result in the insider being treated as an affiliate of the corporation, because limited partners, like stockholders, have

limited liability and are not involved in the firm's management. The ten-percent ownership interest would have been determined by looking to the partner's interest in partnership profits. A corresponding amendment to treat limited partnership interests like stockholders' interests was proposed for the definition of "one borrower" in § 563.9–3 (12 CFR 563.9–3), the regulation limiting loans to one borrower.

The comments received on these proposals were generally favorable. A few writers suggested that a five- or ten-percent interest rule be adopted with respect to general partners as well, since many general partners with minimal ownership interests assume no management role. However, the Board notes that many partnerships are controlled by general partners having an ownership interest of as little as one percent. Because general partners, by definition, have a right to engage in partnership management and are liable for partnership obligations, the Board believes that an exclusion of minimal general partner interests would be inconsistent with the policies underlying §§ 561.29 and 563.9–3.

It has come to the Board's attention that an equity interest in a partnership may be measured by more than an interest in profits; ownership rights also include, for example, the enjoyment of tax benefits. The final regulations thus refer simply to a ten-percent ownership interest, determined on the basis of the value of a limited partner's contribution. The term "contribution" is used in the same sense as it is defined in section 101 of the Uniform Limited Partnership Act (1976).

Some commenters suggested that the attribution of loans to an from partnerships and other firms for purposes of loans-to-one-borrower limitations should follow the approach set forth in proposed regulations of the Comptroller of the Currency (*see* 47 FR 56862, Dec. 21, 1982), which look to "direct benefit" and the existence of a "common enterprise." The board has historically preferred a more objective approach to loan attribution, believing that specific criteria cause less administrative burden than a case-by-case analysis; however, the Board will consider the desirability of a different approach in connection with future revisions to § 563.9–3.

The Board also takes this opportunity to clarify a provision in § 563.9–3. The existing regulation excludes from the definition of "total balances of all outstanding loans" any "loan on the security of * * * real estate the title to which has been conveyed to a bona fide purchaser of such real estate." Since its adoption in 1970, this exclusion has been read to apply to assumed loans, but the lack of reference to assumption has caused some confusion. The final rule makes a technical amendment to clarify the language.

Composition of an Insured Institution's Board of Directors

Section 563.33(a) of the Board's regulations (12 CFR 563.33(a)) establishes guidelines regarding the composition of an insured institution's board of directors, one of which is that at least two-thirds of the board should not be salaried offiers or employees of the institution, its subsidiary, or a holding company affilitate. Failure to comply with this guideline triggers Form AR reporting requirements under § 563.45 (12 CFR 563.45). In September the Board proposed to relax this requirement so that only a majority of the board could not be officers or employees. A primary motivation for this proposal was that this rule has imposed a hardship on institutions surviving mergers, which have many legitimate reasons for offering directorships and employment to managers of acquired institutions. In such cases, the two-thirds rule has in effect required the addition of two outside directors for every directorship offered to a manager, resulting in unduly large boards.

Commenters generally favored the proposed rule. One additional suggestion was that the new rule apply only to institutions with a recent merger history; however, it would not be easy to develop an equitable rule based on merger history, and the Board believes the proposed majority rule will provide an adequate safeguard against insider control of boards of directors. Accordingly, the Board is adopting the amendment as proposed.

During the comment period it came to the Board's attention that one aspect of the guideline for insider composition of a board of directors imposes a hardship on institutions wholly owned by holding companies. It is common for a holding company to place its officers on the board of directors of its wholly-owned insured institution. As sole owner of the stock of the institution, it can elect to the board any persons that will implement the policies of the holding company; the fact that such directors may be officers of the holding company thus does not indicate undue insider influence on the board. However, § 563.33(a)(2) has for years treated officers of a holding company affiliate as insiders who should not exceed, together with officers of the institution and its subsidiaries, one-third of the board's makeup. This requirement has caused many institutions wholly owned by holding companies to go through the ritual of preparing Form AR annually and sending it to their one stockholder, the holding company. The Board is now amending § 563.33(a)(2) to prevent this result. A corresponding technical amendment to § 552.10 (annual reports to stockholders) (12 CFR 552.10) will relieve wholly owned institutions from the unnecessary requirement of mailing annual reports to their holding companies.

The Board is also deleting a guideline for board composition that has become obsolete in light of changes in the laws governing insured institutions. Section 563.33(a)(1) currently suggests that a majority of the directors of an insured institution should live or work in the normal lending territory of the institution. This guideline became insignificant when, in 1980, the definition of "normal lending territory" was broadened beyond the concept of a local community. The guideline is inconsistent with Title III of the Garn-St Germain Depository Institutions Act of 1982, which eliminated the "local" character of the operations of federally chartered thrift institutions. Public comment on this change is unnecessary because the provision has become meaningless, and would be contrary to the public policy favoring prompt implementation of new powers for federally chartered institutions; therefore, the Board is adopting this amendment in a final action at this time.

Procurement Fees, Kickbacks, and Unearned Fees

Section 563.40 of the Board's regulations (12 CFR 563.40) currently prohibits the receipt by an affiliated person of procurement fees in connection with a *loan* from an insured institution or its subsidiary, and restates the prohibitions in subsections 8 (a) and (b) of the Real Estate Settlement Procedures Act of 1974 ("RESPA") (12 U.S.C. 2607 (a), (b)) regarding referral fees and unearned fees to affiliated persons for any *real property loan* made by an insured institution or its subsidiary. In the interest of updating its conflict-of-interest regulations to reflect the broader range of activities now enjoyed by the industry, the Board proposed in its September action to extend these provisions to *all services* offered by insured institutions. The Board now notes, however, that section 8 of RESPA has recently been the subject of study within the legislative and executive branches. Consequently, the Board will refrain from action on the

proposed amendment until further notice.

Effective Date

Because the changes implemented by this final rule all relieve existing restrictions, the Board has determined that the 30-day delay of effective date following publication of the regulations pursuant to 12 U.S.C. 553(d) and 12 CFR 508.11 is unnecessary.

Regulatory Flexibility Analysis

Pursuant to section 3 of the Regulatory Flexibility Act (5 U.S.C. Ch. 6), the Board is providing the following regulatory flexibility analysis:

1. *Reasons, objective, and legal basis underlying the rule.* These elements have been incorporated elsewhere into the supplementary information regarding the proposal.

2. *Small entities to which the rule will apply.* The rule will apply only to insured institutions.

3. *Impact of the rule on small institutions.* The rule will not have a disproportionate effect on small institutions. Deregulatory aspects of the rule will ease the compliance burden of small institutions. The provisions are designed not to interfere with legitimate business opportunities; thus, it is expected that the rule will have no significant economic impact on a substantial number of small entities.

4. *Overlapping or conflicting federal rules.* These are no known federal rules that may duplicate, overlap, or conflict with the rule.

5. *Alternatives to the rule.* Because each of the changes effected by this rule is deregulatory in nature, there are no tiering alternatives that would have a lesser impact on small institutions.

List of Subjects in 12 CFR Parts 552, 561, and 563

Savings and loan associations.

Accordingly, the Board hereby amends Part 552, Subchapter C, and Parts 561 and 563, Subchapter D, Chapter V of Title 12, *Code of Federal Regulations*, as set forth below.

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

PART 552—[AMENDED]

§ 552.10 [Amended]

1. Amend the first sentence of § 552.10 by inserting after "A Charter S association" the words "not wholly owned by a holding company".

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

PART 561—DEFINITIONS

2. Revise paragraph (d) of § 561.29 as follows:

§ 561.29 Affiliated person.

* * * * *

(d) Any corporation or organization (other than the insured institution or a corporation or organization through which the insured institution operates) of which a director, officer or controlling person of such institution:

(1) Is an officer;

(2) Is a general partner;

(3) Is a limited partner who, directly or indirectly either alone or with his spouse and the members of his immediate family who are also affiliated persons of the institution, owns an interest of 10 percent or more in the partnership (based on the value of his contribution) or who, directly or indirectly with other directors, officers, and controlling persons of such institution and their spouses and their immediate family members who are also affiliated persons of the institution, owns an interest of 25 percent or more in the partnership; or

(4) Directly or indirectly either alone or with his spouse and the members of his immediate family who are also affiliated persons of the institution, owns or controls 10 percent or more of any class of equity securities or owns or controls, with other directors, officers, and controlling persons of such institution and their spouses and their immediate family members who are also affiliated persons of the institution, 25 percent or more of any class of equity securities; and

* * * * *

PART 563—OPERATIONS

3. Revise paragraphs (a) and (b) of § 563.9–3 as follows:

§ 563.9–3 Loans to one borrower.

(a) *Limitations.* No insured institution shall have outstanding any loan to one borrower if the sum of (1) The amount of the loan and (2) the total balances of all outstanding loans owed to the institution and its service corporation affiliates by the borrower exceed an amount equal to 10 percent of the institution's withdrawable accounts or an amount equal to the institution's net worth, whichever amount is less: *Provided*, that, notwithstanding any other limitation of this sentence, the loan may be made if it is secured by a lien on low-rent housing, or if the sum of the amounts described in paragraphs (a)(1) and (2) of this section (a) does not exceed $200,000 and, beginning on January 1, 1982, and annually thereafter, such amount adjusted by the dollar amount that reflects the percentage increase, if any, in the Consumer Price Index during the previous 12 months as shown in the November-to-November index.

(b) *Rules of interpretation.* (1) For purposes of applying the limitations set forth in paragraph (a) of this section, any loan to a person or entity that is, or that upon the making of the loan will become, and obligor on the loan will be attributed also to:

(i) Nominees of such obligor;

(ii) All persons, trusts, syndicates, partnerships, and corporations of which such obligor is a nominee, a beneficiary, a member, a general partner, a limited partner owning an interest of 10 percent or more (based on the value of his contribution), or a record or beneficial stockholder owning 10 percent or more of the capital stock; and

(iii) If such obligor is a trust, syndicate, partnership, or corporation, all trusts, syndicates, partnerships, and corporations of which any beneficiary, member, general partner, limited partner owning an interest of 10 percent or more, or record or beneficial stockholder owning 10 percent or more of the capital stock, is also a beneficiary, member, general partner, limited partner owning an interest of 10 percent or more, or record or beneficial stockholder owning 10 percent or more of the capital stock of such obligor.

(2) For the purposes of this section the term "total balances of all outstanding loans" means the original amounts loaned by an insured institution plus any additional advances and interest due and unpaid, less repayments and participating interests sold and exclusive of any loan on the security of such institution's savings accounts or real estate the title to which has been conveyed to a bona fide purchaser who assumes the loan.

* * * * *

4. Remove paragraph (a)(1) of § 563.33, redesignate paragraphs (a)(2) through (a)(4) thereof as (a)(1) through (a)(3), respectively, and revise new paragraph (a)(1), as follows:

§ 563.33 Directors, officers, and employees.

(a) *Directors.* * * *

(1) Fewer than one-half of the directors of an insured institution should be salaried officers or employees of such institution or of any subsidiary or (except in the case of an institution

wholly owned by a holding company) any holding company affiliate thereof.

* * * * *

(12 U.S.C. 1464, 1725, 1726, 1730; Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943–48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

John M. Buckley, Jr.,

Acting Secretary.

[FR Doc. 83-4961 Filed 2-28-83; 8:45 am]

BILLING CODE 6720-01-M

CIVIL AERONAUTICS BOARD

14 CFR Part 389

Waiver of Filing-Fee Requirements

AGENCY: Civil Aeronautics Board.

ACTION: Waiver of filing-fee requirements under 14 CFR Part 389.

SUMMARY: Following requests on behalf of certain foreign carriers, the Board's Managing Director, acting under delegated authority, has waived the requirements of Part 389 of the Board's Organization Regulations to the extent necessary to relieve the carriers of The United Kingdom (by letter dated February 9, 1983), Brazil (by letter dated February 15, 1983), Finland (by letter dated February 15, 1983), and Japan (by letter dated February 15, 1983), from paying the filing fees set forth in § 389.25. Each action was effective immediately on the date of the letter and the filing of a petition for review will not alter its effectiveness.

FOR FURTHER INFORMATION CONTACT: Allen Brown, Regulatory Affairs Division, Bureau of International Aviation, Civil Aeronautics Board; (202) 673–5878.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 83-5172 Filed 2-28-83; 8:45 am]

BILLING CODE 6320-01-M

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 1

Record of Securities and Property Received From Customers and Option Customers

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rule.

SUMMARY: The Commodity Futures Trading Commission ("Commission") is amending rule § 1.36(a) which, among other things, requires a clearing organization which accepts customer securities and/or property from a futures commission merchant ("FCM") to furnish that FCM with an acknowledgement that the clearing organization has been notified that such securities and/or property belong to a particular customer. Under the amendment, the only acknowledgement required of a clearing organization with respect to customer-owned non-cash property deposited with it as margin by a futures commission merchant ("FCM") will be that such property belongs to the customers of such FCM rather than to any particular customer. An acknowledgement that a particular customer owns non-cash margin is no longer necessary because the Bankruptcy Reform Act of 1978, which governs commodity broker bankruptcies, requires non-cash property which is specifically identifiable to customers to be distributed pro rata. Under prior bankruptcy law, a customer could reclaim such property in full. This amendment is being adopted coincident with the adoption by the Commission of its new Part 190 regulations (Part IV of this issue) implementing the provisions of the Bankruptcy Reform Act of 1978 pertaining to the liquidation of commodity brokers. The Commission's narrow definition of specifically identifiable property in those regulations further obviates the need for an acknowledgement as to the particular owner of customer non-cash margin because virtually no property which would by acceptable margin for a clearing organization would be specifically identifiable property under the Commission's definition.

EFFECTIVE DATE: March 31, 1983.

FOR FURTHER INFORMATION CONTACT: Suzanne W. Ryder, Esq., Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street, N.W., Washington, D.C. 20581. Telephone (202) 254–8955.

SUPPLEMENTARY INFORMATION:

I. Analysis of Comments.

On October 15, 1982, the Commission published a proposed amendment to rule 1.36(a) (47 FR 46110), as described above.[1] In response to the proposal, the Commission received two written comments: one from a clearing organization and one from an FCM. Both commentators unequivocally endorsed the Commission's proposed revision. In discussing the need for this amendment, both commentators specifically concurred with the Commission's analysis in the proposal that an acknowledgement by a clearing organization as to the particular owner of non-cash margin was now an anomalous requirement given the clear mandate of the Bankruptcy Reform Act of 1978[2] that all property of commodity customers be subjected to a proportional distribution in bankruptcy, including specifically identifiable property.[3] They both concluded, therefore, that the proposed amendment should be adopted to conform the Commission's rules to the new bankruptcy law as well as to relieve clearing organizations of a recordkeeping obligation rendered obsolete thereby.

The FCM which commented also urged the speedy adoption of the proposed amendment for another reason. It claimed that several clearing organizations currently refuse to accept customer-owned non-cash property as margin[4] because of concern that Section 4d(2) of the Commodity Exchange Act, as amended ("Act", and Commission regulation § 1.22 thereunder,[5] together with the acknowledgement provision of § 1.36(a), might operate to prevent clearing organizations from treating an FCM's customer account as a single account if it contained such property. Consequently, this commentator explained, those FCMs which accept customer non-cash margin use their own capital or borrow money to cover such customers' margin obligations to the clearing organization. The Commission agrees that the adoption of this amendment to § 1.36(a) would facilitate clearing organization acceptance of customer non-cash property as original margin in a single FCM customer account, thereby reducing the cost of business for some FCMs.

II. Final Rule.

Given the unanimous support for the proposed amendment to § 1.36(a) and for the reasons more fully articulated in its proposal, the Commission has determined to amend rule § 1.36(a) as proposed. The Commission also wishes

[1] *See* 17 CFR 1.36(a) (1982) for the text of the rule prior to today's amendment.

[2] Pub. L. No. 95-598, 92 Stat. 2549 (1978) (11 U.S.C. 101 *et seq.* (Supp. V 1981)), *as amended by* the Bankruptcy Act Amendments, Pub. L. No. 97-222, 96 Stat. 235 (1982).

[3] Section 766(h) of the Bankruptcy Code, 11 U.S.C. 766(h) (Supp. V 1981), *as amended by* the Bankruptcy Act Amendments, section 19(d), *id.* The Bankruptcy Code was adopted as part of the Bankruptcy Reform Act of 1978.

[4] The Commission understands that customers who would deposit non-cash property as margin would most frequently use Treasury bills. Such customers would then receive the interest accrued thereon.

[5] 7 U.S.C. 6d(2) (Supp. V 1981) and 17 CFR 1.22 (1982). Among other things, these provisions preclude the use of one customer's funds to purchase, margin, or settle the trades, contracts, or commodity options of, or to secure or extend the credit of, any person other than such customer.

to emphasize, as noted in its proposal, that the revision to § 1.36(a) does not change that portion of the rule which requires an FCM, in contrast to a clearing organization, to record the identity of any customer who owns securities and/or property accepted by that FCM to margin or secure the customer's commodity transaction. Such information remains necessary if an FCM is to be able to separately account for customer property and to comply with the Commission's segregation requirements.[6]

III. Regulatory Flexibility Act.

In the proposal, the Chairman of the Commission certified, pursuant to the Regulatory Flexibility Act, that if the proposed amendment to § 1.36 were adopted, it would not have a significant economic impact on a substantial number of small entities. However, the Commission specifically invited comment from any small firm which believed that this rule, as proposed to be amended, would have such an impact.[7] No comments on the certification were received. Accordingly, and for 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 § 1.36(a), as amended, will not have a significant economic impact on a substantial number of small entities.

IV. Paperwork Reduction Act.

As also noted in the proposal,[8] Commission regulation 1.36(a) was previously issued a control number, 3038-0024, pursuant to the Paperwork Reduction Act of 1980, Pub. L. No. 96-511, 94 Stat. 2812 (44 U.S.C. 3501 *et seq.*). As stated then, rather than increasing a paperwork burden, this amendment would reduce an existing recordkeeping obligation. A copy of the proposal has been provided to the Office of Management and Budget. (*See* 44 U.S.C. 3504(h)(2) and (4) (Supp. V 1981)).

List of Subjects in 17 CFR Part 1

Clearing organization, Recordkeeping, Segregation of customer funds.

[6] *See* Commission regulations §§ 1.20-1.30, 17 CFR 1.20-1.30 (1982), and the Commission's Segregation Interpretations issued thereunder; *see also* 47 FR 46110, 46111 (October 15, 1982).

[7] 47 FR at 46112, *id.*

[8] *Id.*

PART 1—GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

In consideration of the foregoing and pursuant to the authority contained in the Commodity Exchange Act, as amended, and in particular, Sections 4d, 5a, 8a and 20 thereof, 7 U.S.C. 6d, 7a, 12a and 24, *as amended by* Futures Trading Act of 1982, Pub. L. No. 97-444, 96 Stat. 2294 (1983), the Commission hereby revises Chapter 1 of Title 17 of the Code of Federal Regulations by amending § 1.36(a) as indicated below. In adopting this amendment, the Commission has taken into consideration the public interest to be protected by the antitrust laws and has endeavored to take the least anticompetitive means of achieving the regulatory objectives of the Commodity Exchange Act.

Section 1.36 is amended by revising paragraph (a) as follows:

§ 1.36 Record of securities and property received from customers and option customers.

(a) Each futures commission merchant shall maintain, as provided in § 1.31, a record of all securities and property received from customers or option customers in lieu of money to margin, purchase, guarantee, or secure the commodity or commodity option transactions of such customers or option customers. Such record shall show separately for each customer or option customer: a description of the securities or property received; the name and address of such customer or option customer; the dates when the securities or property were received; the identity of the depositories or other places where such securities or property are segregated; the dates of deposits and withdrawals from such depositories; and the dates of return of such securities or property to such customer or option customer, or other disposition thereof, together with the facts and circumstances of such other disposition. In the event any futures commission merchant deposits with the clearing organization of a contract market, directly or with a bank or trust company acting as custodian for such clearing organization, securities and/or property which belong to a particular customer or option customer, such futures commission merchant shall obtain written acknowledgment from such clearing organization that it was informed that such securities or property belong to customers or option customers of the futures commission merchant making the deposit. Such acknowledgment shall be retained as provided in § 1.31.

* * * * *

Issued in Washington, D.C. on February 18, 1983, by the Commission.

Jane K. Stuckey,

Secretary.

[FR Doc. 83-4693 Filed 2-28-83; 8:45 am]

BILLING CODE 6351-01-M

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17 CFR Part 1

Staff Interpretation Regarding What Is Necessary for Certain Applicants for Registration as a Futures Commission Merchant To Demonstrate Affirmatively Their Compliance With the Minimum Financial Requirements

AGENCY: Commodity Futures Trading Commission.

ACTION: Statement of staff interpretative position.

SUMMARY: The Commodity Futures Trading Commission ("Commission") is publishing the position of its Division of Trading and Markets ("Division") as to what will constitute an affirmative demonstration of compliance with the minimum financial requirement by an applicant for registration as a futures commission merchant ("FCM") when such applicant is not a member of a designated self-regulatory organization ("DSRO") but has applied for, and is qualified for, membership in the National Futures Association ("NFA"). If the NFA, a registered futures association and a DSRO, submits written notification to the Division stating that the applicant for registration as an FCM *has been cleared for NFA membership* and *will become an FCM member of NFA upon notification by the Division to NFA* that such applicant has been granted registration as an FCM by the Commission, such an applicant will only need to meet the minimum dollar requirement of adjusted net capital for DSRO members (which is $50,000) rather than the higher minimum dollar requirement of non-DSRO members (which is $100,000) in order to be granted registration.

FOR FURTHER INFORMATION CONTACT: Delacy Cox, Assistant Chief Accountant, or Lawrence B. Patent, Special Counsel, Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C. 20581. Telephone: (202) 254-8955.

SUPPLEMENTARY INFORMATION: The minimum dollar requirement for adjusted net capital for FCMs is set forth in § 1.17(a)(1)(i) of the

Commission's regulations, which reads as follows:

(a)(1) Except as provided in paragraph (a)(2) of this section, each person registered as a futures commission merchant must maintain adjusted net capital equal to or in excess of the greatest of:

(i) $50,000 ($100,000 for each person registered as a futures commission merchant who is not a member of a designated self-regulatory organization), or [1]

Paragraph (a)(3) of § 1.17 provides that:

No person applying for registration as a futures commission merchant shall be so registered unless such person affirmatively demonstrates to the satisfaction of the Commission that it complies with the financial requirements of this § 1.17. Each registrant must be in compliance with this § 1.17 at all times and must be able to demonstrate such compliance to the satisfaction of the Commission and/or the designated self-regulatory organization.

The Commission has delegated to the Director of the Division of Trading and Markets and to such members of the Commission's staff acting under his direction as he may designate from time to time the function of making the determination as to whether an applicant for registration as an FCM has demonstrated affirmatively that it complies with the minimum financial requirement. *See* Regulation § 140.91(a)(4).

The Division staff has encountered a problem in making that determination in cases where the applicant for registration as an FCM is not a member of any commodity exchange but has applied for membership in the National Futures Association ("NFA"). NFA is an industry-established self-regulatory organization which has been granted registration as a futures association under Section 17 of the Commodity Exchange Act, as amended [2] ("Act"), and it qualifies as a DSRO under Commission regulations.[3] Since NFA became operational on October 1, 1982, many firms have applied for NFA membership concurrent with or prior to submitting applications to the Commission for registration as an FCM. If those firms were members of NFA when they submitted their FCM applications to the Commission, or if they became members of NFA while their FCM applications were pending with the Commission, such firms would have a minimum adjusted net capital requirement of $50,000.[4] However, NFA has a policy not to approve an FCM membership application until the applicant has been granted registration by the Commission as an FCM. As a result, an FCM applicant which has an application for membership pending with NFA and is not a member of any commodity exchange, and which has adjusted net capital of at least $50,000 but less than $100,000, is technically unable to comply with the requirement of § 1.17(a)(1) cited above. The Division could, therefore, determine that such an FCM applicant does not demonstrate affirmatively that it complies with the Commission's minimum financial requirement for FCMs and therefore refuse to grant registration.[5] This dilemma has been discussed with staff members of the NFA and they have informed the Division that NFA has agreed to issue a written notification to the Division stating, if such is the case, that a particular firm has been cleared to become an FCM member of NFA immediately upon notification by the Division that the firm has been granted registration as an FCM.

If the NFA provides the written notification described above, the Division has determined that a $50,000 adjusted net capital standard for granting registration as an FCM would not be contrary to the public interest and that a significant reduction in paperwork and conservation of resources may be realized. The Division sees no regulatory benefit in requiring a firm to have $100,000 in adjusted net capital in order to be granted registration as an FCM when the firm's capital requirement will be cut in half, to $50,000, as soon as registration is granted. For an applicant with adjusted net capital between $50,000 and $100,000, substantial correspondence between the Division and the applicant can be eliminated. Also, the inefficiency of requiring a higher amount of capital until registration is granted, only to have such capital withdrawn upon registration, can be eliminated.

In addition, for those applicants with adjusted net capital between $75,000 and $150,000, the requirements of the financial early warning system can be avoided. The financial early warning system, § 1.12 of the regulations,[6] contains as one element thereof (paragraph (b)) a requirement that if an FCM or applicant therefor fails to maintain adjusted net capital equal to 150 percent of the dollar amount required by § 1.17(a)(1)(i) (*i.e.*, $75,000 for DSRO members and $150,000 for non-members), the firm must file a written notice to that effect with the Commission and the DSRO within five business days and must file a form 1-FR each month until three successive months have elapsed during which the firm's adjusted net capital is at all times equal to or in excess of the early warning level. This monthly filing requirement (as opposed to the normal schedule of either quarterly or semiannual filing of financial reports for DSRO members) would be an unnecessary burden on the firm and it could divert regulatory resources to firms which do not necessarily require

[1] 17 CFR 1.17(a)(1)(i) (1982), *as amended*, 47 FR 22352, 22354 (May 24, 1982) and 47 FR 41513, 41516–17 (September 21, 1982). Unless otherwise indicated, all citations to Commission regulations may be found in Title 17 of the Code of Federal Regulations according to the number of the regulation.

The other elements of the minimum adjusted net capital requirement are as follows:

(ii) 4 percent of the following amount: the customer funds required to be segregated pursuant to the Act and these regulations less the market value of commodity options purchased by option customers on or subject to the rules of a contract market, provided, however, the deduction for each option customer shall be limited to the amount of customer funds in such option customer's account, or

(iii) For securities brokers and dealers, the amount of net capital required by Rule 15c3–1(a) of the regulations of the Securities and Exchange Commission (17 CFR 240.15c3–1(a)).

The remainder of the discussion will be based on the minimum dollar amount set forth in § 1.17(a)(1)(i), since the problem discussed herein concerns firms with adjusted net capital between $50,000 and $150,000. The capital requirement contained in § 1.17(a)(1)(ii), based on the amount of required segregated funds, only becomes relevant once a firm is granted registration as an FCM and can then accept funds from customers. Section 1.17(a)(1)(iii) would be relevant if the firm in question is also a securities broker-dealer, but to simplify the discussion we are assuming that the applicant is not a securities broker-dealer. Also, virtually all securities broker-dealers applying for FCM registration have adjusted net capital well in excess of $150,000. However, if any broker-dealer applying for FCM registration met the minimum financial requirement for its securities business with adjusted net capital of less than $50,000, such a firm would be required to have at least $50,000 to be granted registration as an FCM, and this interpretation would apply to such a firm.

[2] 7 U.S.C. 21 (1976 & Supp. V 1981), *as amended by* Futures Trading Act of 1982, Pub. L. No. 97–444, Section 233, 96 Stat. 2294 *et seq.* (1983). NFA is the only futures association registered under Section 17 of the Act.

[3] *See* 17 CFR 1.3 (ee) and (ff) (1982).

[4] The minimum financial requirement for FCM members of NFA, and for FCM members of all commodity exchanges, is $50,000 of adjusted net capital. Firms which are members of DSROs may comply with the Commission's minimum financial and related reporting requirements by complying with such requirements of their DSRO provided the DSRO's rules have been approved by the Commission. *See* § 1.17(a)(2) of the Commission's regulations. One of the reasons that a lower dollar amount of capital is required for FCM members of a commodity exchange or NFA is because of the financial surveillance provided by such self-regulatory organizations.

[5] The Commission has also delegated overall authority to the Division to grant registration. *See* § 140.92 of the regulations.

[6] 17 CFR 1.12 (1982), *as amended*, 47 FR 22352, 22354 (May 24, 1982) and 47 FR 41513, 41516 (September 21, 1982).

enhanced surveillance from those firms which may require closer scrutiny.

The Division also wishes to emphasize that it views the role of the NFA, especially with respect to the financial surveillance of FCMs which are not members of any commodity exchange, as a necessary supplement to the Division's own regulatory efforts and oversight function. The Division believes that it is important to work closely with NFA in order to reach common goals, such as in the area of financial surveillance. The Division further believes that the written notification from NFA described above will allow NFA to continue its present membership approval policy and also allow the Division to determine that an FCM applicant has demonstrated affirmatively its compliance with minimum financial requirements when such an FCM applicant is not a member of a commodity exchange but has at least $50,000 of adjusted net capital and will become an NFA member immediately upon the granting of registration by the Commission.

Accordingly, the Division has determined that, in the case of an applicant for registration as an FCM which is not a member of a commodity exchange but which has an application for membership pending with NFA, such applicant will be deemed to have demonstrated affirmatively its compliance with the minimum financial requirement for FCMs under the following conditions:

1. The applicant has minimum adjusted net capital of at least $50,000, and

2. NFA submits a written notification to the Division stating that the FCM applicant has been cleared for NFA membership and will become an FCM member of NFA concurrently with notification by the Division that such FCM applicant has been granted registration by the Division as an FCM.

Of course, the Division will not grant registration to any FCM applicant until all other Commission requirements for FCM registration are satisfied.

By the Division of Trading and Markets.

Dated: February 23, 1983.

Andrea M. Corcoran,

Director, Division of Trading and Markets.

[FR Doc. 83-5150 Filed 2-28-83; 8:45 am]

BILLING CODE 6351-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 271

[Docket No. RM79-76-139 (New Mexico-18); Order No. 283]

High-Cost Gas Produced From Tight Formations; New Mexico

Issued: February 22, 1983.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

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

EFFECTIVE DATE: This rule is effective February 22, 1983.

FOR FURTHER INFORMATION CONTACT: Jane Oliver, (202) 357-8316 or Victor Zabel, (202) 357-8616.

SUPPLEMENTARY INFORMATION:

The Commission hereby amends § 271.703(d) of its regulations to include a portion of the Basin-Dakota Formation located in San Juan County, New Mexico, as a designated tight formation eligible for incentive pricing under § 271.703. The amendment was proposed in a Notice of Proposed Rulemaking by the Director, Office of Pipeline and Producer Regulation, issued September 22, 1982 (47 FR 42583, September 28, 1982),[1] based on a recommendation by the State of New Mexico Energy and Minerals Department, Oil Conservation Division (New Mexico) in accordance with § 271.703, that certain areas of the Basin-Dakota Formation be designated as a tight formation.

The recommended area is subject to New Mexico Order No. R-1670-V which authorizes infill drilling in the Basin-Dakota gas pool.[2] Section 271.703(c)(2)(i)(D) of the Commission's regulations requires an exclusion from the designation of tight formations where:

> the formation or any portion thereof was authorized to be developed by infill drilling prior to the date of recommendation and the jurisdictional agency [New Mexico] has information which in its judgment indicates that such information or portion subject to infill drilling can be developed absent the incentive price established * * *.

Infill drilling is defined in § 271.703(b)(6) as any drilling in a substantially developed formation (or a portion thereof) subject to well spacing or proration unit requirements which were amended by the jurisdictional agency after the formation (or portion thereof) was substantially developed, and which were adopted for the purpose of more effective and efficient drainage of the reservoirs in such formation. Thus, if the formation was substantially developed at the time that New Mexico Order No. R-1670-V was issued on May 22, 1979, and if information exists which indicates that the area can be developed absent the incentive price, then the entire recommended area or portions thereof should be excluded from the tight formation designation.

There were 952 available drilling units in the recommended area at the time the infill order was issued on May 22, 1979. Only 45 of the 952 units were developed at that time; that is, only 4.8 percent of the recommended formation was developed according to the 320-acre proration units in existence prior to the infill order. The Commission finds that this does not constitute "substantial development" as it appears in the definition of infill drilling in § 271.703(b)(6). Accordingly, no areas need be excluded from New Mexico's recommendation under § 271.703(c)(2)(i)(D).

Evidence submitted by New Mexico supports the assertion that portions of the Basin-Dakota Formation meet the guidelines contained in § 271.703(c)(2).[3]

[1] The notice established a 45-day period for submission of written comments. One comment in support of the recommendation was received. The United States Department of Interior, Minerals Management Service (formerly the U.S. Geological Survey), concurs with New Mexico's recommendation.

[2] Order No. R-1670-V permitted the drilling of an additional well in each 320-acre unit in the Basin-Dakota pool. Prior to this order only one gas well could produce from every 320-acre unit.

[3] In its recommendation, New Mexico excluded three areas within the geological borders of the

The Commission adopts the New Mexico recommendation.

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

List of Subjects in 18 CFR Part 271

Natural gas, Incentive price, Tight formations.

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

In consideration of the foregoing, Part 271 of Subchapter H, Chapter I, *Code of Federal Regulations*, is amended as set forth below, effective February 22, 1983.

By the Commission.

Kenneth F. Plumb,

Secretary.

PART 271—[AMENDED]

Section 271.703 is amended by adding paragraph (d)(120) to read as follows:

§ 271.703 Tight formations.

* * * * *

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

(120) *Basin-Dakota Formation in New Mexico.* RM79–76–139 (New Mexico—18). (i) *Delineation of formation.* The Basin-Dakota Formation is located in San Juan County, New Mexico, in Township 32 North, Range 7 West, Sections 7, 8, 9, 16 through 21, and 25 through 36; Township 32 North, Range 8 West, Sections 7 through 36; Township 32 North, Range 9 West, Sections 7 through 36, Township 31 North, Range 8 West, Sections 1 through 31, and 33 through 36; Township 31 North, Range 9 West, Sections 1 through 26, and 29 through 36; Township 30 North, Range 8 West, Sections 1, 2, 6 through 34, and 36; Township 30 North, Range 9 West, Sections 1 through 30, 35 and 36; Township 30 North, Range 10 West, Sections 1 through 18 and 24; Township 29 North, Range 8 West, Sections 1 through 6; Township 29 North, Range 9 West, Sections 1 and 2, NMPM.

(ii) *Depth.* The Basin-Dakota Formation is defined as that interval including the Graneros, Dakota, and Morrison Formations, and is found below a depth of 7,251 feet as indicated on the Induction-Electrical and Gamma Ray log from the El Paso Natural Gas Gartner No. 9 Well. The average depth to the top of the Basin-Dakota Formation is 7,575 feet. Gross thickness of the Basin-Dakota Formation ranges from 250 to 300 feet.

[FR Doc. 83–5078 Filed 2–28–83; 8:45 am]

BILLING CODE 6717-01-M

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18 CFR Part 271

[Docket No. RM79–76–074; Utah-3; Order No. 284]

High-Cost Gas Produced From Tight Formations; Utah

Issued February 22, 1983.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

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

EFFECTIVE DATE: This rule is effective February 22, 1983.

FOR FURTHER INFORMATION CONTACT: Randall S. Rich, (202) 357–8511 or Victor H. Zabel, (202) 357–8585.

SUPPLEMENTARY INFORMATION:

The Commission hereby amends § 271.703(d) of its regulations to include the Dakota Formation located in the Book Cliffs area of Grand and Uintah County, Utah, as a designated tight formation eligible for incentive pricing under § 271.703. The amendment was proposed in a Notice of Proposed Rulemaking by the Director, Office of Pipeline and Producer Regulation, on September 28, 1981 (46 FR 48234, October 1, 1981),[1] based on a recommendation by the State of Utah Board of Oil, Gas and Mining (Utah) in accordance with § 271.703(c)(2)(ii) that the Dakota Formation be designated as a tight formation. The United States Department of the Interior, Minerals Management Service concurs with Utah's recommendation.

In order to qualify for designation as a tight formation, the recommended area must meet the guidelines found in § 271.703(c)(2)(i), concerning permeability, stabilized flow rate and crude oil production. Utah's recommendation stated that the average permeability from 7 data wells does not exceed 0.1 md, that the average prestimulation flow rate, based on data from 39 wells in the Dakota Formation, was 187 Mcf per day, and that no wells drilled in the formation were expected to produce more than five barrels of oil per day. All these findings are well within the guideline limits of 0.1 md average permeability, 217 Mcf per day average flow rate and crude oil limits in § 271.703(c)(2) of the regulations.

The Commission Staff's permeability calculation of 0.0678 md indicated that the average permeability of the recommended area was below 0.1 md. However Staff's calculation of the average prestimulation flow rate for wells "completed for production" showed that it exceeded the 217 Mcf per day limit, and it therefore requested, by letter dated October 20, 1981, that Utah explain its conclusion. The comments of Southern California Gas Company, which opposed designation of the recommended formations, also suggested that the average prestimulated rate of flow exceeded the maximum allowable rate. The concern was that some of the data submitted in Utah's recommendation was obtained from included wells that did not appear to be "completed for production" as required by § 271.703(c)(2)(i)(B).[2]

On June 24, 1982, the Staff met with representatives of Tenneco Oil Company (Tenneco) concerning Utah's recommendation. Tenneco demonstrated to the Staff that the wells questioned by Staff had been cased, perforated and tested and that tubing

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recommended area. New Mexico noted that there was "no evidence available as to the *in situ* gas permeability or unstimulated gas well production within said areas * * *", and "that these areas were excluded from consideration by the application solely due to anomalous production considered to be of limited extent and unexplainable by ordinary engineering and geological examination." Accordingly, the Commission is not considering those areas which New Mexico excluded in its recommendation.

[1] Comments on the proposed rule were invited and one comment opposing the recommendation and five comments supporting the recommendation were received. No party requested a public hearing and no hearing was held.

[2] Section 271.703(c)(2)(i)(B) establishes a limit, according to depth, for the "stabilized production rate, against atmospheric pressure, of wells completed for production in the formation, without stimulation * * *"

had been set and therefore had been "completed for production." Pursuant to Staff's further request, Tenneco, on September 16, 1982, submitted additional information on 43 wells. Although these wells penetrated the Dakota Formation, 23 were not perforated in the Dakota Formation nor were they drill-stem tested in that formation.

Tenneco's submittal argued however, that in calculating the flow rate for the Dakota Formation, it assigned a prestimulation production rate of zero Mcf per day to 23 of the 43 wells which were air drilled because:

> Tenneco believes that all of the wells with valid prestimulation flow rates need to be considered as a whole. Using results only from wells actually completed for production would not necessarily depict the true nature of the formation. An area which has primarily been the target of high risk exploration drilling should be analyzed in light of all of the available data. In order to determine if the area can meet the tight gas prestimulation production rate criteria, every prestimulation test which is a valid indication of a well's natural ability to produce should be analyzed, whether or not the well was eventually completed for production. This case is especially true for wells with no gas shows while air drilling. When a formation is drilled with air as the medium, it essentially puts little, if any, pressure against the rock face and does not contaminate the formation with drilling fluid. If the formation has gas in it, there will be some type [of] gas show at the surface. Drilling tests of this nature can produce significant gas shows which are questionable due to the rapid expansion of gas into the wellbore and the short time lengths of the tests. However, if little or no gas shows are reported, it is a valid indication that the formation cannot flow gas without some type of stimulation. This behavior is a function of permeability and if permeability is low enough, it will not allow the gas to flow. Many of the wells within the application area were abandoned after recovering little or no signs of gas or oil in the course of drilling. Most of these wells were abandoned because the operators felt it was not economically feasible to risk attempting to make a completion out of this tight sand. Thus Tenneco believes test data from all wells either completed or not should be used in consideration of the tight gas qualification.

While the Commission recognizes that the 23 air drilled wells used by Tenneco do not technically meet the requirement of § 271.703(c)(2)(i)(B) that average prestimulation production rates be based only upon wells "completed for production," there is good cause to consider, in this case, the data from these wells because it demonstrates the lack of productivity from these wells prior to stimulation.

There are two reasons for the "completed for production" requirement in § 271.703(c)(2)(i)(B). First, most wells are drilled with fluids which will contaminate the well bore and any production tests from a contaminated well bore will produce inaccurate results. The "completed for production" requirement resolves this problem, since in order to be completed for production the well bore must be cleaned and prepared for production, eliminating the effects of contamination. Thus, production tests on wells "completed for production" will yield reliable data. As noted above, air drilled wells provide reliable data and do not present the contamination problem. Second, the "completed for production" requirement mitigates the concern that many dry holes from non-productive areas would be merged in recommendations with areas of relatively high production, to lower average prestimulation flow rates for the entire recommended area in order to qualify the areas of relatively high production for an incentive price. In this case, the air drilled wells are scattered throughout the recommended area and thus do not represent an attempt to average in non-productive areas in order to qualify relatively high production areas.

Therefore, the Commission concludes that good cause exists to waive the "completed for production" requiremet in this case pursuant to our authority under section 501(a) of the NGPA. The Commission will therefore consider in this case all valid prestimulation test data whether or not the wells from which such data is obtained are completed for production in calculating flow rates. Thus calculated, the average prestimulation production rate for the formation is 187 Mcf per day. This average is well below the guideline limit of 217 Mcf per day.

The Commission concludes that the evidence submitted in this docket supports the assertion that the Dakota Formation meets the guidelines contained in § 271.703(c)(2). The Commission hereby adopts the Utah recommendation.

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

List of Subjects in 18 CFR Part 271

Natural gas, Incentive price, Tight formations.

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

In consideration of the foregoing, Part 271 of Subchapter H, Chapter I, *Code of Federal Regulations*, is amended as set forth below, effective February 22, 1983.

By the Commission.

Kenneth F. Plumb,

Secretary.

PART 271—[AMENDED]

Section 271.703(d) is amended by adding new subparagraph (119) to read as follows:

§ 271.703 Tight Formation

* * * * *

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

(119) *Dakota Formation in Utah.* RM79–76–074 (Utah-3). (i) *Delineation of formation.* The Dakota Formation is found in the Book Cliffs area of Grand and Uintah Counties, Utah and is in the general area of Townships 15 South through 20 South and Ranges 16 East through 24 East.

(ii) *Depth.* The average depth to the top of the Dakota Formation is 6, 034 feet. The Dakota Formation is defined as the interval from the top of the Dakota Silt down to the top of the Morrison Formation, a thickness of approximately 250 feet.

[FR Doc. 83–5079 Filed 2–28–83; 8:45 am]
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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 5

Delegations of Authority and Organization; Delegations to Chiefs of Station Offices

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the regulations for delegations of authority to redelegate to the Chiefs of Station Offices certain authorities that will increase the effectiveness of the operation of those offices. This document also updates organizational references in the revised sections in accordance with recent reorganizations of the agency.

EFFECTIVE DATE: March 1, 1983.

FOR FURTHER INFORMATION CONTACT: Robert L. Miller, Office of Management and Operations (HFA–340), Food and

Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4976.

SUPPLEMENTARY INFORMATION: In 1980, FDA created station offices at St. Louis, MO, and Houston, TX, to function as intermediate offices between resident posts and district offices. Station offices are assigned most of the functions of a district office and operate independently under the general direction of the District Director. To allow the Station Chiefs to perform their assigned functions, certain authorities must be redelegated to them.

Chiefs of Station Offices are being delegated the same authorities as previously delegated to District Directors in the following sections: § 5.22 *Certification of true copies and use of Department seal* (21 CFR 5.22); § 5.30 *Hearings* (21 CFR 5.30); § 5.36 *Certification following inspections* (21 CFR 5.36); § 5.37 *Issuance of reports of minor violations* (21 CFR 5.37); § 5.45 *Imports and exports* (21 CFR 5.45); § 5.47 *Detention of adulterated or misbranded medical devices* (21 CFR 5.47); § 5.63 *Detention of meat, poultry, eggs, and related products* (21 CFR 5.63); and § 5.89 *Notification of defects in, and repair or replacement of, electronic products* (21 CFR 5.89).

In § 5.30(b), the agency is removing the delegation of authority to Bureau of Biologics' officials to appoint review boards because 21 CFR 60.41, which provided for review boards, was removed in the **Federal Register** of January 25, 1977 (42 FR 4680). The functions formerly performed by the boards are now governed by 21 CFR Part 12.

Three recent reorganizations, the establishment of the Office of Legislation and Information (47 FR 34642; August 10, 1982), the National Center for Drugs and Biologics (47 FR 26913; June 22, 1982), and the National Center for Devices and Radiological Health (47 FR 44614; October 8, 1982), require additional changes in §§ 5.22, 5.30, 5.37, 5.45, 5.47, and 5.89. All references in these sections to the abolished Office of Public Affairs and the Bureaus of Drugs, Biologics, Medical Devices, and Radiological Health are being changed as appropriate to conform with the new organization nomenclature and organizational placement in the new organizations.

Further redelegations to the authority delegated are not authorized. Authority delegated to a position by title may be exercised by a person officially designated to serve in such position in an acting capacity or on a temporary basis.

List of Subjects in 21 CFR Part 5

Authority delegations (Government agencies), Organization and functions (Government agencies).

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a))) and the Public Health Service Act as amended by the Radiation Control for Health and Safety Act of 1968 (secs. 354–360F, 82 Stat. 1173–1186 (42 U.S.C. 263b-263h)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), Part 5 is amended as follows:

PART 5—DELEGATIONS OF AUTHORITY AND ORGANIZATION

1. By revising § 5.22(a), to read as follows:

§ 5.22 Certification of true copies and use of Department seal.

(a) The following officials are authorized to certify true copies of or extracts from any books, records, papers, or other documents on file within the Food and Drug Administration, to certify that copies are true copies of the entire file, to certify the complete original record, or to certify the nonexistence of records on file within the Food and Drug Administration, and to cause the seal of the Department to be affixed to such certifications:

(1) Associate and Deputy Associate Commissioners.

(2) The Director of the Executive Secretariat.

(3) Executive Officer, Office of the Commissioner.

(4) The Director of the Division of Management Systems and Policy of the Office of Management and Operations and the Chief of the Dockets Management Branch of that Division and Office.

(5) The Director of the Freedom of Information Staff of the Office of Legislation and Information.

(6) The Executive Director and Deputy Executive Director of Regional Operations; and the Associate Director for Administration, the Associate Director and Deputy Associate Director for Field Support, and the Associate Director for Federal-State Relations of the Office of the Executive Director of Regional Operations.

(7) The Director, Scientific Director, Associate Director for Program Development and Operations, and Directors and Deputy Directors of Offices of the National Center for Drugs and Biologics (NCDB); the Associate Director and Deputy Associate Director for Compliance and the Directors of the Divisions of: Drug Quality Evaluation; Drug Labeling Compliance; and Drug Quality Compliance of the Office of Drugs, NCDB; and the Director of the Consumer and Professional Relations Staff and Freedom of Information Officers and their Deputies, NCDB.

(8) The Director and Deputy Director of the Bureau of Foods; and the Associate Director for Planning and Operations; the Associate Director for Compliance; and the Directors of the Divisions of Regulatory Guidance, Food Technology, and Cooperative Programs of that Bureau.

(9) The Director and Deputy Director of the National Center for Devices and Radiological Health (NCDRH); the Director and Deputy Director of the Office of Management and Systems, NCDRH; the Director, Deputy Director, and Director of the Division of Compliance of the Office of Radiological Health, NCDRH; the Director, Deputy Director, Associate Director for Compliance, and the Director of the Division of Compliance Operations of the Office of Medical Devices, NCDRH.

(10) The Director and Deputy Director of the Bureau of Veterinary Medicine; and the Associate Director for Management and Operations, the Associate Director and Deputy Associate Director for Surveillance and Compliance, and the Director and Deputy Director of the Division of Compliance of that Bureau.

(11) The Director and the Director of the Office of Management of the National Center for Toxicological Research.

(12) Regional Food and Drug Directors, District Directors, and Chiefs of Station Offices.

(13) Director, Winchester Engineering and Analytical Center.

(14) Director, Minneapolis Center for Microbiological Investigations.

(15) Director, New York Laboratory Division, Region II.

(16) Director, Science Division, Region IV.

* * * * *

2. By revising § 5.30, to read as follows:

§ 5.30 Hearings.

(a) The following officials are authorized to designate officials to hold informal hearings that relate to their assigned functions under sections 305, 404(b), and 801(a) of the Federal Food, Drug, and Cosmetic Act; section 6 of the Fair Packaging and Labeling Act; section 9(b) of the Federal Caustic Poison Act; and section 5 of the Federal Import Milk Act. Officials so designated are delegated authority vested in the Secretary of Agriculture by 7 U.S.C. 2217

(43 Stat. 803) to administer to take from any person an oath, affirmation, affidavit, or deposition for use in any prosecution or proceeding under, or in enforcement of, any law as cited in this part:

(1) Directors and Deputy Directors of Bureaus.

(2) The Director and Scientific Director of the National Center for Drugs and Biologics (NCDB), and the Directors and Deputy Directors of the Offices of: New Drug Evaluation, Drugs, and Biologics of NCDB.

(3) The Director and Deputy Director of the National Center for Devices and Radiological Health (NCDRH), and the Directors and Deputy Directors of the Office of Medical Devices and the Office of Radiological Health of NCDRH.

(4) Regional Food and Drug Directors.

(5) District Directors.

(6) Chiefs of Station Offices.

(b) The Director and Deputy Director of NCDRH, and Director and Deputy Director of the Office of Radiological Health, NCDRH, are authorized to hold hearings under section 360(a) of the Public Health Service Act, and to designate officials to hold informal hearings under section 360(a) of that act.

(c) The following officials are authorized to serve as the presiding officer, and to designate other Food and Drug Administration employees to serve as the presiding officer, at a regulatory hearing and to conduct such a hearing pursuant to the provisions of Part 16 of this chapter. An official can serve as the presiding officer in a particular hearing only if he or she satisfies the requirements of § 16.40(b) of this chapter with respect to the action that is the subject of the hearing. Such officials are delegated authority vested in the Secretary of Agriculture by 7 U.S.C. 2217 (43 Stat. 803) to administer or to take from any person an oath, affirmation, or deposition for use in any prosecution or proceeding under, or in enforcement of, any law as cited in this part:

(1) The Associate Commissioner for Health Affairs.

(2) Directors and Deputy Directors of Bureaus.

(3) The Director and Scientific Director of NCDB, and the Directors and Deputy Directors of the Offices of: New Drug Evaluation, Drugs, and Biologics of NCDB.

(4) The Director and Deputy Director of NCDRH, and the Directors and Deputy Directors of the Office of Medical Devices and the Office of Radiological Health of NCDRH.

(5) Regional Food and Drug Directors.

(6) District Directors.

(7) Chiefs of Station Offices.

(8) Such other FDA official as is designated by the Commissioner by memorandum in a proceeding.

3. By revising § 5.36, to read as follows:

§ 5.36 Certification following inspections.

Regional Food and Drug Directors, District Directors, and Chiefs of Station Offices are authorized to issue certificates of sanitation under § 1240.20 of this chapter.

4. By revising § 5.37, to read as follows:

§ 5.37 Issuance of reports of minor violations.

(a) The following officials are authorized to perform all the functions of the Commissioner of Food and Drugs under section 306 of the Federal Food, Drug, and Cosmetic Act regarding the issuance of written notices or warnings:

(1)(i) The Director and Scientific Director of the National Center for Drugs and Biologics (NCDB).

(ii) The Director, Deputy Director, and the Associate Director and Deputy Associate Director for Compliance of the Office of Drugs, NCDB.

(iii) The Director, Deputy Director, and the Director of the Division of Compliance of the Office of Biologics, NCDB.

(2)(i) The Director and Deputy Director of the National Center for Devices and Radiological Health (NCDRH).

(ii) The Director, Deputy Director, and the Director of the Division of Compliance of the Office of Radiological Health, NCDRH.

(iii) The Director, Deputy Director, Associate Director for Compliance, and the Director of the Division of Compliance Operations of the Office of Medical Devices, NCDRH.

(3)(i) The Director and Deputy Director of the Bureau of Foods (BF).

(ii) The Associate Director for Compliance, and the Director of the Division of Regulatory Guidance, BF.

(4)(i) The Director and Deputy Director of the Bureau of Veterinary Medicine (BVM).

(ii) The Associate Director and Deputy Associate Director for Surveillance and Compliance, BVM.

(iii) The Director and Deputy Director of the Division of Compliance, BVM.

(5)(i) Regional Food and Drug Directors.

(ii) District Directors.

(iii) Chiefs of District Compliance Branches.

(iv) Chiefs of Station Offices.

(b) The following officials are authorized to perform all the functions of the Commissioner of Food and Drugs under section 360C(d) of the Public Health Service Act regarding the issuance of written notices or warnings:

(1) The Director and Deputy Director of the National Center for Devices and Radiological Health (NCDRH).

(2) The Director and Deputy Director of the Office of Radiological Health (ORH), NCDRH.

(3) The Director of the Division of Compliance, ORH, NCDRH.

(4) Regional Food and Drug Directors, District Directors, and Chiefs of Station Offices when such functions relate to:

(i) Assemblers of diagnostic x-ray systems, as defined in § 1020.30(b) of this chapter; and

(ii) Manufacturers of sunlamp products and ultraviolet lamps intended for use in any sunlamp product as defined in § 1040.20(b) of this chapter.

5. By revising § 5.45, to read as follows:

§ 5.45 Imports and exports.

(a) The Regional Food and Drug Directors, District Directors, and Chiefs of Station Offices are authorized, under section 801 of the Federal Food, Drug, and Cosmetic Act (FFDCA):

(1) To designate officials who may request from the Secretary of the Treasury samples of food, drugs, devices, or cosmetics imported or offered for import.

(2) To determine whether such articles are in compliance with the FFDCA.

(3) To authorize relabeling or other compliance actions to bring articles into compliance under the FFDCA.

(4) To designate officials who may supervise such compliance actions.

(b) The Director and Deputy Director of the National Center for Devices and Radiological Health (NCDRH); the Director, Deputy Director, and Director of the Division of Compliance of the Office of Radiological Health, NCDRH; Regional Food and Drug Directors; District Directors; and Chiefs of Station Offices are authorized, under section 360 of the Public Health Service Act (PHSA):

(1) To designate officials who may request from the Secretary of the Treasury samples of electronic products imported or offered for import, to determine whether such products are in compliance with the PHSA.

(2) To refuse admission of noncomplying products and notify the Secretary of the Treasury of such refusal.

(3) To designate officials to supervise operations to bring noncomplying products into compliance under the PHSA.

(4) To refuse or to grant permission and time extensions to bring

noncomplying products into compliance with the PHSA in accordance with a corrective action plan approved by the Director of the Office of Radiological Health, NCDRH.

(c) The Director and Deputy Director of NCDRH; the Director, Deputy Director, and Director of the Division of Compliance of the Office of Radiological Health, NCDRH; Regional Food and Drug Directors; District Directors; and Chiefs of Station Offices are authorized, under section 360B(b) of the PHSA, to exempt persons from issuing a certification, as required by section 358(h) of the PHSA, for electronic products imported into the United States for testing, evaluation, demonstrations, or training, which will not be introduced into commerce and upon completion of their function will be destroyed or exported in accord with Bureau of Customs' regulations.

(d) The Regional Food and Drug Directors, District Directors, and Chiefs of Station Offices are authorized to exercise all of the functions of the Commissioner of Food and Drugs under section 362 of the PHSA that refers to the prohibition of the introduction of foods, drugs, devices, cosmetics, and electronic products and other items or products regulated by the Food and Drug Administration into the United States when it is determined that it is required in the interest of public health, and such functions relate to the law enforcement functions of the Food and Drug Administration.

(e) The following officials are authorized to perform all the functions of the Commissioner of Food and Drugs pertaining to exportation of medical devices under section 801(d) of the FFDCA:

(1) For medical devices assigned to their respective organizations:

(i) The Director and Deputy Director of the National Center for Devices and Radiological Health (NCDRH).

(ii) The Director, Deputy Director, and the Associate Director for Compliance of the Office of Medical Devices, NCDRH.

(iii) The Director, Deputy Director, and Director of the Division of Compliance of the Office of Radiological Health, NCDRH.

(iv) The Director and Scientific Director of the National Center for Drugs and Biologics (NCDB).

(v) The Director, Deputy Director, and Director of the Division of Compliance of the Office of Biologics, NCDB.

(2) Regional Food and Drug Directors.

(3) District Directors.

(4) Chiefs of Station Offices.

6. By revising § 5.47, to read as follows:

§ 5.47 Detention of adulterated or misbranded medical devices.

The following officials are authorized to perform all the functions of the Commissioner of Food and Drugs pertaining to detention, under section 304(g) of the Federal Food, Drug, and Cosmetic Act and in accordance with § 800.55 of this chapter, of medical devices that may be adulterated or misbranded:

(a) For medical devices assigned to their respective organizations:

(1) The Director and Deputy Director of the National Center for Devices and Radiological Health (NCDRH).

(2) The Director, Deputy Director, and the Associate Director for Compliance of the Office of Medical Devices, NCDRH.

(3) The Director, Deputy Director, and Director of the Division of Compliance of the Office of Radiological Health, NCDRH.

(4) The Director and Scientific Director of the National Center for Drugs and Biologics (NCDB).

(5) The Director, Deputy Director, and Director of the Division of Compliance of the Office of Biologics, NCDB.

(b) Regional Food and Drug Directors.

(c) District Directors.

(d) Chiefs of Station Offices.

7. By revising § 5.63, to read as follows:

§ 5.63 Detention of meat, poultry, eggs, and related products.

The Regional Food and Drug Directors, District Directors, and Chiefs of Station Offices are authorized to perform and to designate other officials to perform all the functions of the Commissioner of Food and Drugs under:

(a) Section 409(b) of the Federal Meat Inspection Act (21 U.S.C. 679(b)) which relate to the detention of any carcass, part thereof, meat, or meat product of cattle, sheep, swine, goats, or equines.

(b) Section 24(b) of the Poultry Products Inspection Act (21 U.S.C. 467(b)) which relate to the detention of any poultry carcass, part thereof, or poultry product.

(c) The Egg Products Inspection Act (21 U.S.C. 1031 et seq.).

8. By revising § 5.89, to read as follows:

§ 5.89 Notification of defects in, and repair or replacement of, electronic products.

(a) The Director and Deputy Director of the National Center for Devices and Radiological Health (NCDRH), and the Director and Deputy Director of the Office of Radiological Health of NCDRH are authorized to perform all functions of the Commissioner of Food and Drugs relating to notification of defects in and noncompliance of, and repair or replacement of or refund for, electronic products under section 359 of the Public Health Service Act and under §§ 1003.11, 1003.22, 1003.31, 1004.2, 1004.3, 1004.4, and 1004.6 of this chapter; and the Regional Food and Drug Directors, District Directors, and Chiefs of Station Offices are authorized to perform all such functions relating to:

(1) Assemblers of diagnostic x-ray systems, as defined in § 1020.30(b) of this chapter.

(2) Manufacturers of sunlamp products and ultraviolet lamps intended for use in any sunlamp product, as defined in § 1040.20(b) of this chapter.

(b) The Director of the Division of Compliance of the Office of Radiological Health, NCDRH, is authorized to notify manufacturers of defects in, and noncompliance of, electronic products under section 359(e) of the Public Health Service Act and under § 1003.11(a) of this chapter; and the Chiefs of District Compliance Branches are authorized to perform all such functions relating to:

(1) Assemblers of diagnostic x-ray systems, as defined in § 1020.30(b) of this chapter.

(2) Manufacturers of sunlamp products and ultraviolet lamps intended for use in any sunlamp product, as defined in § 1040.20(b) of this chapter.

Effective date. This regulation shall be effective March 1, 1983.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)); secs. 354–360F, 82 Stat. 1173–1186 (42 U.S.C. 263b–263h))

Dated: February 16, 1983.

Mark Novitch,

Deputy Commissioner of Food and Drugs.

[FR Doc. 83-5087 Filed 2-28-83; 8:45 am]

BILLING CODE 4160-01-M

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21 CFR Part 5

Delegations of Authority and Organization; Officials in the National Center for Drugs and Biologics

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the regulations for delegations of authority relating to insulin, antibiotics, and distribution of biological products. This document also updates organizational references in accordance with recent reorganizations within the agency.

EFFECTIVE DATE: March 1, 1983.

FOR FURTHER INFORMATION CONTACT: Robert L. Miller, Office of Management and Operations (HFA–340), Food and

Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4976.

SUPPLEMENTARY INFORMATION: FDA is amending § 5.69 (21 CFR 5.69) to change the reference to Division of Control Activities to the Division of Product Quality Control, the new title of the division. Sections 5.73 and 5.76 (21 CFR 5.73 and 5.76) are amended to change the reference to the Division of Drug Product Quality to the Division of Drug Quality Evaluation, the new title of the division. The Certification Services Branch has been abolished and certification functions transferred to the Product Surveillance Branch. The delegation is changed accordingly. Section 5.75 (21 CFR 5.75) is amended to delete reference to the National Center for Antibiotics Analysis. The Center has been abolished. All references in the sections above to the Bureau of Drugs and Bureau of Biologics are being changed as appropriate to conform with the new organization nomenclature and organizational placement in the National Center for Drugs and Biologics which was established on June 22, 1982 (47 FR 26913).

Further redelegation of the authority delegated is not authorized. Authority delegated to a position by title may be exercised by a person officially designated to serve in such position in an acting capacity or on a temporary basis.

List of Subjects in 21 CFR Part 5

Authority delegations (Government agencies), Organization and functions (Government agencies).

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), Part 5 is amended as follows:

PART 5—DELEGATIONS OF AUTHORITY AND ORGANIZATION

1. By revising § 5.69 to read as follows:

§ 5.69 Notification of release for distribution of biological products.

The Director and Scientific Director of the National Center for Drugs and Biologics (NCDB); the Director and Deputy Director of the Office of Biologics, NCDB; and the Associate Director for Compliance and the Director of the Division of Control Activities of the Office of Biologics, NCDB, are authorized to issue written notices of release for distribution of licensed biological products, except radioactive biological products, under Subchapter F (Parts 600 through 699) of this chapter.

2. By revising § 5.73 to read as follows:

§ 5.73 Certification of insulin.

The Director and Scientific Director of the National Center for Drugs and Biologics (NCDB); the Director and Deputy Director of the Office of Drugs, NCDB; the Associate Director for Compliance and the Director and Deputy Director of the Division of Drug Quality Evaluation of the Office of Drugs, NCDB; and the Chief and Assistant Chief of the Product Surveillance Branch, Division of Drug Quality Evaluation, Office of Drugs, NCDB, are authorized to certify or reject batches of drugs containing insulin, pursuant to section 506(a) of the Federal Food, Drug, and Cosmetic Act.

3. By revising § 5.75 to read as follows:

§ 5.75 Designation of official master and working standards for antibiotic drugs.

The Director and Scientific Director of the National Center for Drugs and Biologics (NCDB); and the Director, Deputy Director, and Associate Director for Pharmaceutical Research and Testing of the Office of Drugs, NCDB, are authorized to designate official Food and Drug Administration master and working standards for antibiotic drugs under § 430.5 of this chapter.

4. By revising § 5.76 to read as follows:

§ 5.76 Certification of antibiotic drugs.

The Director and Scientific Director of the National Center for Drugs and Biologics (NCDB); the Director and Deputy Director of the Office of Drugs, NCDB; the Associate Director for Compliance and the Director and Deputy Director of the Division of Drug Quality Evaluation of the Office of Drugs, NCDB; and the Chief and Assistant Chief of the Product Surveillance Branch, Division of Drug Quality Evaluation, Office of Drugs, NCDB, are authorized to certify or reject batches of antibiotic drugs, or any derivative of these drugs, pursuant to sections 507(a) and 512(n) of the Federal Food, Drug, and Cosmetic Act.

Effective date. This regulation shall become effective March 1, 1983.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)))

Dated: February 22, 1983.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc 83-4811 Filed 2-28-83; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 81

[Docket No. 76N-0366]

Provisional Listing of D&C Red No. 19 and D&C Red No. 37 for Use in Externally Applied Drugs and Cosmetics; Postponement of Closing Date

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is postponing the closing date for the provisional listing of D&C Red No. 19 and D&C Red No. 37 for use as a color additive in externally applied drugs and cosmetics. The new closing date will be April 29, 1983. This brief postponement will provide time for the uninterrupted uses of these color additives in externally applied drugs and cosmetics while FDA considers the scientific and legal aspects of the recent skin penetration studies submitted on February 16, 1983, by the Cosmetic, Toiletry, and Fragrance Association, Inc. (CTFA). Additionally, during this brief postponement, the agency will prepare the appropriate Federal Register document(s) upon completion of its review.

DATES: Effective February 28, 1983, the new closing date of D&C Red No. 19 and D&C Red No. 37 will be April 29, 1983.

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: FDA established the current closing date of February 28, 1983, for the provisional listing of D&C Red No. 19 and D&C Red No. 37 for cosmetic and general drug uses by a rule published in the Federal Register of March 27, 1981 (46 FR 18954). The agency extended the closing date until February 28, 1983, to provide time for completing chronic toxicity studies and reviewing and evaluating these studies. In the Federal Register of February 4, 1983 (48 FR 5262), FDA terminated the provisional listing, and hence approval, of the color additives D&C Red No. 19 and D&C Red No. 37 for coloring ingested drugs and cosmetics. As noted in the Federal Register of August 6, 1973 (38 FR 21199), D&C Red No. 19 and D&C Red No. 37 are the subject of a petition (CAP 9C0091) submitted by the Toilet Goods Association, Inc. (now CTFA) for use in coloring drugs and cosmetics. As discussed in the Federal Register of February 4, 1983 (48 FR 5262), the petitioner amended its color additive

petition by withdrawing its request to permanently list these color additives for coloring ingested drugs and cosmetics, but continued to seek permanent listing for external cosmetic and drug products that are not subject to incidental ingestion. The petitioner had submitted analyses of the safety and legal issues for external uses of these color additives, including data regarding skin penetration. However, the agency found the skin penetration data did not provide an adequate basis upon which to determine whether these color additives were in fact absorbed through the skin.

On November 24, 1982, CTFA asked the agency to review new skin penetration studies on these color additives, which it said it would be able to submit to the agency by February 10, 1983; however, because of unforeseen events, CTFA was unable to submit these new data before February 16, 1983. The agency agreed to review these data before reaching a conclusion on the safety of D&C Red No. 19 and D&C Red No. 37 for use in externally applied drugs and cosmetics.

The agency is now considering the scientific and legal aspects of the CTFA submissions in support of the external uses of these color additives. Although these color additives have been shown to be animal carcinogens upon ingestion, the agency believes that the continued use of these color additives in externally applied products for the short time needed for adequate evaluation of the data will not pose a hazard to the public health. The regulation set forth below will postpone the February 28, 1983 closing date for the provisional listing of these color additives until April 29, 1983. This postponement will provide sufficient time for the agency to consider the CTFA submissions and prepare the appropriate **Federal Register** document(s).

Because of the short time until the February 28, 1983 closing date, FDA concludes that notice and public procedures on this regulation are impracticable.

This regulation will permit the uninterrupted use of these color additives until April 29, 1983. To prevent any interruption in the provisional listing of D&C Red No. 19 and D&C Red No. 37 and in accordance with 5 U.S.C. 553(d) (1) and (3), this regulation is being made effective February 28, 1983.

List of Subjects in 21 CFR Part 81

Color additives, Color additives provisional list, Cosmetics, Drugs.

Therefore, under the Transitional Provisions of the Color Additive Amendments of 1960 (Title II, Pub. L. 86-618; sec. 203, 74 Stat. 404-407 (21 U.S.C. 376 note)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), Part 81 is amended as follows:

PART 81—GENERAL SPECIFICATIONS AND GENERAL RESTRICTIONS FOR PROVISIONAL COLOR ADDITIVES FOR USE IN FOODS, DRUGS, AND COSMETICS

§ 81.1 [Amended]

1. In § 81.1 *Provisional lists of color additives*, by revising the closing date for "D&C Red No. 19" and "D&C Red No. 37" in paragraph (b) to read "April 29, 1983."

§ 81.27 [Amended]

2. In § 81.27 *Conditions of provisional listing*, by revising the closing date for "D&C Red No. 19" and "D&C Red No. 37" in paragraph (d) to read "April 29, 1983."

Effective date. This final rule is effective February 28, 1983.

(Sec. 203, 74 Stat. 404-407 (21 U.S.C. 376 note))

Dated: February 18, 1983.

Joseph P. Hile,

Associate Commissioner for Regulatory Affairs.

[FR Doc. 83-5071 Filed 2-28-83; 8:45 am]

BILLING CODE 4160-01-M

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21 CFR Part 178

[Docket No. 81F-0408]

Indirect Food Additives; Adjuvants, Production Aids, and Sanitizers; Lubricants With Incidental Food Contact

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of hexamethylenebis(3,5-di-*tert*-butyl-4-hydroxyhydrocinnamate) as an antioxidant in lubricants with incidental food contact. This action is in response to a petition filed by the Ciba-Geigy Corp.

DATES: Effective March 1, 1983; objections by March 31, 1983.

ADDRESS: Written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Anthony P. Brunetti, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of February 2, 1982 (47 FR 4743), FDA announced that a petition (FAP 2B3595) had been filed by the Ciba-Geigy Corp., Three Skyline Dr., Hawthorne, NY 10352 (formerly Ardsley, NY 10502), proposing that the food additive regulations be amended to provide for the safe use of hexamethylenebis(3,5-di-*tert*-butyl-4-hydroxyhydrocinnamate) as an antioxidant in lubricants with incidental food contact.

FDA has evaluated data in the petition and other relevant material and concludes that the proposed food additive use is safe and that the regulations should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Bureau of Foods (address above) by appointment with the information contact person listed above. As provided in § 171.1(h)(2), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding may be seen in the Dockets Management Branch (address above), between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 178

Food additives, Food packaging, Sanitizing solutions.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 72 Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), Part 178 is amended in § 178.3570(a)(3), by alphabetically inserting a new item in the list of substances to read as follows:

PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS

§ 178.3570 Lubricants with incidental food contact.

* * * * *

(a) * * *

(3) * * *

Substances	Limitations
* * * * *	
Hexamethylenebis(3,5-di-*tert*-butyl-4-hydroxyhydrocinnamate) (CAS Reg. No. 35074-77-2).	For use as an antioxidant at levels not to exceed 0.5 percent by weight of the lubricant.
* * * * *	

* * * * *

Any person who will be adversely affected by the foregoing regulation may at any time on or before March 31, 1983, submit to the Dockets Management Branch (address above) written objections thereto and may make a written request for a public hearing on the stated objections. Each objection shall be separately numbered and each numbered objection shall specify with particularity the provision of the regulation to which objection is made. Each numbered objection on which a hearing is requested shall specifically so state; failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held; failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this regulation. Received objections may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Effective date. This regulation shall become effective March 1, 1983.

(Secs 201(s), 409, 72 Stat. 1784–1788 as amended (21 U.S.C. 321(s), 348))

Dated: February 22, 1983.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 83-4908 Filed 2-28-83; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 916

Approval of Program Amendments From the State of Kansas Under the Surface Mining Control and Reclamation Act of 1977

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

ACTION: Final rule.

SUMMARY: This document amends 30 CFR Part 916 by adding permanent program amendments to the Kansas regulatory program under the provisions of the Surface Mining Control and Reclamation Act of 1977 (SMCRA).

After providing opportunity for public comment and conducting a thorough review of the program amendments, OSM has determined that the modifications to the Kansas program meet the requirements of SMCRA and the Federal regulations. Accordingly, the Kansas program amendments have been approved, and Part 916 of 30 CFR Chapter VII is being amended to implement this decision.

EFFECTIVE DATE: March 1, 1983.

FOR FURTHER INFORMATION CONTACT: Arthur W. Abbs, Chief, Division of State Program Assistance, Office of Surface Mining, U.S. Department of the Interior, 1951 Constitution Avenue, NW, Washington, D.C. 20240; Telephone: (202) 343-5351.

SUPPLEMENTARY INFORMATION:

I. Background

The Kansas regulatory program was approved on January 21, 1981, conditioned upon the correction of six minor deficiencies. To correct these minor deficiencies, Kansas submitted amended statutory provisions (House Bill 2182) which were approved on April 14, 1982 (47 FR 16012–16014). At the same time that Kansas submitted provisions to satisfy the conditions of approval, the State also submitted other proposed statutory amendments. Notice of receipt and a request for public comment on these additional amendments were published on June 1, 1982 (47 FR 23766). The comment period closed on July 1, 1982.

After reviewing the statutory amendments, OSM determined that amended Section 49–420(b) of the Kansas Mined Land Conservation and Reclamation Act (MLCRA), because it lacked implementing regulations, was inconsistent with Section 509 of SMCRA and 30 CFR 808.12. In a letter to Kansas dated August 16, 1982 (Administrative Record No. KS–241), OSM provided comments on the provisons and suggested that Kansas promulgate implementing regulations.

On September 10, 1982, Kansas replied to OSM's August 16, 1982 letter, agreeing that regulations were necessary to implement House Bill 2182 and stated that such regulations were in the process of being developed. The letter also contained the opinion of the Assistant General Counsel on several of the points made in OSM's letter. On November 16, 1982 (Administrative Record No. KS–243), Kansas submitted the enacted regulations.

On December 23, 1982 (47 FR 57299) OSM published a notice reopening the public comment period to allow the public sufficient time to consider and comment on the regulatory amendments and the statutory provisions which they implement. The public comment period ended January 24, 1983.

II. Findings

The Director finds, in accordance with SMCRA and 30 CFR 732.17, that the program amendments submitted by Kansas on May 20, 1982, and November 16, 1982, meet the requirements of Sections 509, 510, 517, 518, 528, and 701 of SMCRA and 30 CFR Parts 700, 705, 779, 783, and 845, as described below.

The amended provisions of the MLCRA are as follows:

(1) Section 49–403 of the MLCRA was amended to include definitions of geologist and geology;

(2) Section 49–405c of the MLCRA was amended to include a provision that a penalty be placed in an interest-bearing escrow account in the event the person contests the amount of the penalty or the fact of the violation;

(3) Section 49–406 of the MLCRA was amended to provide:

(a) For geologists to certify maps that accompany permit applications;

(b) That bonding requirements may be satisfied by depositing cash, negotiable bonds, negotiable certificates of deposit, or irrevocable letters of credit with the State treasurer;

(4) Section 49–430 of the MLCRA was amended to add a provision excluding the extraction of coal incidental to highway construction from the provisions of the MLCRA;

(5) Section 49–420(b) of the MLCRA was amended to create the mined-land reclamation fund in the State treasury.

The amended regulations are summarized as follows:

(1) K.A.R. 47–2–21 which eliminates members of the mined-land conservation and reclamation board from the definition of "employee", in

accordance with K.S.A. 1981 Supp. 49–404;

(2) K.A.R. 47–8–10 which implements K.S.A. 1981 Supp. 49–406 to allow mine operators to bond their permits with cash, negotiable bonds, negotiable certificates of deposit, and irrevocable letters of credit, as well as surety bonds; and

(3) K.A.R. 47–8–11 which implements K.S.A. 1981 Supp. 49–420 concerning use of forfeited bond money in the mined-land reclamation fund.

In an August 16, 1982 letter to Kansas, OSM notified the State that Section 49–420(b) of the MLCRA, because it lacked interpretive regulations, was inconsistent with SMCRA and suggested that the State promulgate implementing regulations.

Section 49–420(b) of the MLCRA created the mined-land reclamation fund, to be financed solely with bond forfeiture money earmarked for the "reclamation of land affected by open pit, strip pit, and surface types of mine operations," after a process of appropriation acts, warrants and vouchers.

1. OSM found that this statutory amendment was not consistent with 30 CFR 808.12[d], because the bond forfeiture money could be divorced from the identified permit area for which the bond was posted. 30 CFR 808.12(d) requires the regulatory authority to use funds collected from bond forfeitures to complete the reclamation plan for the permit area for which the bond is forfeited.

In response, Kansas promulgated revised regulation K.A.R. 47–8–11 which requires the regulatory authority to "utilize funds collected from any bond forfeitures only to complete the reclamation plan on the permit area on which bond was made for the surface mining of coal, and to cover associated administrative expenses."

This amended rule is now consistent with 30 CFR 808.12(d).

2. OSM found that the statutory language "open pit, strip pit and surface types of mine operations" would exclude underground mines and processing facilities, which is inconsistent with the definition of "surface coal mining operations" in Section 701(28) of SMCRA and 30 CFR 700.5. However, in his September 10, 1982 letter, the Kansas Assistant General Counsel (AGC) assured OSM that this provision applied to underground mining. The AGC noted that K.S.A. 49–429 provides that the MLCRA and provisions of the national surface mining law (SMCRA) shall be enforced with respect to all aspects of underground coal mining in the same manner as for surface mining. Based on this legal opinion, OSM finds that the Kansas statute, K.S.A. 49–420, is consistant with Section 701(28) of SMCRA.

3. OSM found that the amended statutory provision could be interpreted to apply to pre-SMCRA abandoned mines and not necessarily only to coal mines. The amended Kansas regulation, K.A.R. 47–8–11, clarifies that the statute applies only to bonded permitted coal mining operations and not to pre-SMCRA abandoned mines.

4. OSM noted that the series of transfers, appropriations, warrants and vouchers would be acceptable if Kansas could assure OSM that the administrative process would not unduly delay reclamation on forfeited areas. The Kansas AGC assured OSM in his September 10, 1982 letter, that forfeiture and reclamation procedures would be accomplished as expeditiously as possible.

Therefore, OSM finds that the statutory and regulatory amendments submitted by Kansas are consistent with SMCRA and 30 CFR Chapter VII.

Public Comment

No public comments were received on the Kansas amendments.

Approval of Amendments

Accordingly, 30 CFR Part 916 is amended to indicate approval of the Kansas program amendments submitted to OSM on May 20, 1981, and November 16, 1982.

III. Procedural Matters

1. *Compliance with the National Environmental Policy Act:* The Secretary has determined that, pursuant to Section 702(d) of SMCRA, 30 U.S.C. 1292(d), no environmental impact statement need be prepared on this rulemaking.

2. *Executive Order No. 12291 and the Regulatory Flexibility Act:* On August 28, 1981, the Office of Management and Budget (OMB) granted OSM an exemption from Sections 3, 4, 7, and 8 of Executive Order 12291 for actions directly related to approval or conditional approval of State regulatory programs. Therefore, this action is exempt from preparation of a Regulatory Impact Analysis and regulatory review by OMB.

The Department of the Interior has determined that this rule 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 rule does not impose any new requirements; rather, it ensures that existing requirements established by SMCRA and the Federal rules will be met by the State.

3. *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. 3507.

List of Subjects in 30 CFR Part 916

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

Accordingly, Part 916 of Title 30 is amended as set forth herein.

Dated: February 18, 1983.

J. Steven Griles,

Acting Director, Office of Surface Mining.

PART 916—KANSAS

1. 30 CFR 916.10 is revised to read:

§ 916.10 State regulatory program approval.

The Kansas State program as submitted on February 26, 1980, and amended on October 31, 1980, is conditionally approved, effective January 21, 1981. Beginning on that date, the Kansas Mined Land Conservation and Reclamation Board shall be deemed the regulatory authority in Kansas for all surface coal mining and reclamation operations on non-Federal and non-Indian lands. Copies of the approved program, as amended, are available at:

(a) Office of Surface Mining, Kansas City Field Office, Scarritt Building, 818 Grand Avenue, Kansas City, Missouri 64106.

(b) Mined Land Office, 107 West 11th Street, Pittsburg, Kansas 66762.

(c) Kansas Corporation Commission, Legal Office, 4th Floor, State Office Building, 915 Harrison, Topeka, Kansas 66612.

(d) Office of Surface Mining, Administrative Record, Room 5315, 1100 L Street, NW., Washington, D.C. 20240.

2. Part 916 is amended by adding a new § 916.15 as set forth below.

§ 916.15 Approval of regulatory program amendments.

(a) The following amendments were approved effective April 14, 1982:

(1) Amended Sections 49–411, 49–412, and 49–422a of the Kansas Mined Land Conservation and Reclamation Act (MLCRA), adopted May 14, 1981.

(2) Sections 49–413, 49–414, 49–421, 49–416, and 49–422 of the MLCRA were repealed upon adoption of House Bill 2182, May 14, 1981.

(3) New Section 49–430 of the MLCRA, adopted May 14, 1980.

(b) The following amendments were approved effective March 1, 1983.

(1) Amended Sections 49–403, 49–405c, 49–406, and 49–420 of the MLCRA, and new Section 10 of House Bill 2182, adopted May 14, 1981.

(2) Kansas revised regulations K.A.R. 47–2–21, 47–8–10, and 47–8–11.

[FR Doc. 83-5190 Filed 2-28-83; 8:45 am]
BILLING CODE 4310-05-M

30 CFR Part 948

Modifications to the Permanent State Regulatory Program of West Virginia

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

ACTION: Final rule.

SUMMARY: This document amends 30 CFR Part 948 by modifying the deadline for West Virginia to meet certain conditions and removing eight other conditions of approval of the West Virginia permanent regulatory program under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). West Virginia has submitted provisions to the Office of Surface Mining (OSM) which satisfy the following conditions: 30 CFR 948.11(a)(6), (10), (12), (15), (17), (22), (25) and (35).

After providing opportunity for public comment and conducting a thorough review of the program amendments, the Secretary of the Interior has determined that the modifications to the West Virginia program satisfy the aforementioned conditions and is allowing West Virginia until May 1, 1983, to meet certain other conditions. Accordingly, the Secretary of the Interior has removed those conditions from the approval of the West Virginia program and extended the deadline for meeting certain other conditions of its program approval.

Part 948 of 30 CFR Chapter VII is being amended to implement this decision.

EFFECTIVE DATE: The removal of the conditions of the approval and extension of the deadline for compliance are effective March 1, 1983.

FOR FURTHER INFORMATION CONTACT: David H. Halsey, Director, Charleston Field Office, Office of Surface Mining, 603 Morris Street, Charleston, West Virginia 25301, Telephone: (304) 347–7158.

SUPPLEMENTARY INFORMATION:

Background

On March 3, 1980, the Secretary of the Interior received a proposed regulatory program from the State of West Virginia. On January 21, 1981, following a review of that proposed program as outlined in 30 CFR Part 732, the Secretary of the Interior approved the program conditioned on the correction of minor deficiencies. Information pertinent to the general background of the permanent program submission, as well as the Secretary's findings, the disposition of comments and explanations of the conditions of approval of the West Virginia program can be found in the January 21, 1981 **Federal Register** (46 FR 5915–5956).

In the notice of approval, the Secretary published the schedule for West Virginia to resolve each of the 35 conditions of approval of the State's regulatory program. These deadlines were subsequently extended on October 30, 1981 (46 FR 54070–54071) and May 27, 1982 (47 FR 23156–23157).

On September 14, 1982, the State requested that the deadline for six of the conditions (conditions 2, 7, 8, 16, 23 and 30) due on November 1, 1982, be extended until May 1, 1983 (Administrative Record Number WV 453). An individual justification for each of the conditions was provided by the State. The State also requested that OSM reconsider seven conditions (conditions 9, 11, 13, 15, 20, 21 and 35) on the basis of developments subsequent to the date of approval of the State's program. Individual discussion of each of these conditions was provided.

On October 29, 1982, the State submitted a copy of emergency regulations promulgated on October 28, 1982 (Administrative Record Number WV 456). These emergency regulations were intended to satisfy conditions 6, 10, 12, 17 and 22. The letter also contained a copy of an actuarial study intended to satisfy condition 25 and information concerning valley fills intended to satisfy condition 18. In addition, the State requested that condition 14 be included in its request for extension of the deadline to satisfy conditions.

A **Federal Register** notice announcing receipt and a public comment period on the proposed amendments and extension of deadline for meeting certain other conditions was published on November 22, 1982 (47 FR 52731–52732). The comment period closed on December 23, 1982. Since no requests were received, a public hearing was not held on the program amendments.

Secretary's Findings

Pursuant to 30 CFR 732.17, the Secretary finds that some of the amendments submitted by West Virginia on September 14, 1982, and October 29, 1982, correct some of the deficiencies in the West Virginia program as follows:

1. Condition 6 requires an amendment to the West Virginia program to ensure the protection of the public, wildlife and others from the dangers of exploratory or other bore holes which have not been properly managed or controlled as required by 30 CFR 816.13. West Virginia promulgated emergency regulations to accommodate condition 6. Therefore, the Secretary finds that Section 6B.02 of West Virginia's regulations is no less effective than 30 CFR 816.13 and is in accordance with section 515(b)(10)(A)(iii) of SMCRA concerning casing, sealing or managing of bore holes, shafts, etc. for the protection of the public, wildlife and livestock.

2. Condition 10 requires an amendment to the West Virginia program to require that permit applications contain water quality information on total manganese consistent with 30 CFR 783.16(b)(2)(vi). West Virginia promulgated emergency regulations to require that permit applications contain information regarding water analyses related to total manganese. Accordingly, the Secretary finds that West Virginia regulation Sections 6A.02a.6 and 7A.02a.6 require that permit applications contain information on water analyses related to total manganese in accordance with section 507(b)(11) of SMCRA and are no less effective than 30 CFR 779.16(b)(2)(vi) and 783.16(b)(2)(vi).

3. Condition 12 requires an amendment to West Virginia's regulations to prohibit static safety factors of less than 1.5 on outslopes of the plateau created by mountaintop removal where these slopes exceed 1v:2h. West Virginia promulgated emergency regulations to prohibit a static safety factor of less then 1.5 on slopes greater than 1v:2h. Therefore, the Secretary finds the Section 6B.07c.2 of West Virginia's regulations provides for the prohibition of outslopes greater than 1v:2h unless a minimum static factor of 1.5 is attained in accordance with section 515(c)(2) of SMCRA, and is no less effective than 30 CFR 824.11(a)(7).

4. Condition 15 requires an amendment to West Virginia's regulations or program to provide that fish and wildlife agencies be given 60 days to review alternate land use plans consistent with 30 CFR 816.133(c)(8). West Virginia requested reconsideration of this condition on the basis that West Virginia regulation Section 4D.04h requires the approval of appropriate State and Federal fish and wildlife agencies prior to permit approval. Even

though the State regulations do not provide fish and wildlife agencies a 60-day comment period, the fact that the permit cannot be issued without the necessary approvals automatically gives the agencies at least the maximum time allowed by law to grant that approval. Also, Chapter 20–6–18(a) of the West Virginia Surface Coal Mining and Reclamation Act (SMCRA) provides for public, which includes State and Federal fish and wildlife agencies, notification and an opportunity for a public hearing on the proposed land use within the 60-day review period. Therefore, since section 515(c)(3)(D) of SMCRA only requires that State and Federal agencies be given an opportunity of not more than 60 days to review and comment on the proposed postmining land use, the Secretary finds that West Virginia regulation Section 4D.04h is no less effective than 30 CFR 816.133(c)(8).

5. Condition 17 requires an amendment to West Virginia's regulations to require that operators promptly notify the regulatory authority of slides and comply with any remedial measures ordered. West Virginia promulgated emergency regulations to satisfy condition 17. Therefore, the Secretary finds that West Virginia regulation Section 6B.07f requires operators to notify the regulatory authority of slides and comply with remedial measures prescribed by the regulatory authority in accordance with sections 515 and 516 of SMCRA and is no less effective than 30 CFR 816.99(b) and 817.99(b).

6. Condition 22 requires an amendment to West Virginia's regulations regarding the public availability of boring and sampling analyses. West Virginia promulgated emergency regulations to accommodate condition 22. Therefore, the Secretary finds that Section 12B.07 of West Virginia's regulations is no less effective than 30 CFR 786.15(a)(2) and requires borings and sampling analyses to be made available to the public in accordance with Section 507(b)(17) of SMCRA.

7. Condition 25 requires West Virginia to provide the Secretary the results of an analysis prepared by a professional qualified party using standard statistical and acturial techniques sufficient to demonstrate that the amount of money going into West Virginia's bonding fund would meet the future demands likely to be placed upon it. West Virginia submitted the required acturial study to OSM on October 29, 1982. Although this was only a preliminary study, it concluded that West Virginia's alternative bonding system appears to be basically sound. At the time of the study, the special reclamation fund had assets of approximately $4.5 million. Although reclamation costs are expected to exceed bond forfeiture income by about $400,000 annually, the special reclamation tax provisions of West Virginia's SCMRA are expected to provide approximately $1 million annually when net assets of the special reclamation fund fall below $1 million. Since West Virginia's special reclamation fund is solvent and its depletion is controllable by a special reclamation tax and the rate at which reclamation activities are scheduled, the Secretary finds that the alternative bonding system described in Part 4H of West Virginia's regulation is no less effective than the requirements of 30 CFR Subchapter J of Chapter VII and is in accordance with the alternative bonding provisions of Section 509(c) of SMCRA.

8. Condition 35 requires an amendment to the West Virginia program to provide for five days' written notice of formal hearings in accordance with section 525(a)(2) of SMCRA. West Virginia requested reconsideration of this condition because Chapter 20–6–24(c) of the West Virginia SCMRA requires that the Reclamation Board of Review give appellants at least twenty days' written notice of hearings by certified mail and West Virginia regulation Section 15A.01 requires that the time, place and purpose of meetings of the Reclamation Commission and the Reclamation Board of Review be published in a newspaper in the area where the environmental concern exists or in a newspaper of general circulation in the State. Also, the Department of Natural Resources' (DNR) Open Government Proceedings regulations, Chapter 20–1 Series XIV, require that seven days' public notice be given for all meetings of the Reclamation Commission and as a matter of departmental policy, the Reclamation Board of Review will give seven days' public notice of all future meetings (Administrative Record No. WV 465). Since DNR's Open Government Proceedings regulations require that seven days' public notice be given for all meetings of the Reclamation Commission, West Virginia regulation Section 15A.01 requires that the public be given advance notice of hearings and as a matter of departmental policy, the Reclamation Board of Review will give seven days' public notice of all future meetings, the Secretary finds that these provisions provide the public with adequate advance notice of hearings in accordance with section 525(a)(2) of SMCRA.

The Secretary finds that some of the amendments submitted by West Virginia on September 14, 1982, and October 29, 1982, fail to correct the deficiencies in the West Virginia program as follows:

1a. Condition 9 requires an amendment to West Virginia's regulations to eliminate the variance provisions of Section 6B.07e.1. West Virginia requested reconsideration of this condition based on a proposed revision to 30 CFR 817.133(d). State regulation Section 6B.07e.1 allows broad variances for special land use purposes at the DNR Director's discretion, with no regulatory criteria for his exercising this discretion. Unlike the State provision, the proposed and existing Federal regulation provides specific criteria for granting a variance for backfilling and grading in accordance with sections 515(c) and 515(e) of SMCRA. Because West Virginia's regulations lack specific criteria for granting a variance for backfilling and grading, the Secretary finds that the provisions of West Virginia regulation Section 6B.07e.1 are not in accordance with sections 515(c) and 515(e) of SMCRA and are less effective than 30 CFR 817.133.

2a. Condition 11 requires an amendment to West Virginia's regulations to require completion of rough backfilling and grading in area surface mining operations within 180 days as required by 30 CFR 816.101(a)(3). West Virginia requested reconsideration of this condition on the basis that the West Virginia program is as effective as and more stringent than the Federal provisions. State regulation Section 6B.09b.4 is more stringent than 30 CFR 816.101(a)(3) by requiring that no more than two spoil ridges nor more than 3,000 linear feet of open pit be allowed. However, the State regulation fails to require that rough backfilling and grading of area mining operations be completed within 180 days following coal removal. The regulatory authority can grant additional time for rough backfilling and grading if the permittee can demonstrate, through a written detailed analysis, that additional time is necessary. West Virginia contends that reclamation of area mining operations is occurring in less than 180 days and the inclusion of a time limit in the regulations may encourage operators to delay reclamation. It should be noted that the draft final Federal rules at 30 CFR 816.100 and 816.102 omit specific timing and distance requirements for backfilling and grading options and specify that the regulatory authority

may establish schedules that define contemporaneous reclamation. However, the current Federal rules do require specific timing and distance requirements. Accordingly, since section 6B.07e.1 of West Virginia's regulations does not establish a maximum time limit for backfilling and grading, the Secretary finds that the backfilling and grading requirements of West Virginia regulation Section 6B.07e.1 are less effective than those of 30 CFR 816.101(a)(3).

3a. Condition 13 requires an amendment to West Virginia regulation Section 6B.07a.2 prohibiting placement of debris on the downslope in areas of steep slope mining. West Virginia requested reconsideration of this condition on the basis of published reports which conclude that a timber or brush windrow barrier is an acceptable and effective erosion control measure. In accordance with section 515(d)(1) of SMCRA, no debris, abandoned equipment, spoil material or waste mineral matter can be placed on the downslope below the bench or mining cut when surface mining on steep slopes. Since West Virginia failed to submit the reports which support the use of windrowed barriers on steep slopes and because placement of debris on the downslope is prohibited by SMCRA, the Secretary finds that the windrowing provisions of West Virginia regulation Section 6B.07a.2 are not in accordance with section 515(d)(1) of SMCRA and are less effective than those of 30 CFR 826.12(a)(i)(C).

4a. Condition 18 requires West Virginia to submit to the Secretary additional data demonstrating that large volumes of water runoff will not damage valley and head-of-hollow fills. On October 29, 1982, West Virginia submitted additional information to OSM concerning the stability of valley fills constructed with rock core drainage systems. According to the West Virginia DNR, 281 valley fills have been constructed with rock core drainage systems since the early to mid 1970's and no failures of such fills have occurred. The data provided OSM, however, is not conclusive evidence that rock core drainage design criteria allowed by West Virginia when the fill is not constructed to the ridge line could not pose long term threats to the integrity of the fill. Unlike 30 CFR 816.72, all fills in West Virginia are permitted to have a central rock core drain. Also, head-of-hollow fills with rock core drainage systems are not limited to a maximum 250,000 cubic yards of material if not constructed to the ridge line as required by 30 CFR 816.73(a). Although data and testimony contained in the administrative record tend to support West Virginia's utilization of rock core drainage systems in fills, the Secretary remains concerned about the potential impacts of substantial flows of water onto or over the fills from drainage areas above the fills. Therefore, West Virginia must amend its program to ensure that valley and head-of-hollow fills with rock core drainage systems may be allowed only in areas without a significant natural drainage potential in the disposal area or must be limited to a maximum of 250,000 cubic yards if not constructed to the ridge line. Valley and head-of-hollow fills which utilize rock-core chimney drainage systems where the final crest of the fill is at or near the ridge line need not be limited in size if no significant area of natural drainage occurs above and around the fill and runoff above the fill flows only in direct response to precipitation in the immediate watershed or in response to the melting of a cover of snow and ice, and which has a channel bottom that is always above the water table. To ensure the long term integrity of fills with rock core drainage systems, OSM will continue to monitor selected fills with rock core drainage systems in West Virginia during the permanent program. Until West Virginia's program is amended accordingly, the Secretary finds that Section 6B.08c of West Virginia's regulations, Chapter 8 of the Technical Handbook and Chapter 20-6-13 of the West Virginia SCMRA are less effective than 30 CFR 731.13, 816.72, 816.73, 817.72 and 817.73 and provide design standards of valley and head-of-hollow fills not in accordance with sections 515 and 516 of SMCRA.

5a. Condition 20 requires an amendment to West Virginia's regulations or program to demonstrate that applicable permit data, performance standards and public participation requirements of SMCRA are included in the State provisions for incidental mining permits. West Virginia requested reconsideration of this condition because a memorandum governing the procedure for obtaining incidental mining permits was issued on June 28, 1982, which requires operators to comply with the permanent program requirements discussed above. While the incidental mining permit procedures address some of the concerns regarding performance standards, permit data and public participation, it is OSM's position that the operators cannot be legally bound to comply with the procedures. Even if the policy memorandum is determined to have the effect of law, certain provisions of sections 506, 507, 508, 509, 510, 511, 513, 514, 515 and 519 of SMCRA have not been satisfied. Furthermore, Chapter 20-6-31(c) of the West Virginia SCMRA specifically provides that as long as an operator complies with the purpose and provisions of Article 6, Section 31 of Chapter 20, the other sections of Article 6 do not apply to an operator holding an incidental mining permit. Also the Reclamation Commission must promulgate regulations establishing applicable performance standards for incidental mining operations. Because the West Virginia Legislature exempted incidental mining operators from complying with the other provisions of the West Virginia SCMRA regarding permit data, performance standards, bonding, public participation, etc. and since the Reclamation Commission can only promulgate performance standards pursuant to Chapter 20-6-31 of the West Virginia SCMRA, the Secretary finds that the State provisions for incidental mining permits are less effective than the Federal requirements.

6a. Condition 21 requires an amendment to West Virginia's regulations or program which will assure that the public is notified of permit decisions as required by 30 CFR 786.23(e). West Virginia requested reconsideration of this condition on the basis that the department provides to major newspapers throughout the State a listing of all permits and significant modifications approved or denied on a monthly basis. The Federal regulations at 30 CFR 786.23(e)(1) require that the regulatory authority notify each person and government official, who filed written objection or comment, of its decision on the application. Also, OSM is to be provided a copy of the decision along with any permit issued. West Virginia regulation section 3Q.02 only requires that the DNR Director provide copies of decisions with respect to permit renewals. There are no provisions for providing decisions to persons who commit on initial permit applications. West Virginia regulation section 3I.01, however, requires the DNR Director to notify all appropriate local agencies of the issuance, renewal or significant revisions to any permits in accordance with section 510(a) of SMCRA. The Federal regulations at 30 CFR 786.23(e)(2) require that the regulatory authority publish its decision in a newspaper or similar periodical of general circulation in the general area of the proposed operation. Without this notice, adversely affected persons would lose their last opportunity to protect their rights because section

514(f) of SMCRA limits judicial appeal to those who participated in the formal administrative hearing reviewing the decision of the regulatory authority. West Virginia has indicated that public notice of permit decisions is published in all major newspapers throughout the State on a monthly basis. Because the provisions of Chapter 20–6–21(b) of West Virginia SCMRA require that the applicant or any person with an interest which is or may be adversely affected request a hearing within thirty days after the applicant is notified of the DNR Director's decision, it is necessary that the public be notified soon after the decision and not on a monthly basis so as to provide the public sufficient time to request a hearing. Accordingly, the Secretary finds that the West Virginia requirements are less effective than the provisions of 30 CFR 786.23(e).

On September 14, 1982, West Virginia requested an extension for meeting conditions 2, 7, 8, 16, 23, and 30 as set forth in the Secretary's January 21, 1981 decision (Administrative Record No. WV 423). The State indicated in its letter that it needed the extension because OSM had proposed changes to its regulations on several of these issues which would not be final until after November 1, 1982. Also, the State preferred to implement these regulatory changes through the normal rulemaking process rather than file emergency regulations which are effective for only 180 days with a possible extension of 180 days. With passage of the State's new Administrative Procedures Act, all regulations must be approved by the West Virginia Legislature prior to promulgation. The State has undertaken a comprehensive review of its regulations prior to submitting them to the public for comment and to the legislature for final promulgation during the 1983 session.

On October 29, 1982, the State requested an extension for meeting condition 14 to May 1, 1983, because OSM had not promulgated revised regulations regarding maximum peak particle velocity.

Inasmuch as OSM has not promulgated final revisions to some of its regulations which are at issue here and West Virginia's formal rulemaking process requires that the regulations be approved by the legislature prior to final promulgation, the Secretary is allowing the State until May 1, 1983, to meet conditions 2, 7, 8, 14, 16, 23, and 30 of West Virginia's program approval. The Secretary has reconsidered conditions 9, 11, 13, 18, 20 and 21 in light of the additional material submitted by West Virginia, but finds these conditions to be valid; the Secretary is allowing West Virginia until May 1, 1983, to meet conditions 9, 11, 13, 18, 20 and 21 of the program approval.

Disposition of Public Comments

Few comments were received from the public on West Virginia's proposed program amendments. Comments from Federal agencies were limited and did not identify any specific deficiencies of the proposed program amendments. Pursuant to section 503(b) of SMCRA and 30 CFR 732.17(h)(10)(i), of those agencies invited to comment, comments were received from the following Federal agencies: U.S. Fish and Wildlife Service, U.S. Bureau of Mines, U.S. Geological Survey, U.S. Army Corps of Engineers, U.S. Mine Safety and Health Administration and U.S. Environmental Protection Agency. The Secretary has considered all comments in evaluating the adequacy of West Virginia's proposed program amendments, as indicated below:

1. A commenter concluded that the provisions of Section 6B.07e.1 of West Virginia's regulations are inconsistent with the requirements of 30 CFR 817.133(d) and section 515(e) of SMCRA in that the State regulation does not limit variances from approximate original contour to steep slope mining and none of the criteria required for a variance are contained in the regulations. As discussed in Finding 1a, the Secretary finds that provisions of Section 6B.07e.1 of the State's regulations are not in accordance with sections 515(c) and 515(e) of the SMCRA and are less effective than the provisions of 30 CFR 817.133.

2. One commenter objected to West Virginia's practice of incorporating incidental mining permit requirements by internal memorandums rather than by regulation. As discussed in Finding 5a, the Secretary finds that the State's incidental mining permit provisions are less effective than the Federal permanent program requirements.

3. A commenter stated that West Virginia's regulations do not require that the public be notified of permit decisions as required by 30 CFR 786.23(e). As discussed in Finding 6a, the Secretary finds that the State's public notice requirements for permit decisions are less effective than the provisions of 30 CFR 786.23(e).

4. One commenter stated that Section 15A of West Virginia's regulations does not specify how many days notice must be given to the public of formal hearings. As discussed in Finding 8, the Secretary finds that West Virginia will require seven days' public notice of hearings in accordance with section 525(a)(2) of SMCRA.

Additional Information

Procedural Matters

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. 3507.

National Environmental Policy Act. The Secretary has determined that pursuant to section 702(d) of SMCRA, 30 U.S.C. 1292(d), no Environmental Impact Statement need be prepared on this rulemaking.

Executive Order 12291 and the Regulatory Flexibility Act. 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 actions directly related to approval or conditional approval of State regulatory programs. Therefore, this action is exempt from preparation of a Regulatory Impact Analysis and regulatory review by OMB.

The Department of the Interior has determined that this rule 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 rule does not impose any new requirements; rather, it ensures that existing requirements established by SMCRA and the Federal rules will be met by the State.

On December 29, 1982, the Administrator of the Environmental Protection Agency transmitted her written concurrence on the amendment approved in this document as it relates to air or water quality standards under the authority of the Clean Water Act, as amended (33 U.S.C. 1251 *et seq.*), and the Clean Air Act, as amended (42 U.S.C. 1857 *et seq.*).

List of Subject in 30 CFR Part 948

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

Accordingly, 30 CFR Part 948 is amended as set forth herein.

Dated: February 22, 1983.

Daniel N. Miller Jr.,

Assistant Secretary, Energy and Minerals.

PART 948—[AMENDED]

Part 948 of Title 30 is amended as follows:

1. 30 CFR 948.10 is revised to read as follows:

§ 948.10 State regulatory program approval.

The West Virginia State program, as submitted on March 3, 1980, as amended and clarified on July 16, 1980, and resubmitted December 19, 1980, was conditionally approved, effective January 21, 1981. Beginning on that date, the Department of Natural Resources was deemed the regulatory authority in West Virginia for all surface coal mining and reclamation operations and for all exploration operations on non-Federal and non-Indian lands. Beginning on May 11, 1982, the program also included the coal refuse regulations conditionally approved as a program amendment on that date. Section 10 of the regulations contained in the conditionally approved program of January 21, 1981, was deleted from the program as of May 11, 1982. Further, beginning on September 10, 1982, and March 1, 1983, the program includes the modifications submitted on June 17, 1982 and September 14 and October 29, 1982. Copies of the conditionally approved program, as amended, are available at:

(a) West Virginia Department of Natural Resources, 1800 Washington Street, East, Room 630, Charleston, West Virginia 25305, Telephone: (304) 348–9160

(b) Office of Surface Mining Reclamation and Enforcement, 603 Morris Street, Charleston, West Virginia 25301, Telephone: (304) 347–7158

(c) Office of Surface Mining Reclamation and Enforcement, U.S. Department of the Interior, 1100 "L" Street, N.W., Room 5315, Washington, D.C. 20240, Telephone: (202) 343–7896.

§ 948.11 Conditions of State regulatory program approval. [Amended]

2. 30 CFR 948.11(a)(2), (7), (8), (9), (11), (13), (14), (16), (18), (20), (21), (23), and (30) are amended by substituting "May 1, 1983" for each date contained therein.

3. 30 CFR 948.11(a)(6), (10), (12), (15), (17), (22), (25) and (35) are removed and reserved.

[FR Doc. 83-5158 Filed 2-28-83; 8:45 am]

BILLING CODE 4310-05-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6496]

Suspension of Community Eligibility Under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Final rule.

SUMMARY: This rule lists communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the flood plain management requirements of the program. If FEMA receives documentation that the community has adopted the required flood plain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the **Federal Register**.

EFFECTIVE DATES: The third date ("Susp.") listed in the fourth column.

FOR FURTHER INFORMATION CONTACT: Mr. Richard E. Sanderson, Chief, Natural Hazards Division, (202) 287–0270, 500 C Street Southwest, Donohoe Building, Room 505, Washington, DC 20472.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local flood plain management measures aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4022) prohibits flood insurance coverage as authorized under the National Flood Insurance Program (42 U.S.C. 4001–4128) unless an appropriate public body shall have adopted adequate flood plain management measures with effective enforcement measures. The communities listed in this notice no longer meet that statutory requirement for compliance with program regulations (44 CFR Part 59 et seq.). Accordingly, the communities are suspended on the effective date in the fourth column, so that as of that date flood insurance is no longer available in the community. However, those communities which, prior to the suspension date, adopt and submit documentation of legally enforceable flood plain management measures required by the program, will continue their eligibility for the sale of insurance. Where adequate documentation is received by FEMA, a notice withdrawing the suspension will be published in the **Federal Register**.

In addition, the Director of Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the fifth column of the table. No direct Federal financial assistance (except assistance pursuant to the Disaster Relief Act of 1974 not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year on the Federal Emergency Management Agency's initial flood insurance map of the community as having flood prone areas. (Section 202(a) of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column.

The Director finds that delayed effective dates would be contrary to the public interest. The Director also finds that notice and public procedure under 5 U.S.C. 533(b) are impracticable and unnecessary.

The Catalog of Domestic Assistance Number for this program is 83.100 "Flood Insurance." This program is subject to procedures set out in OMB Circular A–95.

Pursuant to the provision of 5 U.S.C. 605(b), the Associate Director of State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. As stated in section 2 of the Flood Disaster Protection Act of 1973, the establishment of local flood plain management together with the availability of flood insurance decreases the economic impact of future flood losses to both the particular community and the nation as a whole. This rule in and of itself does not have a significant economic impact. Any economic impact results from the community's decision not to (adopt) (enforce) adequate flood plain management, thus placing itself in non-compliance of the Federal standards required for community participation.

In each entry, a complete chronology of effective dates appears for each listed community.

List of Subjects in 44 CFR Part 64

Flood insurance, Flood plains.

Section 64.6 is amended by adding in alphabetical sequence new entries to the table.

§ 64.6 List of eligible communities.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified	Date [1]
Arkansas: Hot Springs	Malvern, city of	130144B	May 1, 1974 emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	Oct. 3, 1975 and Nov. 16, 1973	Mar. 2, 1983.
Delaware: Kent	Unincorporated areas	100001A	Dec. 17, 1971 emergency Mar. 15, 1978 regular, Mar. 2, 1983 suspended.	Mar. 15, 1978	Do.
Florida: Pinellas	Indian Rocks Beach, city of	125117	July 17, 1970, emergency, May 7, 1971, regular, Mar. 2, 1983 suspended.	Aug. 13, 1976	Do.
Do	Indian Shores, town of	125118C	May 22, 1970 emergency, May 21, 1971 regular, Mar. 2, 1983 suspended.	May 22, 1970, May 21, 1971, July 1, 1974 and June 6, 1975.	Do.
Do	Redington Beach, town of	125140D	May 15, 1970 emergency, May 15, 1970 regular, Mar. 2, 1983 suspended.	Sept. 26, 1975	Do.
Do	Redington Shores, town of	125141B	June 30, 1970 emergency, May 7, 1971 regular, Mar. 2, 1983 suspended.	May 8, 1971, July 1, 1974 and Oct. 17, 1975.	Do.
Georgia: Newton	Covington, city of	130144B	Apr. 23, 1975 emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	June 28, 1974 and June 28, 1974	Do.
Louisiana: Jefferson	Grand Isle, town of	225197	Aug. 28, 1970 emergency, Oct. 30, 1970 regular, Mar. 2, 1983 suspended.	Mar. 18, 1975	Do.
Iberia	Unincorporated areas	220078C	Apr. 27, 1973 emergency, July 3, 1978 regular, Mar. 2, 1983 suspended.	July 3, 1978	Do.
Michigan: Ottawa	Tallmadge, township of	260494B	Sept. 3, 1980, emergency, Mar. 2, 1983, regular, Mar. 2, 1983, suspended.	June 10, 1977	Do.
Oakland	West Bloomfield, township of	260182B	Mar. 30, 1973, emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	June 28, 1974 and Jan. 30, 1976	Do.
Missouri: Franklin	Union, city of	290137B	July 23, 1974, emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	Mar. 8, 1974 and July 23, 1976	Do.
Nebraska: Hall	Grand Island, city of	310103	May 28, 1974, emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	Apr. 5, 1974 and Sept 3, 1976	Do.
New Jersey: Union	Kenilworth, borough of	340466B	Feb. 9, 1973, emergency, Mar. 2, 1983, regular, Mar. 2, 1983 suspended.	Oct. 26, 1973	Do.
Bergen	South Hackensack, township of	340515B	Aug. 11, 1975 emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	June 14, 1974	Do.
New York: Rockland	Clarkstown, town of	360679D	Oct. 24, 1974, emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	Apr. 12, 1974 Sept. 10, 1976, and Aug. 24, 1979.	Do.
Schoharie	Esperance, town of	361194C	Oct. 17, 1975, emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	Oct. 18, 1974, Aug. 27, 1976 and Nov. 14, 1975.	Do.
Suffolk	Port Jefferson, village of	360804	June 27, 1974, emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	June 28, 1974 and June 11, 1976	Do.
Pennsylvania: Blair	Altoona, city of	420159B	Sept. 26, 1973 emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	June 28, 1974 and Oct. 3, 1975	Do.
Lycoming	Lewis, township of	420643C	June 14, 1973, emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	May 24, 1974, Aug 6, ,1976 and Aug. 5, 1977.	Do.
York	Lower Windsor, township of	421187B	Aug. 29, 1975 emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	Aug. 30, 1974 and Aug. 20, 1976	Do.
Lancaster	Manheim, borough of	420555B	Apr. 19, 1973, emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	Oct. 5, 1973 and Nov. 21, 1975	Do.
York	Washington, township of	421150B	Apr. 4, 1974, emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	Sept. 20, 1974 and Aug. 20, 1976	Do.
Rhode Island: Newport	Portsmouth, town of	445405C	July 30, 1971, emergency, Aug. 24, 1973, regular, Mar. 2, 1983 suspended.	Aug. 7, 1973, July 1, 1974, Dec. 19, 1975 and Sept. 10, 1976.	Do.
South Carolina: Horry	Surfside Beach, town of	450111	Sept. 10, 1971, emergency, Dec. 17, 1976, regular, Mar. 2, 1983 suspended.	Dec. 17, 1976	Do.
Do	Surfside Beach, town of	450111	Sept. 10, 1971, emergency, Dec. 17, 1976, regular, Mar. 2, 1983 suspended.	Dec. 17, 1976	Do.
Texas: Wichita	Unincorporated areas	481189B	June 1, 1982, emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	Aug. 1, 1978	Do.
Virginia: Sussex	Unincorporated areas	510192A	Dec. 11, 1973, emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	June 9, 1978	Do.
Illinois: Scott	Naples, village of	170609B	Mar. 6, 1974, emergency, May 17, 1982, regular, Mar. 1, 1983, suspended.	Apr. 2, 1976 and Jan. 9, 1974	Mar. 1, 1983.
Indiana: Porter	Valparaiso, city of	180204C	Mar. 24, 1975 emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	Apr 9, 1976 and Jan. 9, 1974	Do.
Maryland: Harford	Unincorporated areas	240040	May 5, 1972, emergency, Mar. 2, 1983 regular, Mar. 2, 1983 suspended.	Apr. 4, 1975	Mar. 2, 1983.

[1] Date certain Federal assistance no longer available in special flood hazard area.

(National Flood Insurance Act of 1968 (title XIII, Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: February 22, 1983.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 83-5084 Filed 2-28-83; 8:45 am]

BILLING CODE 6718-03-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Human Development Services

45 CFR Part 1397

Standard-Setting Requirements for Medical and Nonmedical Facilities Where SSI Recipients Reside

AGENCY: Office of Human Development Services (HDS), HHS.

ACTION: Final rule with comment period.

SUMMARY: This rule amends the standard-setting requirements for medical and nonmedical facilities where SSI recipients reside. (These requirements are known as Keys amendment regulations). This action is necessary because of the passage of the Omnibus Budget Reconciliation Act of 1981 which amended section 1616(e) of the Social Security Act and deleted reference to Title XX thereby removing social services plans as the vehicle for providing public notice of standards for certain facilities.

DATE: Effective March 31, 1983. These regulations are being published as final for reasons described in the Supplementary Information, below. However, the Department will consider any written comments up to May 2, 1983.

ADDRESSES: Address comments to the Assistant Secretary for Human Development Services, Room 309F, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, D.C. 20201. Agencies and organizations are requested to submit comments in duplicate. Beginning two weeks from today, the public may review the comments submitted in response to this final rule in room 300E, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, D.C. 20201, between the hours of 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: David A. Rust, (202) 245-7027.

SUPPLEMENTARY INFORMATION:

Background

These standard-setting requirements for medical (not certified by Medicare or Medicaid) and nonmedical facilities where SSI recipients reside were published in the **Federal Register** on Tuesday, January 31, 1978 (43 FR 4016). They implement the Keys Amendment, section 1616(e) of the Social Security Act. They were redesignated Part 1397 of Title 45 of the Code of Federal Regulations on August 25, 1980 (45 FR 56728).

The purposes of the amendment were: (1) To assure development of standards for safe and appropriate residential settings as an alternative to institutional living for appropriate elderly individuals and handicapped children and adults; (2) to limit the use of SSI funds for substandard facilities for such persons; and (3) to publicize the standards and enforcement procedures as a means of involving the public in monitoring these standards.

The implementing regulations became effective October 1, 1977. They required States to: (1) Designate one or more State or local authorities to establish and enforce standards for residential facilities where significant numbers of SSI recipients reside or are likely to reside; (2) make available for public review in the annual services plan under the former Title XX of the Social Security Act, a summary of the standards and enforcement procedures; (3) make available a list of any waivers of such standards and any violations that may have come to the attention of standard-setting authorities; and (4) certify annually to the Secretary compliance with the Keys requirements.

Public Law 97-35, the Omnibus Budget Reconciliation Act of 1981, amended section 1616(e) of the Social Security Act by deleting reference to Title XX. Consequently, the regulations must be amended to reflect the statutory change and to specify how States must now comply with the Keys requirements. In order to do this we are issuing these final regulations with a 60-day comment period.

Provisions of the Regulations

Except as noted below, these regulations make only editorial changes. The first two sections have been renumbered, all references to Title XX have been removed wherever they appear in current regulations, and § 1397.30 has been deleted.

In § 1397.10, several changes have been made. This section incorporates all the State responsibilities currently in § 1397.30, i.e., making summaries of standards available for public review; assuring that standard-setting authorities meet requirements; and annually certifying to the Department its compliance with requirements of this Part. In addition, this section now contains the requirements for: (1) Designation of a State official to assist in the activities required to comply with this Part; and (2) transmittal of a summary of standards and enforcement procedures to the Assistant Secretary for Human Development Services, Office of Human Development Services, rather than the regional official who received title XX plans.

In § 1397.20, which contains the responsibilities of standard-setting authorities, we require the authorities to provide a summary of their standards and enforcement procedures to the States' designated coordinating official.

Taken together, we believe these requirements will facilitate implementation of State responsibilities for establishing and enforcing standards. We believe that the designation of an official to assist in State implementation of the Keys amendment requirements will provide the Department with a single point of contact for cooperative efforts with the State to identify and respond to the need for technical assistance.

The requirement that summaries of State standards be sent to the Assistant Secretary for Human Development Services further highlights the Department's interest in the Keys amendment requirements. The standards will be used by the recently established Board and Care unit as a basis for their work with States.

We believe it will be simple for the State, if it wishes, to send its certification of compliance and summaries of standards and enforcement procedures as one submittal to the Department. The summaries and procedures need to be sent only one time. Thereafter, only new or revised summaries of standards or procedures are required.

Earlier in the development of these revisions, the Department considered adding a provision that would link compliance with the Keys amendment to the Older Americans Act. Accordingly, failure to comply with Keys requirements could have resulted in a financial sanction against Older Americans Act funds. However, after much deliberation the Department decided not to impose such a sanction.

Waiver of Proposed Rulemaking

These Keys requirements have been in effect since October 1, 1977. The amendments now being adopted are primarily technical and do not change State responsibilities except to give them flexibility in the means by which they make standards available for public review. Publication of an NPRM and a prior comment period are therefore unnecessary and we find good cause to waive those procedures. We will, however, consider any comments on this rule that are mailed by the date specified above in the "**EFFECTIVE DATE**" section and make any further changes

that may be necessary. We will also respond to the comments when we make any further changes.

Impact Analysis

Executive Order 12291

The Secretary has determined, in accordance with Executive Order 12291, that this interim final rule does not constitute a major rule because it will not: Have an annual effect on the economy of $100 million or more; result in a major increase in costs or process for consumers, any industries, any governmental agency or any geographic regions; or have 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 import markets.

Reporting and Recordkeeping Requirements

The Department is required to submit to the Office of Management and Budget for review and approval 45 CFR 1397.10 and 1397.20 which include reporting and recordkeeping requirements. These sections will be submitted to OMB. They will not be effective until OMB approval is obtained. We will publish a notice in the **Federal Register** when approval has been obtained, indicating the effective date of the reporting. We recognize that States have been meeting reporting requirements. However, we are following OMB instructions in this regard so that States may withhold reporting temporarily.

Regulatory Flexibility Act of 1980

The Regulatory Flexibility Act of 1980, Pub. L. 96-354, requires that an agency prepare a regulatory flexibility analysis for a proposed or final rule if the rule would have a significant economic impact on a substantial number of "small entities," i.e., small businesses, small non-profit organizations, or small governmental jurisdictions. Although facilities subject to Keys amendments are small entities, these regulations specify responsibilities that must be carried out by the State. They make no change in the standards applicable to facilities which are subject to State, not Federal standards. Therefore, these amendments do not affect small entities as that term is defined in the Act. I hereby certify that this rule will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 45 CFR Part 1397

Grants programs, Social programs, Health facilities, Supplemental Security Income (SSI).

Approved: January 26, 1983.

Dorcas R. Hardy,

Assistant Secretary for Human Development Services.

Approved: February 2, 1983.

Richard S. Schweiker,

Secretary of Health and Human Services.

Accordingly, for the reasons set forth in the Preamble, 45 CFR, Chapter XIII is amended by revising the title of Subchapter K, and by revising Part 1397 to read as follows:

SUBCHAPTER K—STANDARD SETTING REQUIREMENTS FOR MEDICAL AND NONMEDICAL FACILITIES WHERE SSI RECIPIENTS RESIDE

PART 1397—STANDARD SETTING REQUIREMENTS FOR MEDICAL AND NONMEDICAL FACILITIES WERE SSI RECIPIENTS RESIDE

Sec.

1397.1 Scope
1397.5 Definitions.
1397.10 Responsibilities of States.
1397.20 Responsibilities of designated standard-setting authorities.

Authority: Sections 1102 and 1616(e) of the Social Security Act (42 U.S.C. 1302 and 1382(e)).

§ 1397.1 Scope.

This part requires States to create or designate one or more State or local authorities to establish, maintain, and ensure the enforcement of standards for any category of institutions, foster homes, or group living arrangements in which, as determined by the State, a significant number of recipients of Supplemental Security Income (SSI) benefits resides or is likely to reside. SSI residents who live in relevant facilities which violate any of the standards will be subject to a reduction in their SSI payments by the Social Security Administration. The reduction will be in an amount equal to any State supplementary benefit or other payment made by the State for any medical or remedial care provided them by the facility.

§ 1397.5 Definitions.

For purposes of this part:

(a) *Any category of institutions, foster homes, and group living arrangements* means residential facilities which: (1) Provide both room and board *and* continuous protective oversight to the residents; and (2) Are non-medical or medical facilities of any size (other than those certified for participation in the Medicaid or Medicare programs) which are publicly or privately operated on a nonprofit or for-profit basis.

(b) *Medical or remedial care* means care directed toward the correction or amelioration of a medical condition which has been diagnosed as such by a licensed medical practitioner operating within the scope of medical practice as defined by State law, and the care is provided by or under the direct supervision of a medical practitioner or other health professional licensed by the State or credentialed by the appropriate professional organization.

§ 1397.10 Responsibilities of States.

Each State shall—

(a) Determine the kinds of residential facilities (as defined under § 1397.1) in which a significant number of SSI recipients resides or is likely to reside;

(b) Create or designate one or more State or local authorities to establish, maintain, and ensure the enforcement of any standards for the residential facilities identified in accordance with paragraph (a) of this section;

(c) Annually make available for public review a summary of the standards established in accordance with paragraph (b) of this section, including the name and address of each standard-setting authority from which interested individuals may obtain further information about full standards, enforcement procedures, waivers of standards and violations;

(d) Assure that each standard-setting authority complies with the requirements of § 1397.20;

(e) Annually certify to the Assistant Secretary for Human Development Services that the State meets the requirements of this Part. The certification shall be in the form of a factual statement signed by the Chief Executive Officer of the State or his or her designee and submitted within the first quarter of each Federal fiscal year; and

(f) Send a summary of each standard for each kind of facility, and a summary of enforcement procedures to the Assistant Secretary for Human Development Services in the first quarter of the first fiscal year following March 31, 1983. Thereafter, only new or revised summaries of standards or procedures are required. The address for the Assistant Secretary for Human Development Services is 200 Independence Avenue, SW., Washington, D.C. 20201.

(g) Designate an official to assist in the implementation of the requirements of this Part.

§ 1397.20 Responsibilities of designated standard-setting authorities.

Each standard-setting authority shall:

(a) *Establish standards.* (1) The standards shall be appropriate to the needs of the SSI recipients residing in the facilities and to the character of the facilities involved. In addition, they shall govern such matters as:

(i) Admission policies (including a continuous needs assessment and referral to appropriate resources);

(ii) Safety;

(iii) Sanitation (cleanliness and hygienic procedures); and

(iv) Protection of civil rights (under the United States Constitution, the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and all other relevant provisions of Federal and State laws).

(2) If a standard-setting authority has standards already in place that cover the subject areas listed in paragraph (a)(1) of this section, the standards meet the requirements of this paragraph.

(3) Under the requirements of this paragraph, the authority may provide for waivers of a standard under specified criteria.

(4) The authority shall notify the public and providers about the need for affected facilities to meet its standard.

(b) *Establish procedures for enforcing the standards.* (1) The enforcement procedures shall include:

(i) Periodic inspection of facilities;

(ii) Provision of technical assistance; and

(iii) Use of a warning system which provides for an opportunity for a deficient facility to comply and for the residents to move out if the facility fails to do so.

(2) The standard-setting authority shall establish specific time periods:

(i) For a deficient facility to carry out a plan approved by the standard-setting authority to correct any violation of a standard which cannot be waived; and

(ii) For the standard-setting authority, if the facility fails to comply, to arrange for informing in writing all residents of the facility (including, where appropriate, the families, guardians, or representative payees of SSI residents) of the standard which the facility does not meet, and of the time period during which residents may relocate if they wish before the authority reports the deficient facility to the Social Security Administration. The standard-setting authority shall also provide all residents with a list of approved facilities and agencies which will help them move if they wish. The purpose is to let the residents know they do not have the protection of the standard, and to give them time and assistance to move if the absence of the standard endangers them or causes a reduction in their SSI benefit.

(c) *Report deficient facilities to the Social Security Administration.* (1) At the conclusion of the relevant time period(s) given a deficient facility to correct violation of a standard or for residents to move out of a facility, as described in paragraph (b)(3) of this section, each designated standard-setting authority shall report to the appropriate Regional Office of the Social Security Administration the name and address of any facility which no longer meets the standards and the effective date of the violation. The purpose is to enable the Social Security Administration to reduce SSI benefits to SSI residents living in a facility in violation of standards, in accordance with the requirements of Section 1616(e) of the Social Security Act.

(2) If and when a deficient facility again meets the standards, the standard-setting authority shall notify the Social Security Administration of the effective date of its approval of the facility.

(d) *Maintain and make records available*—(1) *Maintenance of records.* Each authority shall:

(i) Keep a record of the details of each violation of a standard by a facility; and

(ii) If a standard is waived, maintain a record including the name and address of each facility granted a waiver, the standard waived, and the justification for waiving it.

(2) *Availability of records to the public.* Each authority shall make available without charge to interested individuals a single copy of:

(i) A complete set of standards for each type of facility;

(ii) The procedures used in the State to insure the enforcement of standards;

(iii) The list of facilities (name and address) that have been granted waivers of each standard, including the justification for the waiver; and

(iv) The list of facilities (name and address) found in violation of a standard, including the details of each violation.

(3) The authority shall provide the official designated in accordance with § 1397.10(g), a summary of each standard for each kind of facility and enforcement procedures.

[FR Doc. 83-5029 Filed 2-28-83; 8:45 am]

BILLING CODE 4130-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 90, and 95

Substitution of Forms for Applications in Private Land Mobile and General Mobile Radio Services; Public Notice Announcing Availability of the Forms

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date

SUMMARY: The Commission adopted a Memorandum Opinion and Order on August 24, 1982 to substitute new Forms 574, 574A and 574B for Forms 400 and 400S for applications in the Private Land Mobile and General Mobile Radio Services. This document was published in the **Federal Register**, 47 FR 57409 (December 22, 1982). In this document, the Commission said that the use of the new forms and the procedural rules were contingent upon approval of the froms by the Office of Management and Budget. When such approval was obtained, the Commission would announce the effective date by public notice. Approval of the new forms was received form the Office of Management and Budget. The public notice, dated February 2, 1983, was released specifying that the use of the forms and the procedural rules were effective February 14, 1983.

DATE: Effective February 14, 1983.

FOR FURTHER INFORMATION CONTACT: Charles F. Turner, Private Radio Bureau (202) 632-6497.

SUPPLEMENTARY INFORMATION:

February 2, 1983.

New Land Mobile Application Forms Now Available

On August 24, 1982, the Commission, by Memorandum Opinion and Order (FCC 82-397, Mimeo 32011), adopted new FCC Forms 574, 574A and 574B for use by applicants in the Land Mobile and General Mobile Radio Services governed by Parts 90 and 95 of the Rules. The Forms 574 and 574A replace the Forms 400 and 400S. Form 574B is entirely new and must be filed with Form 574 only when requesting frequencies below 27.5 MHz. This action was published in the **Federal Register**, 47 FR 57049 (December 22, 1982). The use of the Forms and the implementation of the procedural rules were contingent upon approval of the forms by the Office of Management and Budget (OMB).

Approval has been received from OMB and the new forms are now

available for distribution to the public. Therefore, effective February 14, 1983, Parts 1, 90 and 95 of Title 47, Code of Federal Regulations are amended as set forth in the appendix attached to the Memorandum Opinion and Order (FCC 82-397, Mimeo 32011). Forms 574 and 574A are to be used in place of Forms 400 and 400S.

The new forms are to be submitted to the Private Radio Bureau's licensing facility in Gettysburg, Pa. We will accept Form 400 for the use of frequencies 27.5 MHz and above for an indefinite period. Applicants requesting the use of frequencies below 27.5 MHz must now file the Forms 574 and 574B. When we receive significantly more Forms 574 than Forms 400, we will issue another Public Notice setting a deadline for the continued acceptance of the Form 400.

The new forms may be obtained from our headquarters in Washington, D.C., our facility in Gettysburg, Pa. and from our district offices in the field. Requests for quantities not exceeding three (3) may be addressed to FCC Consumer Assistance Branch, Gettysburg, Pa. 17325, or to any of our district offices. Requests for larger quantities of the forms may be addressed to FCC Supply Section, Room B-10, 1919 M Street, NW., Washington, D.C. 20554. Other inquiries concerning private radio forms and licensing matters should be directed to our staff in Gettysburg, telephone (717) 337-1212.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 83-4133 Filed 2-28-83; 8:45 am]

BILLING CODE 6712-01-M

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47 CFR Part 73

[BC Docket Nos. 80-201; RM-3249; RM-3710, 80-211; RM-3579, 80-213; RM-3406; RM-3718; RM-3719, 81-171; RM-3518; RM-3556; RM-3613; RM-3666; RM-3771]

FM Broadcast Stations in North Charleston, Eastover, and Ravenel, South Carolina; Elloree, South Carolina; Mount Pleasant, Parris Island, Manning, Bamberg, and Batesburg, South Carolina; Johnston, Leesville, Winnsboro Mills, Saluda, Union, and Batesburg, South Carolina; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action assigns FM Channel 237A to Leesville, South Carolina, as that community's first FM assignment. The action is taken pursuant to a petition for reconsideration of an earlier *Report and Order* which had denied the assignment. The petition was filed by William K. Durst. Petitions seeking the assignment of channels to Elloree, Mount Pleasant, Manning, Johnston, Saluda and Union, South Carolina; and the deletion of a channel from North Charleston, South Carolina, are denied.

DATE: Effective April 27, 1983.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Memorandum Opinion and Order (Proceeding Terminated)

Adopted: February 9, 1983.

Released: February 24, 1983.

In the matter of Amendment of § 73.202(b) Table of Assignments, FM Broadcast Stations. (North Charleston, Eastover, and Ravenel, South Carolina), BC Docket No. 80-201, RM-3249 RM-3710; Amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Elloree, South Carolina), BC Docket No. 80-211, RM-3579; Amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Mount Pleasant, Parris Island, Manning, Bamberg, and Batesburg, South Carolina, BC Docket No. 80-213, RM-3406, RM-3718, RM-3719; Amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Johnston, Leesville, Winnsboro Mills, Saluda, Union, and Batesburg, South Carolina, BC Docket No. 81-171, RM-3518, RM-3556, RM-3613, RM-3666, RM-3771.

By the Chief, Policy and Rules Division:

1. Before the Commission are five petitions seeking reconsideration of the *Report and Order*, 51 R.R. 2d 25 (Broadcast Bureau 1982), in which FM channels were assigned to North Charleston, Eastover, Ravenel, Mount Pleasant, and Parris Island, South Carolina. The *Report and Order* also denied FM assignments to Elloree, Manning, Johnston, Leesville, Winnsboro Mills, Saluda, and Union, South Carolina. In making our decisions, the above-listed communities were divided into two sets, Set A and Set B, because any assignment plan proposed for Set A could be adopted independently of any assignment plan for Set B. The communities included in Set A are North Charleston, Eastover, Ravenel, Elloree, Parris Island, and Mount Pleasant. Set B includes the communities of Manning, Bamberg, Batesburg, Johnston, Winnsboro Mills, Saluda, Union, and Leesville. In this *Memorandum Opinion and Order* we shall first address the petitions seeking reconsideration of our actions with respect to the communities in Set A. After a complete analysis of the Set A petitions, we shall address the petitions involving the Set B communities.

Set A

2. In the *Report and Order*, we assigned a second FM channel to North Charleston and made first FM assignments to Eastover, Ravenel, Parris Island, and Mount Pleasant, South Carolina. A mutually exclusive first assignment to Elloree, South Carolina, and a mutually exclusive second assignment to Mount Pleasant were rejected.[1] Petitions for reconsideration of these actions were filed by Santee-Cooper Broadcasting Company ("Santee-Cooper"),[2] and William G. Dudley, III ("Dudley").[3] An opposition to the Dudley petition was filed by William P. Roversi ("Roversi"). Replies were submitted by Santee-Cooper and Dudley.

3. Santee-Cooper seeks reconsideration of our refusal to assign a first FM channel to Elloree and our decision not to assign a second channel to Mount Pleasant. With respect to the Elloree assignment, Santee-Cooper makes three basic arguments. First, petitioner states that Elloree and the surrounding Orangeburg County are much more deserving of a first FM assignment than Eastover. Second, Santee-Cooper alleges that the Eastover proponent, William Dudley, does not have a *bona fide* interest in an Eastover assignment, but only sought the channel as a "strike application" in an attempt to defeat the addition of a second FM channel in North Charleston.[4] According

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[1] According to the original assignment plans proposed with respect to North Charleston, Eastover, and Elloree, any two of the communities could receive channels, but channels could not be assigned to all three communities. *Further Notice of Proposed Rule Making*, 46 FR 19737 (Broadcast Bureau 1981). After first determining that the larger city of North Charleston deserved a second local outlet, we compared the communities of Eastover and Elloree to decide which city was more deserving of a first FM assignment. As a result of this analysis, we assigned the channel to Eastover. The second channel to Mount Pleasant was rejected because no party expressed an interest in applying for a second channel at that community.

[2] Public Notice of the petition was given May 5, 1982, Report No. 1350.

[3] Public Notice of the petition was given April 16, 1982, Report No. 1347.

[4] Dudley is the licensee of North Charleston's only currently operating FM station. Dudley's original petition in this proceeding was in the nature of a

to Santee-Cooper, Dudley has no intention of building a station at Eastover; therefore, the Eastover assignment should not be allowed to defeat the assignment at Elloree. Finally, Santee-Cooper states that its Elloree petition originally was a simple, uncontested drop-in which should have been finalized by the Commisison long ago rather than being included in the North Charleston and Eastover controversy. Santee-Cooper reasons that sound administrative practice demands that the Elloree assignment be finalized as it would have been had it not been injected into the instant consolidated proceeding. Regarding the Mount Pleasant assignment, Santee-Cooper states that it has consistently expressed its interest in applying for a second channel at Mount Pleasant. Santee-Cooper therefore charges that the Commission was mistaken when it declined to make the additional assignment because no interest had been expressed in its use. Santee-Cooper urges that the Mount Pleasant channel be assigned as requested.

4. Dudley's petition seeks reconsideration of the assignment of Channel 241 to North Charleston. Dudley states that the Commission ignored its own FM assignment priorities by favoring a second FM assignment to North Charleston over a first assignment to Elloree. Dudley also charges that the Commission did not consider the plethora of aural services available in North Charleston. Dudley asserts that the rural areas of South Carolina do not have as many program choices as do residents of the Charleston metropolitan area. Dudley concludes that the "piling up" of additional frequencies in the Charleston metropolitan area to the exclusion of a first service to Elloree is arbitrary and capricious and cannot be reconciled with the dictates of Section 307(b) of the Communications Act.[5]

5. In reply to Santee-Cooper's petition, Dudley again asserts that both Eastover and Elloree can be accommodated with new assignments if the second channel at North Charleston is deleted. Dudley also comments that Santee-Cooper's attacks on Dudley's motives for filing the Eastover petition are both unsupported and irrelevant. Dudley points out that a demand has been expressed for the Eastover channel and that there is no basis for ignoring his commitment to apply for and construct the Eastover station. Dudley concludes that the Commission must make its decisions on the merits of the proposals, not on the basis of "wild and unsubstantiated charges."

6. An opposition to Dudley's petition was submitted by William P. Roversi, who argues that Channel 241 should be retained at North Charleston. Roversi first questions Dudley's status as an interested person by virtue of the fact that his request for the assignment of a channel to Eastover was granted yet he now files a petition for reconsideration of the decision to assign a channel to North Charleston. Roversi notes that Dudley is the principal owner of the only two stations presently licensed to North Charleston, and that the petition for reconsideration will delay competition with Dudley's AM/FM combination in that community. Substantively, Roversi avers that the assignment of Channel 241 to North Charleston is consistent with prior Commission precedent and is neither arbitrary nor capricious. Finally, Roversi notes that the Commission has repeatedly rejected Dudley's argument that service to a community from stations in nearby cities is a proper substitute for competitive, local service.[6]

7. *Analysis.* With respect to the assignment of a channel to Elloree and the deletion of Channel 241 at North Charleston, it appears that Santee-Cooper and Dudley have merely restated arguments previously considered and rejected in the *Report and Order.*[7] Reconsideration is generally not available for the purpose of rearguing matters on which there has been deliberation and decision. As a general rule, the only valid grounds for reconsideration are manifest error or omissions so material that the corrections would result in substantial alteration of the original decision. *WWIZ, Inc.*, 37 F.C.C. 685, 686 (1964), *aff'd sub nom. Lorain Journal Co. v. FCC*, 351 F. 2d 842 (D.C. Cir. 1965), *cert. denied*, 383 U.S. 967 (1965). Neither Santee-Cooper nor Dudley has provided any new information sufficiently probative to justify reconsideration of the Elloree or North Charleston assignment decisions. Accordingly, the requests for reconsideration of those decisions are denied.

8. Regarding the assignment of a second FM channel to Mount Pleasant, Santee-Cooper states that it has expressed an interest in the assignment and that the Commission erred in not considering its commitment to apply for and build a station in that city. A careful reexamination of Santee-Cooper's pleadings in response to the *Further Notice* in this proceeding reveals that Santee-Cooper did not specifically commit itself to applying for a second channel at Mount Pleasant.[8] Santee-Cooper now makes such a commitment. In other cases we have assigned channels when the pledge to apply for a station has been forthcoming in a petition for reconsideration. *E.g., Westover and Grafton, West Virginia*, 48 R. R. 2d 1333 (Broadcast Bureau 1981). Therefore, we think it appropriate to consider *de novo* the assignment of a second FM channel to Mount Pleasant.

9. In the *Further Notice*, one possible assignment plan proposed assigning two channels, Channel 269A and 285A to Mount Pleasant. Assigning two channels there would be possible only if a second channel were not assigned to North Charleston. Thus, a comparative evaluation of the need for a second channel at either North Charleston or Mount Pleasant is required. According to the Commission's traditional assignment priorities,[9] no clear preference can be given to either North Charleston or Mount Pleasant on the basis of first or second service to underserved populations. Since the proposal would assign a second local service to either city, a comparison of the relative need of each community for an additional service is appropriate. Among the factors generally considered in assessing a community's need for an FM assignment are size of the community, location of the community in relation to larger radio markets, and the extent to which the community receives other aural reception services.

counterproposal to the assignment of Channel 241 to North Charleston.

[5] Section 307(b) of the Communications Act of 1934, as amended, requires that the Commission distribute frequencies in a "fair, efficient, and equitable" manner.

[6] Santee-Cooper filed a reply to the Roversi opposition and essentially agreed with the arguments made by Roversi. Dudley filed a motion to strike Santee-Cooper's reply on procedural grounds and because it contained "scandalous matter" not relevant to the merits of the proceeding. Santee-Cooper filed an opposition to Dudley's motion to strike. In the interest of fairness and compiling as complete a record as possible, we shall consider Santee-Cooper's pleading.

[7] See paragraphs 19–23 of the *Report and Order* for the substantive treatment of Dudley's and Santee-Cooper's arguments.

[8] Santee-Cooper did make such statements in earlier pleadings. However, Commission rules require that interested parties restate their intentions to apply for stations in their comments. This was clearly stated at paragraph 39 of the *Further Notice* in this proceeding and at paragraph 2 of the Appendix to the *Further Notice*.

[9] The original FM assignment priorities were set out in the *Further Notice of Proposed Rule Making* in Docket No. 14185, 27 FR 7797, 7798 (August 7, 1962), and restated in *Anamoso and Iowa City, Iowa*, 46 F.C.C. 2d 520 (1974). Recently, the Commission amended its assignment criteria. However, the outcome of the North Charleston-Mount Pleasant comparison would be the same under the new guidelines. *See Revision of FM Assignment Policies and Procedures*, 90 F.C.C. 2d 88 (*Second Report and Order* 1982).

In this case, North Charleston and Mount Pleasant are both within 6 miles of Charleston, South Carolina, and both communities can be expected to receive a similar number of area radio services. Thus, a decision between the two communities is left to a comparison of their respective populations. Such a comparison leads to the inescapable conclusion that, of the two cities, North Charleston is clearly the larger and more deserving of a second FM assignment.[10] Therefore, even if Santee-Cooper had adequately expressed its interest for the Mount Pleasant channel in its initial comments, we would have been compelled to reject the Mount Pleasant assignment in favor of a second channel at North Charleston. For this reason, Santee-Cooper's petition seeking the assignment of a second channel at Mount Pleasant will be denied.

Set B

10. In the *Further Notice*, the following assignment plans were proposed for the communities included in Set B.

	Plan B-I		Plan B-II		Plan B-III		Plan B-IV	
	Present	Proposed	Present	Proposed	Present	Proposed	Present	Proposed
Manning	221A	223	221A	223	221A	223	221A	221A
Bamberg	224A	221A	224A	221A	224A	221A	224A	224A
Batesburg	221A	237A	221A	237A	221A	237A	221A	221A
Johnston		224A		224A		224A [1]		
Winnsboro Mills		221A						
Saluda						221A		
Union				221A				
Leesville								237A

[1] Originally, Channel 224A was not proposed for Johnston in Plan B-III. Subsequently, it was discovered that Channel 224A could be assigned to Johnston along with the other changes proposed in B-III.

The first three plans proposed the substitution of a Class C channel for the existing Class A channel at Manning and the assignment of a first FM channel to Johnston. The differences in the first three plans centered on which additional community—Winnsboro Mills, Saluda, or Union would receive a first FM assignment. All of the first three plans required channel substitutions at Bamberg and Batesburg. Plan B-IV contemplated the assignment of a first FM channel to Leesville without changes elsewhere.

11. In the *Report and Order*, none of the Set B assignment plans were adopted. As noted above, the first three plans necessitated the substitution of channels at Bamberg and Batesburg. The substitution at Batesburg would have further required the licensee of the Batesburg station, Ridge Broadcasting Company, to relocate its transmitter in order to comply with minimum distance separation requirements. Ridge objected to the proposed substitution and concomitant transmitter relocation. Generally, we do not require the relocation of a station's transmitter site without the licensee's consent. We noted in the *Report and Order* that the public interest benefits of any of the first three plans were substantial, but we held that they were insufficient to override our general policy of not requiring relocation. This was especially true, we held, in the absence of any commitment from the assignments' proponents to reimburse Ridge for the expenses incurred in the necessary channel change and transmitter relocation. Accordingly, we declined to adopt any of the first three plans. Plan B-IV, which proposed a simple drop-in at Leesville, was not adopted because we discerned no continuing interest in that assignment.

12. Our disposition of the Set B proposals generated three petitions for reconsideration. Petitions were filed by William K. Durst, the proponent of the Saluda and Leesville proposals;[11] Clarendon County Broadcasting Company, proponent of the channel substitution at Manning;[12] and Edgefield-Saluda Radio Company, Inc., proponent of the assignment of a first FM channel to Johnston.[13] Comments in support of the Clarendon County and Edgefield-Saluda petitions were filed by the Broadcasting Company of Union, proponent of the Union assignment. Ridge Broadcasting filed an opposition to the Clarendon County and Edgefield-Saluda petitions, to which both Clarendon County and Edgefield-Saluda replied.

13. Durst states in his petition that he did in fact express an interest in Channel 237A at Leesville and that the Commission thus erred in not making that assignment. Durst reiterates his desire to apply for and construct a station at Leesville and urges the Commission to assign the channel promptly.

[10] According to the 1980 Census, North Charleston has a population of 65,630 while Mount Pleasant's population is 13,838.

[11] Public Notice of the petition was given March 22, 1982, Report No. 1339.

[12] Public Notice of the petition was given May 5, 1982, Report No. 1350.

[13] Public Notice of the petition was given April 16, 1982, Report No. 1347.

14. Clarendon County Broadcasting Company ("CCBC"), licensee of Station WTWE (Channel 221A), Manning, seeks the substitution of Channel 223 for Channel 221A at Manning and the modification of its license to specify operation on the new channel. In its petition, CCBC states that the Commission should have made the requested substitution, notwithstanding the refusal of Ridge Broadcasting to consent to the channel substitution and transmitter relocation at Batesburg. CCBC states that adoption of any one of the first three assignment plans would significantly advance the statutory mandate of Section 307(b) of the Act without adversely affecting the private interests of Ridge. CCBC reiterates that the substitution of a Class C channel at Manning would provide a first aural nighttime service to 13,485 people and a second FM service to 61,820 people. The substitution would also permit the assignment of a first FM channel to Johnston and to either Saluda, Winnsboro Mills or Union. CCBC avers that these assignments would serve all three of the Commission's most important assignment priorities.[14]

15. According to CCBC, the apparent motivation of the Commission in not adopting one of the first three assignment plans was concern about the extent to which the private interests of Ridge would be adversely affected by the required transmitter relocation. However, CCBC points out that Ridge never documented any such supposed adverse effects. CCBC asserts that Ridge did not show that the number of people now served by its station, WKWQ-FM, would be reduced by moving its transmitter. CCBC thus avers that the only factor adversely affecting Ridge is the costs which would be incurred in changing frequencies and transmitter sites. In this regard, CCBC states that it has reconsidered its earlier position and now agrees to reimburse Ridge for "all of the expenses legitimately and prudently expended" in modifying its facilities including a change in transmitter antenna location. CCBC further agrees to provide such reimbursement in whole at such time as the WKWQ-FM change has been accomplished and will later look to other parties benefitting from the change for partial recoupment of the total amount paid. CCBC concludes that this arrangement will preclude Ridge from suffering any financial harm from the proposed move of its facilities.

16. CCBC recounts its private efforts to negotiate with Ridge concerning the proposed channel substitution and transmitter relocation. CCBC opines that Ridge's refusal to consent to a change in facilities results from its desire to obtain financial benefits beyond its actual expenses. CCBC claims that Ridge allegedly agreed to the changes if CCBC would pay its expenses plus $25,000. CCBC states that it refused to consent to such an arrangement because it believed that the proposal would have required the type of payment prohibited by Section 311(c)(3) of the Act and § 73.3525(b) of the Commission's Rules in broadcast application cases.[15] CCBC concludes that there are no public interest factors supporting the maintenance of the *status quo* and that the Commission should therefore grant reconsideration by adopting one of the first three assignment plans.

17. Edgefield-Saluda Radio Company ("Edgefield-Saluda") seeks reconsideration of the decision not to assign a new FM channel at Johnston. Edgefield-Saluda asserts that the *Report and Order* places undue weight on the non-relocation policy while failing to give sufficient weight to the substantial Section 307(b) benefits that would accrue from adoption of any of the first three plans. Edgefield-Saluda avers that, when given their proper weight, the balance between the two policies must favor the substantial expansion of radio services which any of the first three plans offers. Edgefield-Saluda also states that, should it be the successful applicant at Johnston, it will reimburse Ridge for its share of the expenses incurred in changing frequencies and transmitter sites. Edgefield-Saluda references its earlier pleadings wherein it demonstrated that suitable transmitter sites are available within the area to which Ridge would be required to move; those sites are priced within reason; and there are no intervening hills that could cause shadowing. Finally, Edgefield-Saluda notes that the changes proposed by the Commission in BC Docket No. 80-90,[16] if adopted, would obviate the necessity for Ridge to relocate its transmitter. Because the adoption of BC Docket No. 80-90 would greatly simplify the issues in this proceeding, Edgefield-Saluda suggests that action on the petition for reconsideration in this proceeding be held in abeyance until that proceeding is resolved.

18. The Broadcasting Company of Union, Inc., proponent of an FM assignment to Union, supports the petitions for reconsideration and urges the Commission to adopt Plan B-II which includes the assignment of Channel 221A to Union. Union concludes that Plan B-II would best serve the legislative mandate of Section 307(b) of the Act by providing for the most fair, efficient, and equitable distribution of radio frequencies.

19. Ridge, the licensee of Station WKWQ-FM at Batesburg, filed an opposition to the petitions for reconsideration. According to Ridge, neither petitioner offers any new facts or arguments upon which to grant reconsideration. Ridge states that the policy of not forcing a station to change its transmitter site is a proper one which was correctly applied in this case. Ridge asserts that obtaining a new transmitter site involves expending a considerable amount of time and effort which is better used to serve the listening public at Batesburg. Ridge denies that in seeking monetary payments in excess of expenses that it attempted to violate Section 311 of the Act or § 73.3525 of the Commission's Rules. Ridge states that those provisions refer only to applications, not rule making proceedings, and that no cases have been cited in which those provisions were applied in the rule making context. Ridge therefore contends that any allegations of illegal behavior must be summarily rejected. With respect to petitioners' promises to reimburse Ridge for its frequency change and moving expenses, Ridge contends that the amounts being offered are insufficient to meet the costs of a frequency change, must less a site relocation. Finally, Ridge opposes the proposal of Edgefield-Saluda to delay resolution of this proceeding pending the outcome of BC Docket No. 80-90. Ridge states that adoption of that docket will create numerous opportunities for new assignments and that the public interest would be best served by considering any petitions filed under the new standards.

20. In reply, CCBC alleges that Ridge's opposition misstated the facts concerning CCBC's commitment to reimburse its expenses. CCBC states that it and Edgefield-Saluda have agreed

[14] CCBC lists these priorities as follows: The provision of aural fulltime service to as much of the population as possible; the provision of a second aural fulltime service to as many people as possible; and the provision of local transmission service to as many communities as possible.

[15] These sections deal with agreements among mutually exclusive applicants for the withdrawal of one or more of the applications. Payments to the withdrawing applicant may not exceed the amount expended by the applicant in connection with preparing, filing, and advocating the granting of its application.

[16] *Modification of FM Broadcast Station Rules to Increase the Availability of Commercial FM Broadcast Assignments*, 78 F.C.C. 2d 1235 (*Notice of Proposed Rule Making*, 1980).

to pay any amount the Commission determines is proper. CCBC asserts that it will not pay Ridge "* * * the additional tribute which it has demanded above and beyond its expenses." In response to Ridge's assertions that such demands do not violate the Act and the Commission's Rules, CCBC contends that it never intimated such a violation, *per se*, but only referred to those provisions as evidence of Congressional and Commission policies against bartering the public interest for financial gain.

21. Edgefield-Saluda avers in its reply that the petitions do contain new facts which would warrant reconsideration of the Commission's previous decision. These facts include CCBC's and Edgefield-Saluda's unequivocal promises to pay for Ridge's frequency change and transmitter relocation. Other new facts include Ridge's failure to act in good faith by demanding payments over its actual expenses, according to Edgefield-Saluda. Edgefield-Saluda maintains that when the public interest requires a change in a station's facilities, the licensee is not entitled to reap a windfall profit. Further, Edgefield-Saluda opines that Ridge is attempting to extract payment for the relinquishment of legal rights it does not possess; clearly it has no vested interest in WKWQ–FM's present frequency. Edgefield-Saluda concludes that in light of these facts, Ridge's refusal to consent to the relocation of WKWQ–FM's transmitter should no longer bar the adoption of one of the first three assignment plans.

22. *Analysis.* We have consistently held that we would not force a licensee to relocate its transmitter absent a willingness on its part to do so. We stated in the *Report and Order* that the public interest benefits of any of the first three plans were sizable but not of such significance that they overrode our general policy of not requiring an objecting licensee to change transmitter sites, citing *Asheville, North Carolina*, 36 R.R. 2d 810 (1976). The petitioners' commitments to reimburse Ridge certainly constitute new information in support of the relocation. However, the absence of a commitment for reimbursement was not the principal basis for denying the forced relocation. It was the failure to demonstrate "unusually strong and compelling" reasons for the changes requested. Petitioners' have not met their burden of demonstrating or even attempting to show that specific alternative sites can be obtained for Station WKWQ–FM which are suitable for service to Batesburg. Before approving a relocation at the assignment stage, we would need to evaluate the proposed new location.

23. In the context of an FM assignment case such as this, the Commission has never forced an unconsenting licensee to relocate its transmitter. The reasons for this involve the substantial risk that any new site may produce a signal inferior to the existing one or that new sites may be actually unavailable or unreasonably priced. No two sites are exactly the same in terms of coverage. Given these inherent differences, the extent of which we cannot predict, we can never be sure that the moving licensee will ever again be put in a position as good as that which currently exists.

24. In the instant case, it has been alleged that suitable transmission sites are available and reasonably priced from which Ridge could transmit the required signal level to the city of Batesburg. Indeed, Ridge itself, in a petition for rule making filed at the outset of this proceeding, stated that sites were available for such a relocation. However, when considered thoroughly, the information contained in the record regarding available alternative sites is wholly speculative and hypothetical. The general proposition that suitable land is available is quite different than specifically stating that a particular parcel of land is available, is reasonably priced, and is suitably situated for broadcast purposes. This specific information, which we would require before forcing a licensee to change sites, is not found in the record to date. Given this lack of specific information, we will not force Ridge to take the considerable risk of uprooting its present operation and relocating that operation to an unspecified site.[17] Because we have been shown nothing more than a theoretical possibility that adequate sites are indeed available and reasonably priced, we have not further evaluated whether the Batesburg move would serve some strong and compelling public interest benefits. Accordingly, we shall deny the petitions for reconsideration filed by CCBC and Edgefield-Saluda.

25. Each of the first three options listed for the communities in Set B require the relocation of the Batesburg station. Since we will not require that relocation, none of the first three options can be adopted. This leaves Option IV, the assignment of Channel 237A to Leesville, South Carolina, as requested by Durst. This assignment requires no other changes in the Table of Assignments. This assignment was not made in the context of the *Report and Order* because, in reviewing the pleadings, the commitment to apply for the channel at Leesville was inadvertently overlooked. Therefore, we shall grant Durst's petition for reconsideration and assign Channel 237A to Leesville as its first FM channel.

26. Accordingly, it is ordered, that effective April 27, 1983, the FM Table of Assignments, § 73.202(b) of the Commission's Rules, is amended with respect to the following community:

City	Channel No.
Leesville, S.C.	237A

27. It is further ordered, That the petitions for reconsideration filed by Santee-Cooper Broadcasting Company, William G. Dudley, III, Clarendon County Broadcasting Company and Edgefield-Saluda Radio Company, are denied.

28. Authority for the action taken herein is found in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and §§ 0.61, 0.204(b) and 0.283 of the Commission's Rules.

29. It is further ordered, that this proceeding is terminated.

30. For further information concerning this proceeding, contact Mark N. Lipp, Mass Media Bureau, (202) 634–6530.

Federal Communications Commission.

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

Roderick K. Porter,

Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 83-5070 Filed 2-28-83; 8:45 am]

BILLING CODE 6712-01-M

[17] As noted earlier, Ridge initiated a proceeding that would have required it to relocate its current operations. Had Ridge been willing to take the risks associated with the relocation, we would have permitted the move. However, given Ridge's present opposition to the relocation, we will not force it to take these risks.

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47 CFR Part 83

[Gen. Docket No. 82-36; Docket No. 20603; FCC 83-14]

Amendment To Conform With International Maritime (INMARSAT) Requirements

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document terminates the MARISAT proceeding, Docket No. 20603. Additionally, it amends the Commission's rules and policies to conform with the INMARSAT system

requirements. This action is taken because the MARISAT system was integrated into the INMARSAT system. The adopted rules and policies will enable United States maritime mobile-satellite users to operate in the INMARSAT system.

DATE: Effective March 21, 1983.

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

FOR INFORMATION CONTACT: William P. Berges, Private Radio Bureau, (202) 632-7175.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 83

Communications equipment, Ship stations.

Report and Order (Proceeding Terminated)

Adopted: January 20, 1983.

Released: February 18, 1983.

By the Commission: Commissioner Quello concurring in the result; Commissioner Rivera dissenting in part and issuing a statement.

In the Matter of Amendment of Part 83 of the Commission's rules to conform with the International Maritime Satellite (INMARSAT) requirements. Gen. Docket No. 82-36, Docket No. 20603.

Introduction

1. This *Report and Order* terminates the Maritime Satellite (MARISAT) proceeding, Docket No. 20603. Additionally, it amends Part 83 of the Commission's rules to conform with the maritime mobile-satellite requirements of the International Maritime Satellite (INMARSAT) Organization.[1]

Background

2. On June 9, 1976, the Commission adopted the *First Report and Order* in Docket No. 20603, establishing certain technical requirements and operators licensing rules for ship earth stations operating in the MARISAT system.[2] The Commission intended to consider additional MARISAT issues at a later date.[3] On February 1, 1982, the MARISAT system was integrated into the INMARSAT system and the INMARSAT system began to provide public correspondence services to maritime mobile-satellite communications users. Consequently, on February 19, 1982, the Commission released a *Notice of Proposed Rule Making* in this proceeding,[4] (hereafter *Notice*), proposing to terminate the MARISAT proceeding in Docket No. 20603 and to amend the Commission's rules and administrative procedures to conform with the requirements adopted by the INMARSAT Organization. In that *Notice* we considered and invited comments on four specific INMARSAT issues: (a) environmental specifications of ship earth stations,[5] (b) witnessing of type approval tests of ship earth station equipment models,[6] (c) ship earth station licensing by the Commission and commissioning required by the INMARSAT Organization, and (d) dissemination of information contained in the INMARSAT documents.

3. The INMARSAT environmental specifications are contained in an INMARSAT document entitled "Technical Requirements for INMARSAT Standard-A Ship Earth Stations".[7] In the *Notice* we stated that these specifications are accepted as "mandatory" by some countries but are only "recommended" in the United States. We expressed our belief, however, that the reliability of maritime mobile-satellite communications would be generally enhanced during distress situations if ship earth station equipment conformed with the INMARSAT environmental specifications. We invited interested parties, therefore, to provide us comments on this matter, including estimated costs of environmentally versus non-environmentally accepted ship earth station equipment. We intended to consider the information provided in the comments and consult with the National Telecommunications and Information Agency (NTIA) and the Department of State to determine whether the United States should maintain its "recommended" position on this issue.

4. On the issue of witnessing type approval tests of ship earth station equipment models, we pointed out that Article 15(c) in the INMARSAT Convention[8] states that in order to discharge its responsibilities, the INMARSAT Council shall have the power to perform all appropriate functions including "Adoption of criteria and procedures for approval of earth stations on land, on ships and on structures in the marine environment for access to the INMARSAT space segment and for verification and monitoring of performance of earth stations having access to and utilization of the INMARSAT space segment. For earth stations on ships, the criteria should be in sufficient detail for use by national licensing authorities, at their discretion, for type-approval purposes". We also stated that in paragraph 2.4 of its document which is entitled "Type Approval Procedures for an INMARSAT Standard-A Ship Earth Station Model" the INMARSAT Organization requires that "The Phase I tests shall be subject to witnessing by representatives of the INMARSAT Directorate, and/or an entity from the country of the manufacturer duly authorized by the Directorate, on a case by case basis for any or all of the tests".[9] In addition we noted that when MARISAT required witnessing of tests, all expenses accrued by its representatives for witnessing such test were reimbursed by the manufacturer.

5. Briefly, the Phase I tests are developed and performed by the manufacturer to demonstrate that its ship earth station equipment model satisfies the INMARSAT technical requirements. These tests are normally performed on the premises of the manufacturer and do not require access to the INMARSAT space segment.

6. In the *Notice* we expressed our concern regarding the witnessing of type approval tests by representatives of the INMARSAT Directorate on the premises of United States manufacturers and we stated it would appear to be in the public interest if such tests are witnessed by a United States entity. Subsequently, we considered whether representatives of the Communications Satellite Corporation (COMSAT), which is the United States Signatory in the

[1] INMARSAT is an international organization which provides the space segment for maritime satellite communcations.

[2] MARISAT is a United States joint venture consisting of COMSAT, ITT World Communications, Inc., RCA Global Communications, Inc., and Western Union International, Inc., which provided satellite communications services to maritime mobile radio users.

[3] See *First Report and Order*, Docket No. 20603, 59 FCC 2d 957, released June 18, 1976, at para. 3.

[4] Released February 19, 1982, Gen. Docket No. 82-36, FCC 82-44, 47 FR 7857, February 23, 1982.

[5] The term "environmental specifications" when used in this proceeding refers to the environmental conditions the equipment must be capable to withstand; for example, temperature, humidity and vibration.

[6] The "type approval" term which is used by the INMARSAT Organization for ship earth station equipment models that utilize the INMARSAT space segment should not be confused with the Commission's equipment authorization type approval program. The term "type approval" when used in this proceeding refers to the approval of equipment required by the INMARSAT Organization.

[7] The "Technical Requirements for INMARSAT Standard-A Ship Earth Stations" document is included as Appendix B in the *Notice, supra.*

[8] See TIAS 9605. This document is titled "International Maritime Satellite Organization (INMARSAT)" and contains the Articles of the "Convention Between the United States of America and Other Governments" and the Articles of the "Operating Agreement".

[9] The "Type Approval Procedures for an INMARSAT Standard-A Ship Earth Station Model" document is included as Appendix C in the *Notice, supra.*

INMARSAT Organization, should be authorized to witness such tests. But we noted that COMSAT was a potential manufacturer of ship earth station equipment. For this reason we believed that authorizing COMSAT to perform this task would raise conflict of interest questions by its competitors in whose premises these tests would be witnessed. Finally, we proposed that the INMARSAT ship earth station equipment models could be type accepted by the Commission without witnessing, in the same manner that all other mobile maritime radio equipment is authorized. In addition, we proposed that the type acceptance application submitted to the Commission should be accompanied by an affidavit signed by an official of the ship earth station equipment manufacturer attesting that the equipment under consideration satisfies the INMARSAT Phase I test requirements.

7. For the licensing of ship earth stations by the Commission and commissioning by the INMARSAT Organization we proposed that prospective licensees would request access to the INMARSAT space segment when their equipment is installed on board their vessels by submitting a commissioning application to COMSAT.[10] COMSAT in turn would forward the commissioning application to the INMARSAT Directorate. After the commissioning application is approved by INMARSAT but before the commissioning tests are initiated, the 506 part of a 506/506A license application form would be submitted to the Commission, accompanied by a letter stating that the prospective licensees have an operating agreement with the INMARSAT Organization to utilize its space segment. The 506A part of the license application form would be retained by the applicants. This action would enable the applicants to operate their ship earth stations for a 60 day period under temporary authorization. Prior to the expiration of the 60 day temporary authorization period the Commission would issue the required station license, or reissue the license if the ship was previously licensed for terrestrial communications. The station license would authorize the continued operation of the ship earth station in the INMARSAT space segment provided it is displayed in conjunction with the commissioning certificate issued by the INMARSAT Organization.

[10] The INMARSAT commissioning procedures are described in its document entitled "Commissioning Procedures for INMARSAT Standard-A Ship Earth Stations". This document is included as Appendix E in the *Notice, supra.*

8. We also stated in the *Notice* that a signatories of other countries in the INMARSAT Organization provide to their manufacturers important INMARSAT documents concerning ship earth station specifications which are not made available by the United States Signatory, COMSAT, to its manufacturers. As a result, manufacturers in other countries have the opportunity to examine these documents in draft form and have an early knowledge of INMARSAT thinking. This gives them a competitive advantage in their business activities with the United States manufacturers. We declined to discuss this issue in more detail, however, because procedures for public dissemination of INMARSAT documents were under consideration in Docket No. 80-634.[11] But we stated that the Commission intends to make available to the public all relevant documents emanating from INMARSAT except those for which COMSAT has successfully raised a claim of exemption for specific documents that should not be disclosed under Sections 0.457 and 0.459 of our rules.[12]

Comments and Discussion

9. The following parties filed comments in this rule making proceeding: (a) Central Committee on Telecommunications of the American Petroleum Institute (API), (b) Communications Satellite Corporation (COMSAT), (c) COMSAT General TeleSystems, Inc. (Telesystems), (d) Scientific Atlanta, Inc. (S/A), and (e) Radio Officers Union, District 3 of the National Marine Engineers Beneficial Association, AFL-CIO (AFL-CIO). No reply comments were filed.

Environmental Requirements

10. API in its comments stated that it is unable to provide cost estimates for environmentally and non-environmentally accepted ship earth station equipment.

11. With the Future Global Maritime Distress and Safety System (FGMDSS) and the exemption from the radiotelegraph requirements in mind,[13] AFL-CIO based its environmental specification comments on two categories of marine vessels: those which are fitted with a complete radiotelegraph installation in accordance with Title III, Part II of the Communications Act 1934, as amended, and those which are contemplated for coastal domestic voyages, are not fitted with radiotelegraph equipment, and are using only radiotelephone equipment as listed in Appendix A in the *Report and Order*, Docket No. 79-336. AFL-CIO argues that the ship stations on Vessels That are fitted with radiotelegraph equipment should not be required to comply with the INMARSAT emvironmental specifications. But ship earth stations on vessels that are not fitted with radiotelegraph equipment should comply with environmental specification which it proposes in its comments and are more stringent than those suggested by the INMARSAT Organization.

12. COMSAT contends that making the environmental specifications "mandatory" would increase the design and manufacturing costs of ship earth station equipment unnecessarily. Users and manufacturers, it argues, should decide the environmental specifications satisfying particular situations.

13. S/A believes that the INMARSAT environmental specifications for ambient temperature, humidity, spray, icing, precipitation, wind, prime power variation and vibration bear a reasonable relationship to conditions likely to be encountered in a normal operating environment. The additional cost for meeting these specifications in comparison to the cost of meeting less rigorous standards is minimal, perhaps 1% according to S/A. S/A further believes that the resulting improvement in equipment reliability would justify the additional 1% cost. The INMARSAT antenna motion specifications however, would increase the physical dimensions and weight of ship earth stations. It would also increase the manufacturing, shipping and installation costs by as much as 5%-10%. Furthermore, S/A states, the INMARSAT antenna motion specifications are considered applicable only to smaller vessels which eventually will be accommodated by smaller and less expensive ship earth stations. Accordingly, S/A is of the opinion that the antenna motion requirements should not be made "mandatory" for all ship earth stations.

[11] *See Notice of Proposed Rule Making*, CC Docket No. 80-634, 81 FCC 2d 287, released October 29, 1980.

[12] Sections 0.457 and 0.459 of the Commission's rules list the records which may be withheld from public inspection according to the statutory basis and the procedures which must be followed when an entity submitting information or materials to the Commission requests that such information or materials not be made routinely available for public inspection.

[13] For the exemption of vessels from the radiotelegraph requirements in Title III, part II of theCommunications Act of 1934, as amended. See *Report and Order*, PR Docket No. 79-336, 89 FCC 2d 40, released February 24, 1982, 47 FR 10220, March 10, 1982.

14. We have reviewed those comments carefully keeping in mind that our scope in this proceeding is to consider whether the environmental specifications that are currently suggested by the INMARSAT Organization would enhance the reliability of distress communications in those vessels that are presently equipped with ship earth stations at the option of the ship owners. We have concluded that the arguments presented by AFL-CIO regarding FGMDSS and the exemption from the radiotelegraph requirements are not directly related to this issue. Nevertheless, the Commission, NTIA and the Department of State reviewed all the comments filed on this issue. It was noted that stringent environmental specifications would increase the equipment cost unnecessarily for vessels whose travels are limited to global areas where the prevailing climatic and weather conditions are not severe. It was also observed that a great disparity exists on the issue among the participants in this proceeding. Moreover, the United States Signatory has been previously instructed to oppose the "mandatory" imposition of the INMARSAT environmental specifications. Thus, based on this joint review, we have determined that the INMARSAT environmental specifications should be retained on a "recommended" basis in the United States. We reiterate that the equipment is optional aboard vessels and our decision in no way affects normal distress communications.[14]

15. The Commission, however, is concerned about the reliable operation of the INMARSAT ship earth stations during adverse environmental conditions. Accordingly, the staff of the Field Operations Bureau will conduct a survey on a sampling basis during normal compulsory radio inspections. In the survey the master of the ship will be interviewed as to his or her opinion regarding the INMARSAT ship earth station performance under varying environmental conditions, with special attention to the performance of the antenna and its associated mechanical and servo equipment. This information will be evaluated to determine whether a problem exists, due to the "recommended" status of the environmental specifications.

[14] United States vessels are required by law to maintain certin primary communications systems for safety purposes. *See* 47 U.S.C 351-363; 46 CFR 77.13-1 (Coast Guard Regulations). These requirements apply whether or not vessels are equipped with ship earth stations as an additional communications system.

Witnessing of Type Approval Tests

16. API and S/A consider the type approval procedures required by INMARSAT sufficiently adequate and thorough but support a procedure that does not involve the expense of witnessing. S/A also supports a type approval system complying with only one set of requirements which can be obtained from one organization and accepted by all INMARSAT members.

17. Telesystems, a subsidiary of COMSAT, contends that the rules proposed by the Commission are unnecessary and duplicative in light of INMARSAT's stringent type approval requirements. It states that the INMARSAT requirements are designed to ensure the compatibility of the ship earth stations and the INMARSAT system and to protect the integrity of the system's operations. It also argues that if the Commission's proposed rules are adopted, they could place undue burden on the manufacturer and the consumer. It opposes compliance with the Commission's equipment authorization procedures and strongly urges the Commission not to require its own type acceptance of ship earth station equipment.

18. COMSAT in its comments is not opposed to the type acceptance requirements proposed in the *Notice*. It does not believe, however, that the Commission's concern with respect to the INMARSAT witnessing of type approval tests in the plants of United States equipment manufacturers warrants the imposition of a separate type acceptance program. COMSAT contends that the requirements of type approval of ship earth station models were adopted pursuant to the INMARSAT Operating Agreement. Notwithstanding any decision by the Commission, it states that the INMARSAT procedures authorizing witnessing of tests will still be applicable. The decision concerning such witnessing, COMSAT continues, is to be made by the INMARSAT Directorate. Should the Directorate request COMSAT to witness type approval tests in the United States on INMARSAT's behalf COMSAT would undertake such tasks only if the manufacturer involved is in agreement. The INMARSAT Directorate, however, has alternatives for accomplishing witnessing that do not require COMSAT's involvement. Namely, the use of Directorate personnel or those of some other entity. Therefore, COMSAT submits, there is no need for the Commission to be concerned about potential conflicts of interest.

19. In response to the overwhelming support by the commenting parties on this issue the rules we adopt in this *Report and Order* require that ship earth station equipment must comply with the technical standards provided in the INMARSAT document that is entitled "Type Approval Procedures for an INMARSAT Standard-A Ship Earth Station Model". Also, the Commission's equipment authorization requirement is changed from the original "type acceptance" and the submission of an affidavit by the manufacturers that their equipment complies with the INMARSAT requirements that was proposed in the *Notice* to the more lenient "verification" procedure.[15] The rules we adopt do not impose the mandatory witnessing of equipment tests or the disclosure of any design information of equipment which the maufacturers consider to be of a proprietary nature. Compliance with the INMARSAT type approval requirements, including witnessing, will be left to the discretion of each manufacturer.

20. In the adopted rules the proposed Section 83.32(g), 83.139(g) and 83.140 are modified where it is deemed necessary and the proposed Section 83.134(j)(1) is deleted to reflect some changes suggested in the COMSAT comments.

Licensing and Commissioning of INMARSAT Ship Earth Stations

21. API supports the licensing and commissioning procedures proposed in the *Notice*. S/A, however, is concerned about the processing of the commissioning applications through COMSAT to INMARSAT. S/A feels that this procedure would cause delays and the INMARSAT commissioning approval would not be obtained during the usual one week stay of a ship in port. To rectify this problem it suggests that prospective licensees should submit the commissioning application directly to INMARSAT with a copy sent to COMSAT. COMSAT should then submit immediate concurrence of comments to the INMARSAT Directorate and be responsible for assurance that the necessary approvals are obtained within the time limits applicable in individual cases.

22. Article XIV(2) in the Operating Agreement *supra*, implies that in the

[15] "Verification" is a procedure where the manufacturer makes measurements and takes any steps necessary to ensure that its equipment complies with the appropriate technical standards. The manufacturer is not required to submit representative test data or a sample unit unless specifically requested by the Commission pursuant to § 2.957 of its rules. See Part 2, § 2.902 of the Commission's rules.

case of the United States all applications for the utilization of the INMARSAT space segment shall be submitted to the signatory. The procedures for processing commissioning applications are delineated in Section 2 of the "Commissioning Procedures for INMARSAT Standard-A Ship Earth Stations" document, *supra*, which was adopted by the INMARSAT Council pursuant to Article 15(a) of the Convention. S/A may be interested in reviewing its concern regarding the processing of commissioning applications with COMSAT. If this matter deserves further consideration COMSAT can refer it to the INMARSAT Council. Nevertheless, it appears that appropriate arrangements can be initiated at the discretion of a prospective licensee prior to the installation of the ship earth station on board a vessel so that the commissioning approval process can be expedited to the satisfaction of S/A.

23. Two COMSAT comments on this issue pertain to phrases in the text of the *Notice* which were not included in the actual text of the proposed rules.[16] In its first comment COMSAT suggests that the commissioning application should be submitted to COMSAT "on or before" instead of "when", as we stated, the ship earth station is installed on board a vessel. In its second comment COMSAT suggests that the letter submitted to the Commission along with the Application Form 506 should state that the prospective licensee "has been authorized by" INMARSAT instead of "has negotiated an operating agreement" with INMARSAT, as we stated, to utilize its space segment for the commissioning test.

24. In the first case we feel the commissioning application should be submitted to COMSAT on or before the ship earth station equipment is installed on board a vessel. In the second case we feel that no matter how the INMARSAT Organization approval to utilize its space segment is described (i.e., authorization or agreement) prospective licensees in the United States public sector should be aware that the INMARSAT approval does not "authorize" their ship earth stations to radiate in the INMARSAT frequency spectrum. Such authorization can only be obtained from the Commission in accordance with the licensing provisions prescribed in its rules. Nevertheless, prospective licensees should be informed that an agreement must be negotiated with the INMARSAT Organization to utilize its space segment before a license application is submitted to the Commission. Accordingly, an appropriate statement is included in Section 83.28(a)(1) of the adopted rules.

[16] See paragraphs 18(a) and (b) in the *Notice*.

Dissemination of Information

25. API and COMSAT fully support the Commission's efforts to ensure public awareness of relevant ship earth station documents emanating from INMARSAT except those subject to a valid claim of confidentiality under the Freedom of Information Act (FOI). In fact, COMSAT states, it currently provides this type of INMARSAT information to the Commission for filing in the Commission's Public Reference Room on a regular basis. It also mails free listings of this information to interested parties on a periodic basis and provides copies of requested documents from these lists to these parties on a cost-reimbursable basis.

26. Noting the API and COMSAT support for our proposal we will make available for public review in the Commissions General Public Reference Room all relevant ship earth station documents emanating from INMARSAT. In order to ensure the availability of these documents to the public we request COMSAT to file with the Commission for this purpose a set of all documents that are submitted for consideration to the INMARSAT Council and the INMARSAT Advisory Committee on Technical and Operational Matters.[17]

Conclusion

27. The Commission has determined that Sections 603 and 604 of the Regulatory Flexibility Act of 1980, Pub. L. 96-354, do not apply to this rule making proceeding because the rules if promulgated will not have a significant economic impact on a substantial number of small entities. The rule changes adopted herein primarily relate to procedures required by the INMARSAT Organization for participating entities. The concerned organizations will be operators of large oceangoing vessels and manufacturers of INMARSAT communications equipment. No significant economic impact will result for small entities.

28. For further information on matters covered in this document contact William P. Berges, (202) 632-7175.

29. Accordingly, it is ordered, that under the authority contained in Section 4(i), 301, 303(e) and (r) of the Communiciations Act of 1934, as amended, and 201(c)(4) and (c)(11) of the Communications Satellite Act of 1962 the Commission's rules are amended as set forth in the attached Appendix A, effective March 21, 1983.

30. It is further ordered, that this proceeding and the proceeding in Docket No. 20603 are terminated.

Federal Communications Commission.
(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

William J. Tricarico,
Secretary.

[17] In its *Memorandum Opinion and Order*, CC Docket No. 80-634, 90 FCC 2d 1159, released August 13, 1982, the Commission established policies and procedures for the public dissemination of all other INTELSAT and INMARSAT documents and required COMSAT to indicate within 90 days of the release of the Commission's *Order* the manner in which COMSAT intended to comply with the Commission's directive. On December 13, 1982, COMSAT submitted to the Commission its "Report on Information Flow and Licensing Procedures". This Report is currently being evaluated by the Commission's staff which will take such additional steps as may be necessary to implement the Commission's INTELSAT/INMARSAT information flow policies and procedures.

Appendix

PART 83—[AMENDED]

Part 83 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. In § 83.28, paragraph (a)(1) is revised to read as follows and paragraph (a)(2) is removed and reserved:

§ 83.28 Standard forms to be used.

* * * * *

(a) * * *

(1) *FCC Forms 506/506–A, Applications for License and Temporary Operating Authorization for Ship Radio Stations.* FCC Forms 506 and 506A are available as a single application form. Forms 506 and 506–A shall be completed concurrently when applying for a new or modified license to operate a ship station on terrestrial or satellite frequencies. For INMARSAT ship earth stations Form 506 must be submitted to the Commission accompanied by a letter stating that the prospective licensee has negotiated an operating agreement with the INMARSAT Organization to utilize its space segment. Form 506–A must be retained by the applicant for temporary authority to operate its station for 60 days.

(2) [Reserved]

* * * * *

2. In § 83.32, new paragraphs (f) and (g) are added to read as follows:

§ 83.32 Filing of applications.

* * * * *

(f) In cases where a ship earth station is required to be commissioned before it is certified to utilize a privately owned satellite system, Form 506 must be submitted to the Commission prior to

the initiation of any commissioning tests that require the use of the satellite frequency bands allocated for marine satellite cummunications.

(g) A ship earth station authorized to utilize the INMARSAT space segment must display the Commission license in conjunction with the commissioning certificate issued by the INMARSAT Organization. Ship earth stations that were operating in the MARISAT system and are not commissioned by the INMARSAT Organization will continue to be used in the INMARSAT system without a commissioning certificate issued by the INMARSAT Organization. The continued use of such equipment, however, will not be permitted after September 1, 1991, unless a commissioning certificate is obtained from the INMARSAT Organization. Notwithstanding the requirements in this paragraph, ship earth stations can operate in the INMARSAT space segment without an INMARSAT issued commissioning certificate provided an appropriate written approval is obtained from the INMARSAT Organization in addition to the Commission's license.

§ 83.134 [Amended]

3. In § 83.134, paragraph (j) is revised by adding the following sentence at the end of the paragraph: "Ship earth station transmitters utilized in the INMARSAT system will be verified on the basis of a carrier power of not more than 100 watts with the transmitter terminated in a dummy load of matching impedance."

4. In § 83.139, paragraph (g) is revised to read as follows:

§ 83.139 Acceptability of transmitters for licensing.

* * * * *

(g) Verification is required for ship earth station transmitters which are operating in the INMARSAT system. Transmitters of a model that was type accepted by MARISAT for use in its system will be considered verified by the Commission for use in the INMARSAT system. The continued use of such equipment, however, will not be permitted after September 1, 1991, unless verified in accordance with the Commission's procedures.

* * * * *

5. In § 83.140, the title of this section is revised and paragraph (d) is added to read as follows:

§ 83.140 Type acceptance and verification of equipment.

* * * * *

(d) Notwithstanding the provisions of paragraphs (a), (b) and (c) of this section any manufacturer of a ship earth station transmitter intended for use in the INMARSAT space segment shall verify such transmitter by complying with the verification procedures set forth in Part 2 of this chapter. Verification of such equipment shall be in accordance with the technical requirements provided in the "Type Approval Procedures for an INMARSAT Standard-A Ship Earth Station Model" document. The ship earth station input/output parameters, the data obtained when the equipment is integrated in system configuration and the pertinent method of test procedures that are used for the type approval of the station model which are essential for the compatible operation of that station in the INMARSAT space segment shall be disclosed by the manufacturer upon request of the FCC or the United States Signatory. Witnessing of the type approval tests and the disclosure of the ship earth station equipment design or any other information of a proprietary nature shall be at the discretion of the ship earth station manufacturer.

Statement of Commissioner Henry M. Rivera Dissenting in Part

Re: *In the Matter of Amendment of Part 83 of the Commission's Rules to Conform with the International Maritime Satellite (INMARSAT) Requirements*

The majority's position is that compliance with environmental specifications for INMARSAT ship facilities should be on a voluntary basis.[18] I disagree. This decision represents a potentially destructive devotion to the marketplace. Both the existence of countervailing motives and the reality of ship mobility[19] convince me that, in this case, reliance on the marketplace is misplaced, has unacceptable and unnecessary risks with potentially disasterous consequences, deviates from this Commission's previously unwavering approach to safety of life at sea and abandons our responsibilities under Section 1 of the Communications Act.[20] The majority recognizes these shortcomings and attempts to rectify them by instituting a procedure to assess the environmental readiness of vessels on a random basis. Such a survey will be of questionable effectiveness and is likely to increase the Commission's administrative burdens and the drain its limited resources. See paragraph 15. It also indicates the majority's apparent discomfort with its marketplace decision. I dissent.

[FR Doc. 83-5058 Filed 2-28-83; 8:45 am]

BILLING CODE 6712-01-M

[18] See paragraph 14.

[19] A ship may be put in service in a tropical climate and its INMARSAT facilities constructed to meet the requirements for that climate. But there is nothing to prevent that same ship from later being in service in an arctic climate where its INMARSAT facilities would not be environmentally suitable and accordingly, might pose a serious safety risk.

[20] I cannot support this relaxed approach when safety of life is a factor. This is particularly true: (1) If the cost increases associated with mandatory compliance would be minimal, as the record indicates in the comments of Scientific-Atlanta, Inc. which is the only, unrefuted quantification of the cost associated with mandatory compliance; and (ii) inasmuch as we have stated our belief that conformance with the INMARSAT environmental requirements enhances the reliability of maritime mobile-satellite communications during distress situations. See paragraph 3.

Proposed Rules

Federal Register
Vol. 48, No. 41
Tuesday, March 1, 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.

FEDERAL RESERVE SYSTEM

12 CFR Part 207

[Docket No. R-0457]

Securities Credit by Persons Other Than Banks, Brokers or Dealers; Complete Revision and Simplification of Regulation G

AGENCY: Federal Reserve System.

ACTION: Proposed rule.

SUMMARY: The Board proposes to revise Regulation G in its entirety. The proposed Regulation G is written in simplified language and organized in a more logical fashion. Obsolete provisions have been removed. This proposed revision incorporates amendments made to Regulation G in January 1982 which: (1) Removed existing provisions that prohibited lenders subject to the rule from extending both regulated and non-regulated credit to the same borrower and prohibited mixed collateral loans and (2) clarified the definition of the term "indirectly secured" (47 FR 2981, January 21, 1982).

The proposed revision raises the registration threshold for G-lenders to $200,000 and eliminates the registration requirements for those who arrange but do not extend credit secured by margin securities.

In addition, the existing provision prohibiting unsecured loans to a broker or dealer by a G-lender is removed. The prohibition in section 8 of the Securities Exchange Act of 1934 ("1934 Act") which prevents anyone except a bank from lending to a broker or dealer on the collateral of registered securities is retained in the regulation.

A further reduction in regulatory burden will be achieved by the liberalization of the "Plan-lender" provision, which covers extensions of credit under employee option and stock purchase plans. The proposed revision will permit companies and their affiliates to finance employee purchases of company stock without a specific scheduled paydown of the loan or a three-year lockup of the stock as is the present rule. The proposal will continue to permit a company to extend credit in excess of the current maximum loan value of the securities.

The Board is seeking specific public comment on the question whether Regulation G and U should be combined to form a new comprehensive regulation with various subchapters or whether the two regulations should be maintained separately in their simplified forms.

DATE: Comments should be received on or before April 22, 1983.

ADDRESS: Comments, which should refer to Docket No. R-0457, may be mailed to the Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue, N.W., Washington, D.C. 20551 or delivered to Room B-2223 between 8:45 a.m. and 5:15 p.m. Comments received may also be inspected at Room B-1122 between 8:45 a.m. and 5:15 p.m.

FOR FURTHER INFORMATION CONTACT: At the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, contact: Laura Homer, Securities Credit Officer, or Robert Lord, Attorney, Division of Banking Supervision and Regulation (202) 452-2781. At the Federal Reserve Bank of New York, contact: Mindy Silverman, Assistant Counsel, (212) 791-5032.

SUPPLEMENTARY INFORMATION: The Board proposes to revise Regulation G by: (1) Simplifying the language in all provisions, (2) removing obsolete provisions and (3) reordering provisions in a more logical manner.

Explanation of Changes

The proposed Regulation G is divided into seven sections which, in the following order: (1) State the legal basis and scope of the regulation, (2) define the terms used throughout the regulation, (3) state the general rule, (4) separately treat loans made to brokers or dealers for specified purposes, (5) provide special treatment for loans to employee stock option and stock purchase plans meeting certain qualifications, (6) set forth the criteria for inclusion on the list of OTC Margin Securities, and (7) establish the maximum loan value of different types of collateral.

Unless otherwise noted, no substantive changes have been made to the regulation. The regulation has been reorganized in a more logical fashion and the language has been simplified for easier understanding. In addition, obsolete terms and provisions have been removed, and parts of the regulation incorporate Board and staff interpretations issued during the course of administration of the rule.

The revised definition of "indirectly secured" adopted by the Board in January 1982 did not contain a specific exception (contained in an earlier definition) that a loan will not be considered "indirectly secured" if a lender in good faith has not relied upon margin securities as collateral. It was not the intent of the Board, however, to remove this exception, and interpretations have been issued making this point clear. To avoid misunderstanding, language has been added to the definition in the proposed revision to clarify this point.

A section by section analysis of the proposed Regulation G Follows.

1. *Authority, Purpose and Scope.* This section states the Board's legal authority to promulgate Regulation G, the purpose of the rule, and the fact that its coverage is limited to lenders other than banks, brokers, or dealers.

2. *Definitions.* This section contains eleven definitions of terms used throughout the regulation. All terms of art not defined in the 1934 Act itself are defined in this section. Other terms whch have, over the past five decades, achieved "common usage" status in margin regulation parlance have been incorporated into the regulation and are, therefore, defined in this section. Some definitions are scattered throughout the current regulation. All such definitions have been brought within a single definitional section.

3. *General Requirements.* This section contains the general rules which lenders other than banks, brokers and dealers ("G-lenders") must follow when extending, maintaining or arranging credit on the collateral of margin securities. It places limits on the amount of credit G-lenders can extend when the purpose is to purchase or carry securities and the loan is secured by margin securities.

The registration threshold has been raised from $100,000 to $200,000 and the registration requirement for G-lenders who merely arrange credit has been eliminated. Registered G-lenders will

continue to be subject to restrictions on securities credit that they arrange.

The "general requirements" section also contains the "single credit" rule, which directs G-lenders to aggregate the amount of purpose credit extended to a single customer in order to prevent evasion of the rule. This section also specifically permits the use of other collateral with margin securities to support a purpose credit. Under the present rule, as written, there is some ambiguity as to whether such "mixed collateral" loans are permissible.

This section also requires G-lenders who extend credit on margin securities to obtain a Form G-3, which requires the borrower to state the purpose and amount of the loan and list the margin securities used as collateral for the loan. In the case of revolving credit agreements, this section permits the filing of a G-3 form at the time of the initial extension of credit and does not require a new form G-3 to be executed each time a disbursement is made.

Withdrawals and substitutions of collateral for an existing loan are permitted by this section: (1) As long as such action would not result in an increase in the amount by which the credit exceeds the maximum loan value of the collateral, or (2) at any time that the collateral has loan value in excess of that required by the regulation. In addition, withdrawals of collateral are permitted to enable a customer to participate in an exchange offer, provided the securities received in exchange are substituted for the securities withdrawn and treated as margin securities for a period of sixty days following the exchange.

Provisions regarding extensions and maturities of credit, transfers of credit, mistakes made in good faith, and action which a G-lender may take for its own protection have been consolidated in this section. These provisions are scattered throughout the current regulation.

Finally, this section requires a G-lender to file an annual report form (Form FR G-4) with its local Federal Reserve Bank.

4. *Credit to Brokers and Dealers.* In conformity with section 8 of the 1934 Act, this section prohibits G-lenders from lending on a secured basis to brokers and dealers except in emergencies or when the public interest so demands. The current prohibition against unsecured loans by G-lenders to brokers and dealers has been removed.

5. *Credit to Finance Employee Stock Plans.* This section would liberalize current rules with respect to credit extended by a corporation to its own employees and officers for the purpose of purchasing the company's stock. The proposed revision will permit companies and their affiliates to finance employee purchases of company stock without a specific loan reduction schedule or a restriction on the disposition of the stock, as required under the present rule. Plan lenders that otherwise meet the registration requirements of the regulation will continue to be required to register and to file annual reports (Form FR G-4) required by the regulation. The registration and reporting requirements will provide a mechanism by which the Board can monitor future developments with respect to plan-lender credit.

6. *List of OTC Margin Securities.* This section contains the criteria for initial and continued inclusion on the Board's List of OTC Margin Securities. These criteria were recently amended to conform more closely with the listing requirements of major securities exchanges (47 FR 21,756) (May 20, 1982).

7. *Supplement.* This final section assigns value to various types of collateral for purposes of the regulation. Three specific types of collateral are given loan value: (1) Margin securities have a maximum loan value of fifty percent of their current market value; (2) all other collateral, other than puts or calls or combinations thereof, are assigned a "good faith" loan value; and (3) puts, calls and combinations are given no loan value.

8. *Specific Comment Requested.* The Board is seeking specific public comment on the question whether Regulations G and U should be combined to form a new comprehensive regulation with various subchapters or whether the two regulations should be maintained separately in their simplified forms.

Initial Regulatory Flexibility Analysis

The Board of Governors of the Federal Reserve System is requesting comment on a proposed to completely revise its margin regulation governing lenders other than banks and brokers or dealers.

These changes are part of a program to simplify all of the Board's margin regulations and to reduce specific administrative and regulatory burdens imposed upon lenders. The simplification of Regulation G that is being proposed at this time will provide benefits in the form of overall clarity and consistency of treatment of banks and other lenders. The Board, therefore, certifies for the purposes of 5 U.S.C. 605(b) that the changes proposed are not expected to have an adverse impact on a substantial number of small businesses.

List of Subjects in 12 CFR Part 207

Banks, banking, Credit, Federal Reserve System, Reporting and recordkeeping requirements, Securities.

Accordingly, pursuant to sections 3, 7, 8 and 23 of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78c, 78g, 78h, and 78w) the Board proposes to completely revise Regulation G (Part 207) to read as follows:

PART 207—CREDIT EXTENDED BY PERSONS OTHER THAN BANKS, BROKERS, OR DEALERS

Sec.

207.1 Authority, purpose and scope.
207.2 Definitions.
207.3 General requirements.
207.4 Credit to Broker-Dealers.
207.5 Employee stock option and stock purchase plans.
207.6 Requirements for the list of OTC margin securities.
207.7 Supplement.

Authority: Secs. 3, 7, 8, and 23 of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78c, 78g, 78h, 78w).

§ 207.1 Authority, purpose and scope.

(a) *Authority and Purpose.* Regulation G (this part) is issued by the Board of Governors of the Federal Reserve System (the "Board") pursuant to the Securities Exchange Act of 1934 (the "Act") (15 U.S.C. 78a et. seq.). Its principal purpose is to regulate extensions of credit by persons, other than banks, brokers and dealers, who extend or maintain credit for the purpose of purchasing or carrying margin securities.

(b) *Scope.* This part requires registration by persons who extend credit that is secured directly or indirectly by margin securities. Credit extended by such persons is regulated by limiting the loan value of the collateral securing the credit if the purpose of the credit is to purchase or carry margin securities.

§ 207.2 Definitions.

The terms used in this part have the meanings given them in section 3(a) of the Act (15 U.S.C. 78c(a)) or as defined in this section.

(a) *Affiliate.* A person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with the lender.

(b) *Carrying credit.* Credit that enables a customer to maintain a position in a margin security or reduce or retire indebtedness originally incurred to purchase a security that is currently a margin security.

(c) *Current market value.* (1) For a security, the closing sale price of the security on the preceding business day, as shown by any regularly published reporting or quotation service or, if the credit is used to finance the purchase of the security, the security's total cost of purchase. If there is no closing sale price, any reasonable estimate of the market value of the security as of the close of business on the preceding business day. Computation of total cost may include any commissions charged.

(2) Any other collateral shall be valued by any reasonable method in accordance with generally accepted accounting principles.

(d) *Customer.* Includes any person or group of persons acting jointly, to or for whom a person subject to this part is extending or maintaining credit.

(e) *Good faith.* (1) With respect to the acceptance of or notice from or on behalf of a customer that the lender or its duly authorized representative is alert to the circumstances surrounding the credit, and if in possession of information that would cause a prudent person not to accept the statement or notice without inquiry, investigates and is satisfied that the statement or notice is truthful;

(2) With respect to the loan value of collateral means that amount which a lender, exercising sound credit judgment, would lend on particular collateral, without regard to other assets of the customer or other collateral held in connection with separate transactions. Good faith loan value may not exceed 100 percent of the current market value of the collateral.

(f) *Indirectly secured.* Includes any arrangement with the customer under which the customer's right or ability to sell, pledge, or otherwise dispose of margin securities owned by the customer is in any way restricted as long as the credit remains outstanding or under which the exercise of such right is or may be cause for acceleration of the maturity of the credit.

The foregoing shall not apply:

(1) If, following application of the proceeds of the credit, not more than twenty-five percent of the value of the assets subject to the arrangement, as determined by any reasonable method, are margin securities;

(2) To a lending arrangement that permits acceleration of the maturity of the credit as a result of a default under, or the renegotiation of the terms of, another credit to the same customer by another creditor that is not an affiliate of the lender;

(3) If the margin security is held by the lender only in the capacity of custodian, depositary, or trustee, or under similar circumstances and the lender has not relied upon the margin security as collateral in extending or maintaining the particular credit; or

(4) If the lender in good faith has not relied upon the margin security as collateral in the extension or maintenance of the particular credit.

(g) *In the ordinary course of business.* Occurring or reasonably expected to occur from time to time in the course of any activity of a person for profit or the management or preservation of property, or in the case of a person other than an individual, carrying out or in furtherance of any business purpose.

(h) *Lender.* Any person subject to the registration requirements of this part.

(i) *Margin security.* (1) Any equity security registered on a national securities exchange or having unlisted trading privileges;

(2) An OTC margin security;

(3) A debt security which is convertible into a margin security or carrying any warrant or right to subscribe to or purchase a margin security;

(4) Any warrant or right to subscribe to or purchase a margin security; and

(5) Any security issued by an investment company, other than a company licensed under the Small Business Investment Company Act of 1958, as amended (15 U.S.C. 661), registered under section 8 of the Investment Company Act of 1940 (15 U.S.C. 80a–8).

(j) *Maximum loan value.* The percentage of current market value assigned by the Board under § 207.7 of this part to specfied types of collateral.

(k) *OTC margin security.* Any equity security not traded on a national securities exchange that the Board has determined has the degree of national investor interest, the depth and breadth of market, the availability of information respecting the security and its issuer, and the character and permanence of the issuer to warrant being treated like an equity security traded on a national securities exchange. The Board will from time to time publish a list of the OTC margin securities that the Board has determined meet the criteria set forth in § 207.7 of this part.

(l) *Purpose credit.* Credit for the purpose, whether immediate, incidental, or ultimate, of purchasing or carrying a margin security.

§ 207.3 General requirements.

(a) *Registration; termination of registration.* (1) Every person who, in the ordinary course of business, extends or maintains credit secured, directly or indirectly, by any margin security shall register on Federal Reserve Form FR G–1 (OMB No. 055–R0267) within 30 days after the end of any calendar quarter during which (i) the amount of credit extended equals $200,000 or more, or (ii) the amount of credit outstanding at any time during that calendar quarter equals $500,000 or more;

(2) A registered lender may apply to terminate its registration, by filing Federal Reserve Form FR G–2 (OMB No. 055–R0267), if the lender has not, during the preceding six calendar months, extended credit secured, directly or indirectly, by any margin security and has not had more than $200,000 of such credit outstanding during that period. Registration shall be deemed terminated when the application is approved by the Board.

(b) *General Rule.* No lender, except a plan-lender, as defined in § 207.5(a)(1), shall extend any purpose credit, secured directly or indirectly by margin securities in an amount that exceeds the maximum loan value of the collateral securing the credit, as set forth in § 207.7 of this part.

(c) *Maintaining credit.* A lender may maintain any credit that it initially extended without violating this part, regardless of:

(1) Reduction in the customer's equity resulting from change in market prices;

(2) Change in the maximum loan value prescribed by this part; and

(3) Change in the status of the security (from non-margin to margin) securing an existing purpose credit.

(d) *Arranging credit.* No lender may arrange for the extension or maintenance of any credit for the purpose of purchasing or carrying any margin security, except upon the same terms and conditions under which the lender itself may extend or maintain such credit under the provisions of this part.

(e) *Purpose statement.* (1) Whenever a lender extends credit secured directly or indirectly by a margin security, the lender shall require its customer to execute Federal Reserve Form FR G–3 (OMB No. 055–R0274), which shall be signed and accepted by a duly authorized representative of the lender acting in good faith;

(2) If a lender extends such credit under a revolving credit agreement, Form FR G–3 need not be executed each time a disbursement is made under the agreement if:

(i) Form FR G–3 is executed at the time the credit arrangement is originally established;

(ii) the customer at that time states that the purpose or any extension under the agreement is to purchase or carry a margin security; and

(iii) either the collateral is sufficient for a purpose credit for the total amount covered by the agreement, or is sufficient for the amount of credit actually disbursed and a current list of collateral is appended to the executed Form FR G–3 each time credit is disbursed under the agreement.

(f) *Single credit rule.* (1) A lender that has extended purpose credit secured by a margin security may not subsequently extend unsecured purpose credit to the same customer unless the combined credit does not exceed the maximum loan value of the security securing the prior credit;

(2) If a lender extended unsecured purpose credit to a customer prior to the extension of purpose credit secured by a margin security, the credits shall be combined and treated as a single credit solely for the purpose of the withdrawal and substitution provision of paragraph (h) of this section.

(g) *Mixed collateral loans.* A purpose credit secured in part by a margin security, and in part by other collateral shall be treated as two separate loans, one secured by the margin security and one by all other collateral. A lender may use a single credit agreement, but it shall maintain its records so that each portion of the credit and its collateral are identified for the purpose of evidencing compliance with this part.

(h) *Withdrawals and Substitutions.* (1) A lender may permit any withdrawal or substitution of cash or collateral by the customer if, after the transaction, the withdrawal or substitution would not:

(i) Cause the credit to exceed the maximum loan value of the collateral; or

(ii) Increase the amount by which the credit exceeds the maximum loan value of the collateral.

(2) For purposes of this section, the maximum loan value of the collateral on the day the withdrawal or substitution shall be used.

(i) *Exchange offers.* To enable a customer to participate in an exchange offer that is made to all holders of an issue of margin securities, a lender may permit substitution of the securities received for the securities exchanged. A nonmargin nonexempted security acquired in exchange for a margin security shall be treated as if it is a margin security for a period of 60 days following the exchange.

(j) *Renewals and extensions of maturity.* A renewal or extension of maturity of a credit need not be considered a new extension of credit if the amount of the credit is increased only by the addition of interest, service charges or taxes with respect to the credit.

(k) *Transfers of credit.* (1) A transfer of a credit between customers or lenders shall not be considered a new extension of credit if:

(i) The original credit was in conformity with this part;

(ii) The transfer is not made to evade this part;

(iii) The amount of credit is not increased; and

(iv) The collateral for the credit is not changed.

(2) Any transfer between customers at the same lender shall be accompanied by a statement by the transferor customer describing the circumstances giving rise to the transfer and accepted in good faith and signed by an officer of the lender as having been so accepted. The lender shall keep such statement with its records of the transferee account.

(3) When a transfer is made between lenders, the transferee lender shall obtain a copy of the Form FR G–3 originally filed with the transferor lender and retain the copy with its records of the transferee account.

(l) *Action for lender's own protection.* Nothing in this part shall require a lender to waive or forego any lien or prevent a lender from taking any action that it deems necessary in good faith for its own protection.

(m) *Mistakes in good faith.* A mistake in good faith in connection with the extension or maintenance of credit shall not be a violation of this part.

(n) *Annual Report.* Every registered lender shall, within 30 days following June 30 of every year, file Form FR G–4 (OMB No. 055–R0267).

(o) *Where to register and file applications and reports.* Registration statements, applications to terminate registration, and annual reports shall be filed with the Federal Reserve Bank of the district in which the principal office of the lender is located.

§ 207.4 Credit to broker-dealers.

No lender shall extend or maintain credit secured, directly or indirectly, by any margin security to a customer who is subject to Part 220, except in the following circumstances:

(a) Emergency Loans. Credit extended in good faith reliance upon a certification from the customer that the credit is essential to meet emergency needs arising from exceptional circumstances. Any collateral for such credit shall have good faith loan value.

(b) Capital Contribution Loans. Credit that the Board has exempted by order upon a finding that the exemption is necessary or appropriate in the public interest or for the protection of investors, provided the Securities Investor Protection Corporation certifies to the Board that the exemption is appropriate.

§ 207.5 Employee stock option and stock purchase plans.

(a) *Plan lender; Eligible Plan.* (1) Plan Lender. A corporation, a lender wholly owned by that corporation, or a lender which is a membership thrift organization whose membership is limited to employees and former employees of that corporation, its subsidiaries and affiliates, that extends or maintains credit to finance the acquisition of securities pursuant to an eligible plan;

(2) Eligible Plan. An employee stock option or purchase plan adopted by a corporation and approved by its stockholders that provides for the extension of credit to officers or employees to finance their purchase of margin securities of the corporation, its subsidiaries or affiliates.

(b) *Credit to exercise right under eligible plans.* (1) If a plan-lender extends or maintains credit to its officers and employees, or those of its subsidiaries or affiliates, to finance the exercise of rights granted under an eligible plan of the corporation, a margin security that directly or indirectly secures that credit shall have good faith loan value.

(2) Credit extended under this section shall be treated separately from credit extended under any other section in this part.

§ 207.6 Requirements for the List of OTC Margin Securities.

(a) *Requirements for inclusion on the list of OTC margin securities.* Except as provided in paragraph (d) of this section, OTC margin security shall meet the requirements that:

(1) The security is registered under section 12 of the Act (15 U.S.C. 781), is issued by an insurance company subject to section 12(g)(2)(G) (15 U.S.C. 781(g)(2)(G)), is issued by a closed end investment management company subject to registration pursuant to section 8 of the Investment Company Act of 1940 (15 U.S.C. 80a-8), is an American Depository Receipt ("ADR") of a foreign issuer whose securities are registered under section 12 of the Act, or is a security of an issuer required to file reports under section 15(d) of the Act (15 U.S.C. 780(d));

(2) Four or more dealers make a market in the security and regularly submit bona fide bids and offers to an automated quotations system for their own accounts;

(3) There are 1,200 or more holders of record, as defined in SEC Rule 12g5–1 (17 CFR 240.12g5–1), of the security who are not officers, directors or beneficial owners of 10 percent or more of the security, or the average daily trading volume of such security as determined by the Board, is at least 500 shares;

(4) The issuer or a predecessor in interest has been in existence for at least three years;

(5) The security has been publicly traded for at least six months;

(6) Daily quotations for both bid and asked prices for the security are continuously available to the general public;

(7) There are 400,000 or more shares of such security outstanding in addition to shares held beneficially by officers, directors or beneficial owners of more than 10 percent of the security;

(8) The minimum average bid price of the security, as determined by the Board, is at least $5 per share; and

(9) The issuer had at least $4 million of capital, surplus, and undivided profits.

(b) *Requirements for continued inclusion on the list of OTC margin securities.* Except as provided in paragraph (d) of this section, an OTC margin security shall meet the following requirements:

(1) The security is registered or issued under the conditions specified in paragraph (a)(1) of this section;

(2) Three or more dealers make a market in the security and regularly submit bona fide bids and offers to an automated quotations system for their own accounts;

(3) There continue to be 800 or more holders of record, as defined in SEC Rule 12g5–1 (17 CFR 240.12g5–1), of the security who are not officers, directors, or beneficial owners of 10 percent or more of the security, or the average daily trading volume of such security, as determined by the Board, is at least 300 shares;

(4) Daily quotations for both bid and asked prices for the security are continuously available to the general public;

(5) There are 300,000 or more shares of such security outstanding in addition to shares held beneficially by officers, directors, or beneficial owners of more than 10 percent of the security;

(6) The minimum average bid price of the security, as determined by the Board, is at least $2 per share; and

(7) The issuer has at least $2 million of capital, surplus, and undivided profits.

(c) *Removal from the list of OTC margin securities.* The Board shall from time to time remove from the OTC margin security list securities that cease to:

(1) Exist or of which the issuer ceases to exist, or

(2) Meet substantially the provisions of paragraph (b) of this section.

(d) *Discretionary authority of Board.* The foregoing notwithstanding, the Board may omit or remove any security that is not traded on a national securities exchange from or add any such security to such list of OTC margin securities, if in the judgment of the Board, such action is necessary or appropriate in the public interest.

(e) *Unlawful Representations.* It shall be unlawful for any creditor to make, or cause to be made, any representation to the effect that the inclusion of a security on the list of OTC margin securities is evidence that the Board or the SEC has in any way passed upon the merits of, or given approval to, such security or any transactions therein. Any statement in an advertisement or other similar communication containing a reference to the Board in connection with the list or securities on that list shall be an unlawful representation.

§ 207.7 Supplement.

(a) *Maximum loan value of a margin security.* The maximum loan value of a margin security shall be fifty percent of its current market value.

(b) *Maximum loan value of nonmargin securities and all other collateral.* The maximum loan value of a nonmargin security and all other collateral except puts, calls, or combinations thereof shall be their good faith loan value.

(c) *Maximum loan value of options.* Puts, calls and combinations thereof shall have no loan value.

By order of the Board of Governors of the Federal Reserve System, February 23, 1983.

William W. Wiles,

Secretary of the Board.

[FR Doc. 83–5155 Filed 2–28–83; 8:45 am]

BILLING CODE 6210–01–M

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12 CFR Part 221

[Docket No. R–0458]

Credit by Banks; Complete Revision and Simplication of Regulation U

AGENCY: Federal Reserve System.

ACTION: Proposed rule.

SUMMARY: The Board proposes to revise Regulation U in its entirely. The proposed Regulation U is written in simplified language and organized in a more logical fashion. Obsolete provisions have been removed. This proposed revision incorporates amendments made to Regulation U in January 1982 which exempted bank credit not secured by margin securities from the regulation and clarified the definition of the term "indirectly secured" (47 FR 2981) (January 21, 1982).

Certain filing requirements have been removed from the proposed regulation. The related forms, F.R. U–2, U–3, U–5 and U–6, will, therefore, be eliminated. Also, in cooperation with the Securities and Exchange Commission ("SEC"), references to SEC forms X–17A–12 (1) and (2), X–17A–18 (1) and (2), and X–17A–17 are being deleted so that the SEC may proceed with its proposal to eliminate these forms.

A new section is proposed to be added to Regulation U to notify nonmember banks who propose to lend to brokers and dealers on registered securities that they are required by statute (15 U.S.C. 78h) to comply with securities credit laws and regulations applicable to member banks. Currently, notice of this requirement is contained in Regulation T (12 CFR Part 220), but not in Regulation U. The Board believes that notice of this requirement should also be contained in Regulation U since the statute places an affirmative duty of compliance upon banks as well as brokers and dealers. This addition to Regulation U will not place any new compliance responsibilities on banks.

Under this proposed revision of Regulation U, the Board would remove, in its entirely, current 221.3(q), which regulates loans to certain lenders. This section was added to Regulation U in 1959 to limit the amount of credit available to "collateral lenders," who were neither banks nor broker-dealers and, therefore, not subject to the Board's then existing margin regulations. A comprehensive regulation (Regulation G, 12 CFR 207.1 et seq.) was adopted by the Board in 1968 to cover all lenders other than banks and broker-dealers, including collateral lenders. Because of the adoption of Regulation G, the retention of § 221.3(q) is no longer considered necessary.

DATE: Comments should be received on or before April 22, 1983.

ADDRESS: Comments, which should refer to Docket No. R–0458, may be mailed to the Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue, NW., Washington, D.C. 20551 or delivered to Room B–2223 between 8:45 a.m. and 5:15 p.m. Comments received may also be inspected at Room B–1122 between 8:45 a.m. and 5:15 p.m.

FOR FURTHER INFORMATION CONTACT: At the Board of Governors of the Federal Reserve System, Washington,

D.C. 20551, contact: Laura Homer, Securities Credit Officer, or Robert Lord, Attorney, Division of Banking Supervision and Regulation (202) 452-2781. At the Federal Reserve Bank of New York, contact: Mindy Silverman, Assistant Counsel, (212) 791-5032.

SUPPLEMENTARY INFORMATION: The Board proposes to revise Regulation U by: (1) Simplifying the language in all provisions, (2) removing obsolete provisions, and (3) reordering provisions in a more logical manner.

Explanation of Changes

The proposed Regulation U is divided into eight sections which, in the following order: (1) State the legal basis and scope of the regulation, (2) define the terms used throughout the regulation, (3) state the general rule, (4) require non-member banks to file agreements with the Board before they engage in securities credit transactions with brokers or dealers, (5) separately treat loans made to brokers or dealers for market facilitating purposes, (6) specify transactions which are exempt from the requirements of the regulation, (7) set forth the criteria for inclusion on the List of OTC Margin Securities, and (8) establish the maximum loan value of different types of collateral.

Unless otherwise noted, no substantive changes have been made to the regulation. The regulation has been reorganized in a more logical fashion and the language has been simplified for easier understanding. In addition, obsolete terms and provisions have been removed, and parts of the regulation incorporate Board and staff interpretations issued during the course of administration of the rule.

The revised definition of "indirectly secured" adopted by the Board in January, 1982 did not contain a specific exception (contained in an earlier definition) that a loan will not be considered "indirectly secured" if a lender in good faith has not relied upon margin securities as collateral. It was not the intent of the Board, however, to remove this exception, and interpretations have been issued making this point clear. To avoid misunderstanding, language has been added to the definition in the proposed revision to clarify this point.

A section by section analysis of the proposed Regulation U follows.

1. *Authority, Purpose and Scope.* This section states the Board's legal authority to promulgate Regulation U, the purpose of the rule, and the fact that its coverage is limited to banks.

2. *Definitions.* This section contains eleven definitions of terms used throughout the regulation. All terms of art not defined in the Securities Exchange Act of 1934 ("1934 Act") (15 U.S.C. 78a et seq.) itself are defined in this section. The term "bank", although defined in the 1934 Act, is defined more precisely in the proposed regulation. Other terms which have, over the past five decades, achieved "common usage" status in margin regulation parlance have been incorporated into the regulation and are, therefore, defined in this section. Some definitions are scattered throughout the current regulation. All such definitions have been brought within a single definitional section.

3. *General Requirements.* This section contains the general rules which banks must follow when extending, maintaining or arranging credit on the collateral of margin securities. It places limits on the amount of credit banks can extend when the purpose is to purchase or carry securities and the loan is secured by margin securities.

The "general requirements" section also contains the "single credit" rule, which directs banks to aggregate the amount of purpose credit extended to a single customer in order to prevent evasion of the rule. This section also specifically permits the use of other collateral with margin securities to support a purpose credit. Under the present rule, as written, there is some ambiguity as to whether such "mixed collateral" loans are permissible.

This section also requires banks who extend credit on margin securities to obtain a Form F.R. U-1, which requires a borrower to state the purpose and amount of a loan, and list the margin securities used as collateral.

Withdrawals and substitutions of collateral for an existing loan are permitted by this section: (1) As long as such action would not result in an increase in the amount by which the credit exceeds the maximum loan value of the collateral, or (2) at any time that the collateral has loan value in excess of that required by the regulation. In addition, withdrawals of collateral will be permitted to enable a customer to participate in an exchange offer, provided the securities received in exchange are substituted for the securities withdrawn and treated as margin securities for a period of sixty days following the exchange.

Provisions regarding extensions and maturities of credit, transfers of credit, mistakes made in good faith, and action which a bank may take for its own protection have been consolidated in this section. These provisions are scattered throughout the current regulation.

4. *Agreements of Non-Member Banks.* This is a new section of Regulation U. Section 8 of the 1934 Act (15 U.S.C. 78h) prohibits brokers and dealers from borrowing on registered securities unless they borrow from either a member bank or a nonmember bank that has filed an agreement with the Board agreeing to comply with all laws applicable to member banks in connection with securities credit transactions. This statutory requirement is currently embodied in Regulation T (12 CFR 220.1 et seq.), which is applicable to brokers and dealers. However, it is the nonmember bank which has the affirmative duty to file such agreements (F.R. T-1 and F.R. T-2) with the Board. In the interest of providing nonmember banks with more adequate notice of this statutory requirement, this subsection is being added to Regulation U.

5. *Special Purpose Loans to Brokers and Dealers.* Since the inception of Regulation U, the Board recognized that banks made certain specialized loans to brokers and dealers which were either short-term loans to facilitate settlement and clearance or loans regulated at another level. These loans have always been treated differently from regular margin loans. Provision is made in a separate section, therefore, by which banks may give a "good faith" valuation to any collateral furnished by brokers and dealers who borrow for any one or more of the thirteen specialized purposes listed in the regulation. Special treatment of such loans is conditioned upon receipt of certified statements from the broker or dealer as to the purpose of the loan. Comparable exceptions to the general credit limitations are in the current Regulation U, but the proposed rule consolidates all of these exceptions into one section and removes any limitations on the type of collateral securing the loans.

The provisions regarding credit extended to block positioners, OTC market makers, and third market makers will no longer refer to SEC Forms X-17A-12(1), X-17A-16(1), and X-17A-17. This will obviate the need for filing these forms with the SEC as a prerequisite to eligibility for special credit. It is the Board's understanding that the SEC is preparing to rescind its rules pursuant to which these forms are required.

6. *Exempted Transactions.* This section grants outright exemptions to nine specific kinds of non-broker-dealer bank loans. All but one of these exemptions are contained in various sections of the current regulation. The proposed rule consolidates the existing

exemptions into one section. A new exemption is provided for loans to employee stock ownership plans (ESOPs) qualified under section 401 of the Internal Revenue Code. The purpose of this new exemption is to provide banks with an opportunity to give the same kind of treatment for employee loans as is now provided for similar corporate lenders referred to as "plan lenders" under Regulation G.

7. *List of OTC Margin Securities.* This section contains the criteria for initial and continued inclusion on the Board's List of OTC Margin Securities. These criteria were recently amended to conform more closely with the listing requirements of major exchanges (47 F.R. 21,756) (May 20, 1982).

8. *Supplement.* This final section assigns value to various types of collateral for purposes of the regulation. Three specific types of collateral are given loan value: (1) Margin securities have a maximum loan value of fifty per cent of their current market value; (2) all other collateral, other than puts, calls or combinations thereof, are assigned a "good faith" loan value; and (3) puts, calls and combinations are given no loan value.

9. *Specific Comments Requested.* The Board is seeking specific public comment on the question whether Regulations G and U should be combined to form a new comprehensive regulation with various subchapters or whether the two regulations should be maintained separately in their simplified forms.

Initial Regulatory Flexibility Analysis

The Board of Governors of the Federal Reserve System is requesting comment on a proposal to completely revise its margin regulation governing banks. These changes are part of a program to simplify all of the Board's margin regulations, generally, and to reduce specific administrative and regulatory burdens imposed upon lenders. The simplification of Regulation U that is being proposed at this time will provide benefits in the form of overall clarity and consistency of treatment among margin lenders. The Board, therefore, certifies for the purposes of 5 U.S.C. 605(b) that the changes proposed are not expected to have any adverse impact on a substantial number of small businesses.

List of Subjects in 12 CFR Part 221

Banks, banking, Credit, Federal Reserve System, Reporting and recordkeeping requirements, Securities.

Accordingly, pursuant to sections 3, 7, 8 and 23 of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78c, 78g, 78h and 78w) the Board proposes to completely revise Regulation U (Part 221) to read as follows:

PART 221—CREDIT EXTENDED BY BANKS FOR THE PURPOSE OF PURCHASING OR CARRYING MARGIN SECURITIES

Sec.

221.1 Authority, purpose and scope.
221.2 Definitions.
221.3 General requirements.
221.4 Agreements of nonmember banks.
221.5 Special purpose loans to brokers and dealers.
221.6 Exempted Transactions.
221.7 Requirements for the List of OTC Margin Securities.
221.8 Supplement.

Authority: Secs. 3, 7, 8, and 23 of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78c, 78g, 78h, 78w).

§ 221.1 Authority, purpose and scope.

(a) *Authority and Purpose.* Regulation U ("this part"), is issued by the Board of Governors of the Federal Reserve System ("the Board") pursuant to the Securities Exchange Act of 1934 ("the Act") (15 U.S.C. 78a, et seq.). Its principal purpose is to regulate banks that extend or maintain credit for the purpose of purchasing or carrying securities.

(b) *Scope.* This part imposes credit restrictions upon "banks", as that term is defined in § 221.2(b) of this part, that extend credit for the purpose of purchasing or carrying margin securities if the credit is secured directly or indirectly by margin securities. Banks extending such credit may not extend more than the maximum loan value of the collateral securing the credit. The maximum loan value of a margin security, set by the Board, can be found in the Supplement to Regulation U (12 CFR 221.8) and is stated in terms of a percentage of the current market value of the collateral. All other collateral has "good faith" loan value, which is defined in § 221.2(f) of this part.

§ 221.2 Definitions.

The terms used in this part have the meanings given them in section 3(a) of the Act (15 U.S.C. 78c(a)) or as defined in this section.

(a) *"Affiliate"* (1) A bank holding company of which a bank is a subsidiary within the meaning of the Bank Holding Company Act of 1956, as amended, (12 U.S.C. 1841(d)); (2) any other subsidiary of such bank holding company; or (3) any other corporation, business trust, association, or other similar organization that is an affiliate as defined in section 2(b) of the Banking Act of 1933 (12 U.S.C. 221a).

(b) *"Bank"* has the meaning given to it in section 3(a)(6) of the Act (15 U.S.C. 78c(a)(6)) and includes a subsidiary of a bank, a corporation organized under section 25(a) of the Federal Reserve Act (12 U.S.C. 611) and an agency or branch of a foreign bank located within the United States. "Bank" does not include a savings and loan association, a credit union, any lending institution that is an instrumentality or agency of the United States, or any member of a national securities exchange.

(c) *"Carrying credit"* is credit that enables a customer to maintain a position in a margin security or reduce or retire indebtedness originally incurred to purchase a security that is currently a margin security.

(d) *"Current market value"* means: (1) For a security, the closing sale price of the security on the preceding business day, as shown by any regularly published reporting or quotation service. If the credit is used to finance the purchase of the security, the bank may use the security's total cost of purchase. Computation of total cost may include any commissions charged. If there is no closing sale price, the bank may use any reasonable estimate of the market value of the security as of the close of business on the preceding business day.

(2) Any other collateral shall be valued by any reasonable method in accordance with generally accepted accounting principles and sound banking practies.

(e) *"Customer"* includes any person or group of persons acting jointly, to or for whom a bank is extending or maintaining credit.

(f) *"Good faith"* (1) With respect to the acceptance of or notice or certification from or on behalf of a customer that the bank or its duly authorized representative is alert to the circumstances surrounding the credit, and if in possession of information that would cause a prudent person not to accept the statement or notice without inquiry, investigates and is satisfied that the statement or notice is truthful;

(2) With resepct to the loan value of collateral means that amount which a bank, exercising sound banking judgment, would lend on particular collateral, without regard to other assets of the customer or other collateral held in connection with separate transactions. Good faith loan value may not exceed 100 percent of the current market value of the collateral.

(g) *"Indirectly secured"* includes any arrangement with the customer under which the customer's right or ability to sell, pledge, or otherwise dispose of margin security owned by the customer

is in any way restricted as long as the credit remains outstanding or under which the exercise of such right is or may be cause for acceleration of the maturity of the credit.

The foregoing shall not apply:

(1) If, following application of the proceeds of the credit, not more than twenty-five percent of the value of the assets subject to the arrangement, as determined by any reasonable method, consists of margin securities;

(2) To a lending arrangement that permits acceleration of the maturity of the credit as a result of a default under, or the renegotiation of the terms of, another credit to the same customer by another lender that is not an affiliate of the bank;

(3) If the margin security is held by the bank only in the capacity of custodian, depositary, or trustee, or under similar circumstances; or

(4) If the bank in good faith has not relied upon the margin security as collateral in the extension or maintenance of the particular credit.

(h) *"Margin security"* (1) Any equity security registered on a national securities exchange or having unlisted trading privileges; (2) any OTC margin security; (3) any debt security which is convertible into a margin security, or carrying a warrant or right to subscribe to or purchase a margin security; (4) any warrant or right to subscribe to or purchase a margin security; (5) any security issued by an investment company, other than a company licensed under the Small Business Investment Company Act, as amended (15 U.S.C. 661), registered under section 8 of the Investment Company Act of 1940 (15 U.S.C. 80a–8).

(i) *"Maximum loan value"* is the percentage of current market value assigned by the Board under § 221.8 of this part to specified types of collateral.

(j) *"OTC margin security"* is any equity security not traded on a national securities exchange that the Board has determined has the degree of national investor interest, the depth and breadth of market, the availability of information respecting the security and its issuer, and the character and permanence of the issuer to warrant being treated like an equity security traded on a national securities exchange. The Board will from time to time publish a list of the OTC margin securities that it has determined meet the criteria set forth in § 221.7 of this part.

(k) *"Purpose credit"* is any credit that is for the purpose, whether immediate, incidental, or ultimate, of purchasing or carrying margin securities.

§ 221.3 General requirements.

(a) *Extending, maintaining, and arranging credit.* (1) *Extending credit.* No bank shall extend any purpose credit, secured directly or indirectly by margin securities, in an amount that exceeds the maximum loan value of the collateral securing the credit. The maximum loan value of a margin security (set forth in § 221.8 of this part) is assigned by the Board in terms of a percentage of the current market value of the margin security. All other collateral has "good faith" loan value, as defined in § 221.2(f) of this part.

(2) *Maintaining credit.* A bank may maintain any credit that it initially extended without violating this part, regardless of: (i) Reduction in the customer's equity resulting from change in market prices; (ii) change in the margin requirements prescribed by this part; or (iii) change in the status of the security (from nonmargin to margin) securing an existing purpose credit.

(3) *Arranging credit.* No bank may arrange for the extension or maintenance of any credit for the purpose of purchasing or carrying any margin security, except upon the same terms and conditions under which the bank itself may extend or maintain such credit under the provisions of this part.

(b) *Purpose statement.* (1) Whenever a bank extends credit secured directly or indirectly by margin security, the bank shall require its customer to execute Form F.R. U–1 (OMB No. 7100–0115), which shall be signed and accepted by a duly authorized officer of the bank acting in good faith.

(2) If a bank extends such credit under a revolving credit agreement, Form F.R. U–1 need not be executed each time a disbursement is made under the agreement if:

(i) Form F.R. U–1 is executed at the time the credit arrangement is originally established;

(ii) The customer at that time states that the purpose of any extension under the agreement is to purchase or carry margin securities; and

(iii) Either the collateral is sufficient for a purpose credit for the total amount covered by the agreement, or is sufficient for the amount of credit actually disbursed and a current list of collateral is appended to the executed Form F.R. U–1 each time credit is disbursed under the agreement.

(c) *Single credit rule.* (1) A bank that has extended purpose credit secured by margin securities may not subsequently extend unsecured purpose credit to the same customer unless the combined credit does not exceed the maximum loan value of the security securing the prior credit.

(2) If a bank extended unsecured purpose credit to a customer prior to the extension of purpose credit secured by margin security, the credits shall be combined and treated as a single credit solely for the purposes of the withdrawal and substitution provision of paragraph (e) of this section.

(d) *Mixed collateral loans.* A purpose credit secured in part by margin security, and in part by other collateral shall be treated as two separate loans, one secured by margin security and one by all other collateral. A bank may use a single credit agreement, but it shall maintain its records so that each portion of the credit and its collateral are identified for the purpose of evidencing compliance with this part.

(e) *Withdrawals and Substitutions* (1) A bank may permit any withdrawals or substitution of cash collateral by the customer if, after the transaction, the withdrawal or substitution would not: (i) Cause the credit to exceed the maximum loan value of the collateral; or (ii) increase the amount by which the credit exceeds the maximum loan value of the collateral.

(2) For purposes of this section, the maximum loan value of the collateral on the day of the withdrawal or substitution shall be used.

(f) *Exchange offers.* To enable a customer to participate in an exchange offer that is made to all holders of an issue of margin securities, a bank may permit substitution of the securities received. A nonmargin, nonexempted security acquired in exchange for a margin security shall be treated as if it is a margin security for a period of 60 days following the exchange.

(g) *Renewals and extensions of maturity.* A renewal or extension of maturity of a credit need not be considered a new extension of credit if the amount of the credit is increased only by the addition of interest or service charges with respect to the credit.

(h) *Transfers of credit.* (1) A transfer of a credit between customers or banks shall not be considered a new extension of credit if: (i) The original credit was in conformity with this part; (ii) the transfer is not made to evade this part; (iii) the amount of credit is not increased; and (iv) the collateral for the credit is not changed.

(2) Any transfer between customers at the same bank shall be accompanied by a statement by the transferor customer describing the circumstances giving rise to the transfer and accepted in good faith and signed by an officer of the bank as having been so accepted. The

bank shall keep such statement with its records of the transferee account.

(3) When a transfer is made between banks, the transferee bank shall obtain a copy of the Form F.R. U–1 originally filed with the transferor bank and retain the copy with its records of the transferee account.

(i) *Mistakes in good faith.* A mistake in good faith in connection with the extension or maintenance of credit shall not be a violation of this part.

(j) *Action for bank's own protection.* Nothing in this part shall require a bank to waive or forego any lien or prevent a bank from taking any action that it deems necessary in good faith for its own protection.

§ 221.4 Agreement of nonmember banks.

(a) Banks not members of the Federal Reserve System shall execute a Form F.R. T–1 or F.R. T–2, prior to extending any credit secured by any non-exempt security registered on a national securities exchange to persons subject to Regulation T (12 CFR Part 220), as follows:

(1) Form F.R. T–1 shall be filed by any nonmember bank that has its principal place of business in the United States.

(2) Form F.R. T–2 shall be filed by all other nonmember banks.

(b) Any nonmember bank may terminate its agreement if it obtains the written consent of the Board.

§ 221.5 Special purpose loans to brokers and dealers.

(a) A member bank, and a nonmember bank that is in compliance with § 221.4 of this part may extend and maintain purpose credit on a good faith loan value basis to brokers and dealers without regard to the limitations set forth in section 221.3 of this part if the credit is for any of the specific purposes set forth in paragraph (c) of this section and meets the conditions set forth therein.

(b) Prior to extending any credit to a broker or dealer pursuant to this section, the bank shall in good faith obtain and accept a written notice or certification from the borrower as to the purposes of the loan. The written notice or certification shall be evidence of continued eligibility for the special credit provisions until the broker or dealer notifies the bank that it is no longer eligible or the bank has information that would cause a reasonable person to question whether the proceeds of the credit are being used for the purpose specified.

(c) The types of credit that may be extended and maintained on a good faith loan value basis are as follows:

(1) *Hypothecation loans.* Credit secured by hypothecated customer securities that, according to written notice received by the bank from the broker or dealer, are securities carried for the accounts of customers that the broker or dealer is permitted to hypothecate under Securities and Exchange Commission ("SEC") rules.

(2) *Temporary advances in payment-against-delivery transactions.* Credit extended to finance the purchase of sale of securities for prompt delivery, if the credit is to be repaid in full upon completion of the transaction.

(3) *Loans for securities in transit or transfer.* Credit extended to finance securities in transit or surrendered for transfer, if the credit is to be repaid upon completion of the transaction.

(4) *Intra-day loans.* Credit that is to be repaid on the same day it is extended for the purpose of enabling a broker or dealer to pay for securities purchased for customers.

(5) *Arbitrage loans.* Credit to finance proprietary or customer *bona fide* arbitrage transactions. For the purpose of this section *bona fide* arbitrage means:

(i) Purchase or sale of a security in one market, together with an offsetting sale or purchase of the same security in a different market, at as nearly the same time as practicable, for the purpose of taking advantage of a difference in prices in the two markets; or

(ii) Purchase of a security that is, without restriction other than the payment of money, exchangeable or convertible within 90 calendar days of the purchase into a second security, together with an off-setting sale of the second security, at or about the same time, for the purpose of taking advantage of a concurrent disparity in the price of the two securities.

(6) *Distribution loans.* Credit to finance the distribution of securities to customers.

(7) *Odd-lot loans.* Credit to finance the odd-lot transaction of a person registered as an odd-lot dealer on a national securities exchange.

(8) *Emergency loans.* Credit extended in good faith reliance upon a certification from the broker or dealer that it is essential to meet emergency needs arising from exceptional circumstances.

(9) *Capital contribution loans.* (i) Credit that the Board has exempted by order upon a finding that the exemption is necessary or appropriate in the public interest or for the protection of investors provided, the Securities Investor Protection Corporation certifies to the Board that the exemption is appropriate; or

(ii) Credit to a customer for the purpose of making a subordinated loan or capital contribution to a broker or dealer in conformity with the SEC's net capital rules and the rules of the broker's or dealer's Examining Authority, provided:

(A) That the customer shall reduce the credit by the amount of any reduction in the loan or contribution to the broker or dealer; and

(B) The credit is not used to purchase securities issued by the broker or dealer in a public distribution.

(10) *Loans to specialists.* Credit extended to members of a national securities exchange who are registered and acting as specialists on the exchange for the purpose of financing the specialist transactions, provided the specialists' exchange requires, and submits to the Borad, reports suitable for supplying current information regarding the specialist's use of credit.

(11) *OTC market maker credit.* Credit to a dealer who has given written notice to the bank that it is a "qualified OTC market maker" in an OTC margin security as defined in SEC Rule 3b–8 (17 CFR 240.3b–8) and that the credit will be used solely for the purpose of financing the market making activity.

(12) *Third market maker loans.* Credit to a dealer who has given written notice to the bank that it is a "qualified third market maker," as defined in SEC Rule 3b–8 (17 CFR 240.3b–8) and that the credit will be used solely for the purpose of financing positions in securities assumed as a "qualified third market maker."

(13) *Block positioner credit.* Credit to a dealer who has given written notice to the bank that it is a "qualified block positioner" for a block of securities, as defined in SEC Rule 3b–8 (17 CFR 240.3b–8) and that the credit will be used to finance a position in that block.

§ 221.6 Exempted transactions.

A bank may extend and maintain purpose credit without regard to the provisions of this part if such credit is extended:

(a) To any bank;

(b) To any foreign banking institution;

(c) Outside the United States; or

(d) To an employee security ownership plan ("ESOP") qualified under section 401 of the Internal Revenue Code (26 U.S.C. 401)

(e) To any "plan lender" as defined in Regulation G (12 CFR Part 207) to finance such a plan, provided the bank has no recourse to any securities purchased pursuant to the plan;

(f) To any customer, other than a broker or dealer, to temporarily finance

the purchase or sale of securities for prompt delivery, if the credit is to be repaid in the ordinary course of business upon completion of the transaction;

(g) Against securities in transit, if the credit is not extended to enable the customer to pay for securities purchased in an account subject to Regulation T (12 CFR Part 220); or

(h) To enable a customer to meet emergency expenses not reasonably foreseeable. The extension of credit shall be supported by a statement executed by the customer and accepted in good faith and signed by an officer of the bank as having been so accepted. For this purpose, such emergency expenses shall include expenses arising from circumstances such as the death or disability of the customer, or some other change in circumstances involving extreme hardship, not reasonably foreseeable at the time the credit was extended. The opportunity to realize monetary gain or to avoid loss is not a "change in circumstances" for this purpose.

§ 221.7 Requirements for the list of OTC Margin Securities.

(a) Requirements for inclusion on the list of OTC margin securities. Except as provided in paragraph (d) section, an OTC margin security shall meet the requirements that:

(1) The security is registered under section 12 of the Act (15 U.S.C. 781), is issued by an insurance company subject to section 12(g)(2)(G) (15 U.S.C. 781(g)(2)(G)), is issued by a closed end investment management company subject to registration pursuant to section 8 of the Investment Company Act of 1940 (15 U.S.C. 80a–8), is an American Depository Receipt ("ADR") of a foreign issuer whose securities are registered under section 12 of the Act, or is a security of an issuer required to file reports under section 15(d) of the Act (15 U.S.C. 78o(d));

(2) Four or more dealers make a market in such a security and regularly submit bona fide bids and offers to an automated quotations system for their own accounts;

(3) There are 1,200 or more holders of record, as defined in SEC Rule 12g5–1 (17 CFR 240.12g5–1), of the security who are not officers, directors or beneficial owners of ten percent or more of the security, or the average daily trading volume of such a security as determined by the Board, is at least 500 shares;

(4) The issuer or a predecessor in interest has been in existence for at least three years;

(5) The security has been publicly traded for at least six months;

(6) Daily quotations for both bid and asked prices for the security are continuously available to the general public;

(7) There are 400,000 or more shares of such security outstanding in addition to shares held beneficially by officers, directors or beneficial owners of more than ten percent of the security;

(8) The minimum average bid price of such security, as determined by the Board, is at least five dollars per share; and

(9) The issuer had at least four million dollars of capital, surplus, and undivided profits.

(b) *Requirements for continued inclusion on the list of OTC margin securities.* Except as provided in paragraph (d) of this section, an OTC margin security shall meet the following requirements:

(1) The security is registered or issued under the conditions specified in paragraph (a)(1) of this section;

(2) Three or more dealers make a market in such security and regularly submit bona fide bids and offers to an automated quotations system for their own accounts;

(3) There continue to be 800 or more holders of record, as defined in SEC Rule 12g5–1 (17 CFR 240.12g5–1), of the security who are not officers, directors, or beneficial owners of ten percent or more of the security, or the average daily trading volume of such security, as determined by the Board, is at least 300 shares;

(4) Daily quotations for both bid and asked prices for the security are continuously available to the general public;

(5) There are 300,000 or more shares of such security outstanding in addition to shares held beneficially by officers, directors, or beneficial owners of more than ten percent of the security;

(6) The minimum average bid price of such security, as determined by the Board, is at least two dollars per share; and

(7) The issuer has at least two million dollars of capital, surplus, and undivided profits.

(c) *Removal from the list of OTC margin securities.* The Board shall from time to time remove from the OTC margin security list securities that cease to:

(1) Exist or of which the issuer ceases to exist, or

(2) Meet substantially the provisions of paragraph (b) of this section.

(d) *Discretionary authority of Board.* The foregoing notwithstanding, the Board may omit or remove any security that is not traded on a national securities exchange from or add any such security to such list of OTC margin securities, if in the judgment of the Board, such action is necessary or appropriate in the public interest.

(e) *Unlawful Representations.* It shall be unlawful for any bank to make, or cause to be made, any representation to the effect that the inclusion of a security on the list of OTC margin securities is evidence that the Board or the SEC has in any way passed upon the merits of, or given approval to, such security or any transactions therein. Any statement in an advertisement or other similar communication containing a reference to the Board in connection with the list or securities on that list shall be an unlawful representation.

§ 221.8 Supplement.

(a) *Maximum loan value of margin securities.* The maximum loan value of any margin security is fifty percent of its current market value.

(b) *Maximum loan value of nonmargin securities and all other collateral.* The maximum loan value of nonmargin securities and all other collateral except puts, call, or combinations thereof is their good faith loan value.

(c) *Maximum loan value of options.* Puts, calls, and combinations thereof have no loan value.

By order of the Board of Governors of the Federal Reserve System, February 23, 1983.

William W. Wiles,

Secretary of the Board.

[FR Doc. 83-5154 Filed 2-28-83; 8:45 am]

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FEDERAL HOME LOAN BANK BOARD

12 CFR Part 563

[No. 83-90]

Industry Conflicts of Interest; Limitations on Loans to One Borrower

Dated: February 18, 1983.

AGENCY: Federal Home Loan Bank Board.

ACTION: Proposed rule.

SUMMARY: The Board is revising its proposal to amend regulations governing conflicts of interest at institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation ("insured institutions"). The Board proposes to: (1) eliminate completely the present Form AR filing requirement; (2) substitute positive requirements for existing guidelines regarding composition of an insured institution's board of directors; (3) update an existing prohibition of deposit relationships between a mortgage

insurance company and an institution whose loans it insures; and (4) establish a comprehensive scheme governing transactions of an insured institution involving one of its affiliated persons. Another Board Resolution of this date, and published elsewhere in today's **Federal Register**, adopts other aspects of the outstanding proposal. These changes are intended to make the regulations more effective, to alleviate compliance burdens, and to update the regulations in view of the significant changes in the economy and in the powers and activities of insured institutions.

DATE: Comments must be received by: April 28, 1983.

ADDRESS: Send comments to Director, Information Services Section, Office of Communications, Federal Home Loan Bank Board, 1700 G Street, NW., Washington, D.C. 20552. Comments will be available for public inspection at this address.

FOR FURTHER INFORMATION CONTACT: Michael D. Schley, Attorney (202–377–6444), Office of General Counsel, Federal Home Loan Bank Board, at the above address.

SUPPLEMENTARY INFORMATION: On September 30, 1982, the Federal Home Loan Bank Board ("Board") proposed to substantially revise its regulations relating to conflicts of interest at institutions insured by the FSLIC (*see* 47 FR 44334, Oct. 7, 1982). The stated purposes of the proposed revision were to make the regulations more effective, to alleviate compliance burdens, and to update the regulations in view of the significant changes in the economy and in the powers and activities of insured institutions since the promulgation of those regulations in 1976. The Board chose the following guiding principles for the development of its proposal: (1) The regulations should prevent actual conflicts of interest from influencing the business discretion of an institution's management; (2) apparent conflicts of interest should be limited in order to prevent a loss of public confidence in insured institutions; (3) prohibitions and restrictions should be drawn narrowly, so as to achieve regulatory objectives with the least possible infringement on management discretion; (4) the regulations should impose the least possible compliance, reporting, and administrative burdens on the industry; and (5) the regulations should be flexible enough to accommodate the changing business of the savings and loan industry as well as changes in the economic climate.

The proposed rules issued in September included both major revisions of regulations relating to transactions involving affiliated persons and minor but significant changes to regulations defining the term "affiliated person," limiting loans to one borrower, prescribing the composition of an institution's board of directors, and prohibiting fees and kickbacks in certain circumstances. A total of 207 commenters responded to the proposal, representing insured institutions (166), law firms (20), thrift trade associations (11), and others (10). The response was mixed: many of the Board's specific proposals were supported almost unanimously, while other proposals generated strong opposition. In addition, many suggestions for further changes to the regulations were received.

After careful consideration of the comments received and the issues involved, the Board has decided to treat the subject matter of its proposal in two separate Resolutions issued today. Issues on which there was little disagreement among commenters—i.e., what type of insider's interest in a partnership should render the partnership an "affiliated person" subject to conflict-of-interest regulations, a related issue regarding attribution of loans to partnerships for purposes of the limitations on loans to one borrower, the appropriate composition of an institution's board of directors, and the prohibition of fees and kickbacks relating to services rendered by an institution—are treated in a final rule of this date and published elsewhere in this issue of the **Federal Register**. This resolution sets forth revised proposals relating to issues that generated less agreement: the appropriate treatment of transactions of an institution involving its affiliated persons, and the elimination of Form AR reporting requirements. Furthermore, this proposed rule addresses an issue relating to dealings between insured institutions and mortgage insurance companies that was raised in the comments. Although the issues addressed here were appropriately framed in the previous proposal and thus could be resolved in a final rule, the Board believes that further comment will be beneficial.

The following discussion describes existing provisions and the revisions proposed in the Board's September action, summarizes the comments received, and sets forth the Board's current regulatory proposals. The Board requests comment on the new proposed rules and solicits suggestions regarding other appropriate modifications to its conflict-of-interest regulations.

Transactions Involving Affiliated Persons

The Board currently has several regulations relating to transactions of an insured institution involving an affiliated person. Section 563.34 (12 CFR 563.34) requires prior Principal Supervisory Agent approval of the placement of a deposit by an insured institution or its subsidiary with an affiliated person, and § 563.41 (12 CFR 563.41) requires prior approval by the institution's board of directors and the Principal Supervisory Agent of any transaction between the insured institution (or its subsidiary) and its affiliated person that involves real property. Section 563.43 (12 CFR 563.43) permits institutions to grant only personal-purpose loans (such as primary-residence home loans, educational loans, and consumer loans) to affiliated persons, limits the amounts of such loans, requires prior board-of-directors approval (with specific justification of preferential terms), and prohibits other loans and related investments that would indirectly benefit an affiliated person. There are no regulations that prohibits other transactions, such as personal property transactions, deposits placed by affiliated persons at insured institutions, and service contracts, that could involve a conflict of interest; however, any such transaction involving more than $40,000 in which an affiliated person has a material interest triggers the requirement of filing Form AR, which provides a thorough disclosure of all dealings with affiliated persons of an institution.

In its September action, the Board proposed to revise these regulations to reduce them to two provisions. One provision, proposed § 563.43, followed the basic provisions of the existing regulation on loan transactions, with the following changes: (1) The separate limits on the amounts of personal-purpose loans to affiliated persons would be replaced with a higher aggregate figure of $100,000 (to be adjusted annually for inflation); (2) the provision would codify the Board's longstanding policy against a preferential loan interest rate below an institution's cost of funds; (3) the requirement that each loan to an affiliated person be approved in advance by the institution's board of directors would be changed to permit prior authorization of loans to officers and employees by means of a blanket preapproval resolution; and (4) existing prohibitions against real-estate-secured loans indirectly benefitting an affiliated

person would be broadened to apply also to loans secured by personal property, in view of the new lending powers of the industry.

The second provision, proposed § 563.41, was designed to replace all existing restrictions on non-loan transactions (i.e., real and personal property transactions, deposit relationships, and service contracts or arrangements) with a unified, comprehensive regulatory scheme. All such transactions would have to be on terms substantially the same as those prevailing at the time for comparable transactions with the public. Any transaction involving consideration of $10,000 or more (except an affiliated person's deposit of less than $100,000 with an insured institution) would require prior approval by a disinterested majority of the board of directors. Such transactions would no longer trigger Form AR reporting; but if a transaction would cause the aggregate amount of transactions with one affiliated person to exceed $100,000 (adjusted annually for inflation in one calendar year), ten days' prior notice to the Supervisory Agent of that transaction and subsequent transactions with the affiliated person would be required.

Comments received with respect to proposed §563.43 generally supported the updating of the list of personal-purpose loans permitted and the imposition of a cost-of-funds floor on preferential rates. However, many commenters argued that the loans and related transactions prohibited by the section should be permitted on prevailing terms. Several writers pointed out that the effect of these restrictions would be to prevent experienced business persons from serving on an institution's board of directors if their companies do business with the institution, and that this effect would do the greatest harm in smaller communities served by few banking institutions. This effect would be compounded, some commenters noted, by the entry of insured institutions into commercial lending. Several writers argued that these restrictions would put insured institutions at a disadvantage in competing for skilled directors against commercial banks, which are not hampered by such restrictions.

Similarly mixed comments were received with respect to certain provisions in proposed § 563.41. Commenters generally supported the concept of a uniform approach to all non-loan transactions, and did not object to the proposed requirements that transactions be on prevailing terms and be approved by the board of directors. However, a large number of writers strenuously objected to the proposed requirement of prior notice to the Supervisory Agent for transactions beyond the $100,000 limit. Many of these expressed the view that the Supervisory Agent's authority to disapprove such transactions would amount to a substitution of the Supervisory Agent's discretion for the business judgment of an institution's management. Several writers pointed out that a prior-notice procedure would be impracticable in many cases requiring prompt action by an institution, such as the retention of counsel to defend against a lawsuit. Some indicated their objections by stating that retention of the Form AR reporting requirement would be preferable to the proposed prior-notice requirement.

The Board has carefully considered these specific comments,together with more general comments on the regulatory philosophy behind the September proposal, and has decided to propose a different approach to regulating transactions involving affiliated persons. The Board believes that the starting point of its reguatory analysis should be the recognition that the vast majority of insured institutions avoid conflict-of-interest situations on their own initiative as a matter of prudent management policy. Consequently, the opportunity cost resulting from a prohibition of a particular class of business transactions outweighs the benefit of preventing abuses unless the specific types of prohibited transactions are ones likely to involve abuse in a majority of cases. Accordingly, in the case of loans and other transactions of an insured institution to which an affilated person is a party or from which he or she indirectly benefits (such as a loan to purchase property from an affiliated person), the Board proposes to prohibit only those transactions that are not on prevailing terms, since these present prima facie evidence of preferential treatment at the expense of the institution. However, preferential rates on loans to affiliated persons for personal purposes would continue to be permitted as a legitimate fringe benefit that may serve the best interests of the institution as well as the borrower.

In order to encourage institutions' directors to monitor transactions for insider self-dealing, the proposed regulations would require prior board-of-directors approval of transactions with affiliated persons involving significant amounts (i.e., $10,000 or more). The Board believes this would not impose an undue burden on boards of directors, as the review of insider transactions is already within their responsibility as part of their fiduciary duties. A new provision relating to long-term arrangements would permit prior approval of a series of transactions, to avoid the need for repeated approvals of services provided on an ongoing basis. Directors would be required to give special attention to loans to affiliated persons that become scheduled items. Finally, the board would review all transactions involving affiliated persons at the end of each calendar year.

In rare instances where the safeguard of board-of-directors approval of insider transactions is inadequate to prevent self-dealing, the Board would have two means of discovering abuses. First, the record of board-of-directors approval resolutions in minutes of board meetings should provide sufficient information for the Board's examinations staff to discover abuses. Second, in instances where there is an unusually large amount—25% or more of an institution's net worth in a calendar year—in transactions involving a particular affiliated person, a simple disclosure of the basic facts of the transactions would be supplied simultaneously to the Supervisory Agent. The Board believes this type of "early warning" mechanism is warranted because of the sizeable risk accompanying such a large investment of an institution's assets. Nether of these methods of disclosure would involve interference in the day-to-day operations of an institution.

Elimination of Form AR

Existing § 563.45 of the Board's regulations (12 CFR 563.45) requires the filing of Form AR—an exhaustive disclosure of transactions with and compensation of affiliated persons—by an insured institution (other than a publicly-held company registered under section 12 of the Securities Exchange Act of 1934) with assets of $15,000,000 or more if: (1) The composition of its board of directors does not meet guidelines set forth in 12 CFR 563.33(a), (2) the institution has engaged in transactions involving $40,000 or more in which an affiliated person has a direct or indirect material interest, or (3) voting of management-solicited proxies for election of directors (other than those obtained in connection with an annual proxy solicitation) is not controlled by a majority of the board of directors. In its September action, the Board noted that Form AR "has not been effective in preventing actual and apparent conflicts of interest have existed." The Board proposed to eliminate the Form AR "trigger" relating to $40,000 insider

transactions in view of the new proposal for regulating transactions with affiliated persons, and requested other comments and recommendations regarding revision of § 563.45.

No commenters disagreed with the Board's observation that Form AR has been an ineffective tool for the prevention of insider self-dealing; thus, as discussed above, the Board now proposes to replace the $40,000-insider-transaction trigger with the requirements in proposed new § 563.41. The Board further proposes to eliminate the remaining two triggers of Form AR. Section 563.33(a) (12 CFR 563.33(a)) would be reworded to state as requirements the "suggested guidelines" for composition of the board of directors, which currently trigger Form AR filing. (One of the guidelines has been eliminated by the final rule published elsewhere in this issue of the Federal Register.) In addition, the Board is currently developing a proposal regarding control of management-solicited proxies that will be considered in the near future. The Board believes that these rules serve the valuable purpose of ensuring that principles of corporate democracy are not infringed by insider control; therefore, direct regulatory requirements are a more appropriate enforcement vehicle than indirect disincentives such as the Form AR filing requirements, especially since most of the information disclosed in Form AR bears no direct relationship to board composition and proxy control. These two triggers currently cause very few Form AR filings, and the instances of noncompliance would be substantially reduced by the liberalizations of the board composition rules adopted as final rules today; consequently, it appears that direct regulatory requirements would impose no significant new burden on the industry. The board composition requirements would apply only prospectively, with a phase-in so that no directors would be forced to retire before the expiration of their existing terms. The Board solicits comments on these proposals, particularly regarding whether direct requirements would impose undue hardship in any cases.

Deposit Relationship With Mortgage Insurance Companies

In response to the Board's broad solicitation of comments regarding all aspects of its conflict-of-interest regulations, one commenter brought to the Board's attention § 563.44(b)(2) (12 CFR 563.44(b)(2)), which provides that "no insured institution or service corporation affiliate thereof shall insure any loan with a mortgage insurance company if such company maintains any type of savings account at such institution." The commenter suggested that this provision should be amended to prohibit any *deposit account* in view of the new authority of many insured institutions to offer demand deposits. Accordingly, the Board is proposing to adopt this amendment in order to update its regulations.

Initial Regulatory Flexibility Analysis

Pursuant to section 3 of the Regulatory Flexibility Act (5 U.S.C. ch. 6) the Board is providing the following regulatory flexibility analysis:

1. *Reasons, objective, and legal basis underlying the proposed rule.* These elements have been incorporated elsewhere into the supplementary information regarding the proposal.

2. *Small entities to which the proposed rule will apply.* The proposed rule would apply only to insured institutions.

3. *Impact of the proposed rule on small institutions.* The proposal would not have a disproportionate effect on small institutions. Deregulatory aspects of the proposed rule would ease the compliance burden of small institutions. The proposed provisions are designed not to interfere with legitimate business opportunities; thus, it is expected that the proposed rule would have no significant economic impact on a substantial number of small entities.

4. *Overlapping or conflicting federal rules.* There are no known federal rules that may duplicate, overlap, or conflict with the proposal.

5. *Alternatives to the proposed rules.* Various supervisory tools may be used to prevent insider self-dealing at insured institutions: case-by-case supervision; disclosures to the Board, the public, the board of directors, or shareholders; prior Board or Supervisory Agent approval; or regulatory restrictions and prohibitions. The Board believes the proposed rule utilizes a combination of these tools that would impose the least burden on small institutions while achieving the desired regulatory objectives.

Regulatory Analysis

The elements of regulatory analysis for major proposed regulations required by Board Resolution No. 80-584 (September 11, 1980) have been incorporated into the supplementary information regarding the proposal.

List of Subjects in 12 CFR Part 563

Savings and loan associations.

Accordingly, the Board hereby proposes to amend Part 563, Subchapter D, Chapter V of Title 12, Code of Federal Regulations, as set forth below.

PART 563—OPERATIONS

1. Revise paragraph (a) of § 563.33 as follows:

§ 563.33 Directors, officers, and employees.

(a) *Directors.* (1) *Requirements.* The composition of the board of directors of an insured institution must be in accordance with the following requirements:

(i) A majority of the directors must not be salaried officers or employees of the institution or of any subsidiary or (except in the case of an institution wholly owned by a holding company) any holding company affiliate thereof.

(ii) Not more than two of the directors may be members of the same immediate family.

(iii) Not more than one director may be an attorney with the same law firm.

(2) *Prospective application.* In the case of an institution whose board of directors does not conform with a requirement in this paragraph (a) as of [the effective date of this amendment], the institution shall prohibit the election or re-election of nonconforming directors until compliance is achieved.

* * * * *

2. Remove § 563.34 as follows:

§ 563.34 Deposit relationships involving affiliated persons. [Removed effective ——.]

3. Revise § 563.41 as follows:

§ 563.41 Restrictions on transactions involving affiliated persons.

(a) *Scope of section.* Section 584.3 of this Chapter is controlling with respect to transactions between an insured institution and its holding company.

(b) *Restrictions.* (1) *General.* Unless the requirements of paragraphs (b)(2) through (6) are met, no insured institution or subsidiary thereof may, either directly or indirectly,

(i) Make a loan to an affiliated person of the institution or purchase such a loan,

(ii) Purchase or lease from, jointly own with, or sell to, an affiliated person an interest in real or personal property,

(iii) Establish or maintain a deposit relationship with an affiliated person (either as depositor or depositary),

(iv) Enter into a service contract or arrangement with an affiliated person, or

(v) Engage in a transaction that may reasonably be expected to produce a significant indirect benefit for an affiliated person.

(2) *Prevailing terms; preferential loan rates.* (i) The terms of a transaction described in paragraph (b)(1) must be

substantially the same as those prevailing at the time for comparable transactions of the same nature with other than affiliated persons, except that the institution may reduce the interest rate on loans of the following type to a figure not below its current cost of funds (including all savings accounts and borrowings):

(*a*) Loans secured by the principal residence of an affiliated person;

(*b*) Loans secured by savings accounts maintained by the affiliated person at the institution; and

(*c*) An aggregate of loans for constructing, adding to, improving, altering, repairing, equipping, or furnishing the principal residence of the affiliated person, loans in the form of overdraft protection for checking accounts, loans for payment of educational expenses, consumer loans, and extensions of credit in connection with credit cards, not exceeding $100,000 (which ceiling shall be adjusted annually, beginning January 1, 1984, by the dollar amount that reflects the percentage increase, if any, shown in the most recent November-to-November period for the Consumer Price Index).

(ii) If the loan features a variable rate with an index regularly used by the institution or subsidiary for loans to other than affiliated persons, it will comply with this paragraph (b)(2) if the initial rate is not below the cost of funds at the time the loan terms become fixed. If a variable rate is achieved through some other index or mechanism, the rate may not be set below the institution's cost of funds as calculated at the time each adjustment is made.

(iii) In no event may the interest rate on a loan secured by a savings account be below the rate of return on the savings account.

(3) *Approval by board of directors.* (i) *General.* A transaction described in paragraph (b)(1) that would involve consideration of $10,000 or more, except for a deposit placed with the insured institution, must be approved in advance by a resolution duly adopted by at least a majority (with no director having an interest in the transaction voting) of the entire board of directors of such institution.

(ii) *Long-term arrangements.* In the case of an arrangement for a series of similar transactions or an ongoing business relationship (such as a deposit relationship, a line of credit, or an attorney-client relationship), the $10,000 test shall be applied to the aggregate consideration anticipated to be involved in the arrangement, and the board approval requirement of this paragraph (b)(3) will be satisfied by an approval prior to establishment of the arrangement and again prior to any significant changes in the terms of such an arrangement; but in all cases such arrangements must be reviewed and approved at least annually.

(iii) *Preferential loan rates.* If, as permitted by paragraph (b)(2), the interest rate on a loan to an affiliated person is more favorable than that prevailing at the time, the approval resolution required by this paragraph (b)(3) must set forth:

(*a*) the institution's current cost of funds, including the elements of its computation; and

(*b*) a justification of the more favorable rate, if the loan is to an affiliated person other than a salaried officer or employee of the institution or its subsidiary.

(iv) *Blanket preapproval resolutions.* With respect to a loan to a salaried officer or employee of the institution or its subsidiary, the approval requirement of this paragraph (b)(3) will be satisfied if the loan conforms with a blanket preapproval resolution of the board specifying the terms on which loans may be made to all officers or employees, or a class of such officers or employees.

(v) *Appraisals.* Each transaction approved under this paragraph (b)(3) involving the sale or lease of real property must be based on, among other factors, an independent appraisal, not prepared by an affiliated person or an employee of the institution or its subsidiary, received and reviewed by the Board prior to closing the transaction and disbursing funds.

(4) *Notice to Supervisory Agent.* If a proposed transaction described in paragraph (b)(1) would cause the aggregate amount of all such transactions in one calendar year with or indirectly benefitting one affiliated person, excluding loans fully secured by his principal residence and deposits placed with the institution, to exceed 25% of the net worth (as defined in § 561.13 of this Subchapter) of the institution, the institution must notify its Supervisory Agent at the time of approval by the board of directors. The notification must include:

(i) A description of the transaction;

(ii) The identity of the affiliated person and his relationship to the institution;

(iii) The nature and amount of the affiliated person's interest in the transaction; and

(iv) Any property value appraisals supporting the transaction.

The institution shall provide additional information relating to the transaction upon the request of the Supervisory Agent.

(5) *Scheduled items.* If an outstanding loan covered by this paragraph (b) becomes a slow loan or slow consumer credit (as defined in §§ 561.16 and 561.16a of this Subchapter), it must be reviewed monthly by the board of directors and the continuing status of the item and any corrective action must be approved by a resolution duly adopted by at least a majority (with no director having an interest in the transaction voting) of the entire board of directors.

(6) *Annual board review.* At the last meeting of each calendar year the board of directors shall review all transactions described in paragraph (b)(1) that occurred during the year. The minutes of the meeting shall set forth the amounts and terms of each transaction reviewed.

(c) *Prospective application.* This section applies to transactions and arrangements commenced on or after [*insert here the effective date of the regulations*]. If on or after such date the terms of a pre-existing transaction or arrangement may be significantly changed by the institution without breach of a contract or violation of law, the requirements of this section shall apply as if a new transaction were being commenced: *Provided*, that the applicability of this section to pre-existing transactions or arrangements may be waived by the Supervisory Agent if it would cause extreme hardship to a party involved or would not be in the best interests of the institution.

(d) *Waiver.* The restrictions in paragraph (b) of this section may be waived by the Board in supervisory cases if the Board determines that the terms of the transaction in question are fair to, and in the best interests of, the insured institution or subsidiary. A supervisory case includes a merger instituted for supervisory reasons, and any action taken pursuant to, or in order to obviate the necessity of, proceedings by the Board or the Corporation pursuant to paragraph (d) of section 5 of the Home Owners' Loan Act of 1933, as amended (12 U.S.C. 1464(d)), or section 407 of the National Housing Act, as amended (12 U.S.C. 1730).

4. Remove § 563.43 as follows:

§ 563.43 Restrictions on loans and other investments involving affiliated persons. (Removed effective ——; see § 563.41.)

§ 563.44 [Amended]

5. Change the word "savings" to the word "deposit" each place it occurs (including the heading) in paragraph (b)(2) of § 563.44.

6. Remove § 563.45 as follows:

§ 563.45 Disclosure. (Removed effective ——).

[12 U.S.C. 1464, 1725, 1726, 1730; Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943–48 Comp., p. 1071]

By the Federal Home Loan Bank Board.

John M. Buckley, Jr.,

Acting Secretary.

[FR Doc. 83-4960 Filed 2-28-83; 8:45 am]

BILLING CODE 6720-01-M

12 CFR Parts 563 and 571

[No. 83-88]

Sale of Branches

Dated: February 18, 1983.

AGENCY: Federal Home Loan Bank Board.

ACTION: Proposed rule.

SUMMARY: The Federal Home Loan Bank Board ("Board") proposes to amend its regulations governing the sale of branch offices and the transfer of savings accounts. Sales and transfers by and to institutions whose accounts are insured ("insured institutions") by the Federal Savings and Loan Insurance Corporation ("FSLIC" or the "Corporation") would be subject to new application and review procedures. The Board believes the proposed new procedures would allow it to examine supervisory, accounting, and legal issues related to these transactions without substantial interference with the operation of an insured institution or delay in the implementation of its business decisions.

DATE: Comments must be received by: March 29, 1983.

ADDRESS: Send comments to Director, Information Services Section, Office of Communications, Federal Home Loan Bank Board, 1700 G Street, N.W., Washington, D.C. 20552. Comments will be available for public inspection at this address.

FOR FURTHER INFORMATION CONTACT: Penfield Starke, Attorney (202/377–6453), or John P. Soukenik, Acting Director, Division of Corporate and Regulatory Structure, Office of General Counsel (202/377–6411), Federal Home Loan Bank Board, at the above address.

SUPPLEMENTARY INFORMATION: The Board has witnessed a significant increase in the sale and purchase of branch offices in the savings and loan industry over the past year. The increase in these transactions is due largely to the economic environment which has had a severe impact on the operations of a large number of insured institutions. Not only has the number of institutions entering into branch sale transactions dramatically increased, but individual sales now often involve entire, or large portions of, regional branch networks. As a result of these changes, the Board has determined to reevaluate the considerations and procedures it currently employs to review branch sales and purchases.

Since these transactions are the functional equivalent of the establishment of a new branch or branches by either *de novo* application or merger with an operating institution, the sale of branches has traditionally been regulated under the Board's branching and merger regulations (12 CFR 545.14 and 563.22, respectively). Until fairly recently, transfers typically were between two FSLIC-insured institutions and most often involved an exchange rather than a sale/purchase transaction.

The purchase side of the transaction is subject to Board review through receipt of an application by the purchaser to increase its accounts insured by the FSLIC. The necessity for such application, however, is determined by whether the transaction is considered a "purchase of bulk assets" under section 563.22. Although that term has been interpreted to mean a substantial amount of the selling institution's assets, applications are analyzed on a case-by-case basis and a precise measurement of the amount or percentage of assets that was deemed to be substantial has never been established by the Board. Transactions not considered to be a transfer of bulk assets and thus not requiring an application for increase of insurable accounts, but involving a purchase of a branch office by a federal association, still require Board approval pursuant to standards which must be met by a federal association in order to establish a *de novo* branch office.

Present Board regulations applicable to branch sales focus on the selling institution only to determine whether the transaction is a bulk transfer of a substantial amount of the selling institution's assets. The review is made solely to ascertain whether the buying institution must file an application to increase its accounts of an insurable type; no consideration from the point of view of the selling institution is required.

Since such transactions were primarily business decisions of the respective parties and the interests of the Corporation generally were not affected significantly by the transactions, only minimal review was necessary. Recently, however, some of the transactions have been structured in ways that may be adverse to the interests of the Corporation and of no significant long-term benefit to the selling institution. Moreover, the review standards currently in effect either have not reached certain transactions at all or have not required a review of certain aspects of significant importance to the fundamental concerns of the Corporation (e.g., the effect on the FSLIC fund in a liquidation situation, the types of accounts transferred, and the sale's effect on the seller's viability). While the Board believes that the great majority of sales continue to be well-conceived business decisions which do not require intervention, the Board as operating head of the FSLIC, proposes to amend its review procedures for branch sales to focus on the regulatory interests in such transactions.

The new procedures would require independent examination of the transaction from the points of view of both the selling and the buying institutions. The scope of the review would be broadened by defining "transfer" as any transfer not in the ordinary course of the transferor's business and would assess major transfers of an institution's deposit liability as well as sale of branch offices. Applications for purchases would be required to be published and subject to protest procedures. In transactions involving more than one Federal Home Loan Bank district, application procedures would be developed which would coordinate the decision-making functions of the subject Banks.

Selling Institution

The proposed review process wold allow the Board to examine a proposed sale of branches prior to actual transfer of the assets or liabilities to the purchasing party. The Board would require a description of the proposed transaction in order to determine the accuracy of the transferred assets' valuation and the propriety of the accounting treatment of the proceeds. The description would include a list of assets and liabilities subject to transfer and their contract rate, any discount rates to be utilized, the market value of the assets and liabilities subject to transfer, and the effect of the transfer on the institution's cost of money and yield on assets. Applicants found to be below certain minimum net-worth levels would also be required to demonstrate that the proposed transaction is beneficial to the short- and long-term viability of the institution, that the transaction was negotiated at arms' length and that the transfer is not detrimental to the interests of the Corporation. In

connection with this last concern, the Board would require the submission of a business plan explaining how the transaction would aid the selling institution in improving its current financial condition.

The Board's primary concern in requiring a closer review of transactions entered into by a seller with low net worth is that the sale could be motivated by the desperation of the seller's management to forestall imminent collapse of the insured institution. While the Corporation welcomes imaginative, prudent business plans which would eliminate the need for FSLIC intervention in the form of assistance, receivership, or liquidation, the sale of an institution's most lucrative assets or accounts without a sound plan for the future merely forestalls the institution's eventual failure and increases the ultimate burden on the FSLIC fund.

As proposed, all sales transfers would be reported to the Board. For most selling institutions, the application would be simply a brief description of the terms of the proposed transaction submitted to the appropriate Principal Supervisory Agent ("PSA"). Unless the PSA raises specific objection to the valuation or accounting treatment of the proposed transaction, or determines that the financial condition of the selling institution does not satisfy certain minimum net-worth levels established by the Board, the application would be automatically approved 30 calendar days after being deemed complete by one of the Board's Supervisory Agents at the Federal Home Loan Bank where the application was filed. Those applications involving questions concerning valuation or accounting treatment, though not eligible for automatic approval, could nonetheless be approved by the PSA, provided the matter is resolved to that official's satisfaction.

Only applications submitted by institutions failing to meet certain net-worth levels for asset and savings account transfers would be forwarded to Washington, D.C., for Board staff review and Board consideration. The selling institution's net worth, as defined in § 561.13 (12 CFR 561.13), calculated prior to the consummation of the proposed transaction but without the benefit of the inclusion of net-worth certificates, would be required to be at or above one-half of one percent of all liabilities in order for the institution's application to qualify for automatic approval. The Board believes it has an obligation to review more closely transfers by institutions not meeting these minimal levels.

Buying Institution

Current § 563.22 requires the filing of an application to increase accounts of an insurable type only when the transfer by the seller is determined to be a substantial transfer of bulk assets. The necessity for filing an application is therefore determined not by the actual amount of assets or liabilities transferred but by the percentage of the selling institution's assets transferred. Where an application is filed, the purchasing institution is required to follow procedures established by the Board for merger transactions (12 CFR 571.5), including compliance with antitrust, supervisory, and Community Reinvestment Act ("CRA") standards.

Purchases by state-chartered, FSLIC-insured institutions of a less than substantial portion of a selling institution's assets do not require Board approval or even notification to the Board of the purchase. Federal associations not required to file an application for an increase in accounts of an insurable type, however, are required to follow the same procedures other federal associations must follow in order to establish a *de novo* branch office.

The proposed new procedures for buying institutions in branch sales or transfers of savings account liabilities would be similar to those outlined above for institutions on the selling side, in that information related to all purchases of bulk assets or account liabilities would be submitted to the Board. The purchasing institution's application would be reviewed under the standards currently used to review increase-of-accounts and merger applications. In addition to the materials required to be filed for these applications, a purchasing institution in a transfer would need only submit a description of the terms and proposed accounting treatment of the transaction. Approval could be obtained under the delegation standard for merger and increase-of-accounts applications which was recently amended (*See* Board Resolution No. 82-786, December 8, 1982 (48 FR 170, January 3, 1983)) in order to allow Federal Home Loan Banks to approve most routine applications. Under those procedures, the Board believes that an institution on the buying side of a bulk transfer transaction would, in most cases, receive automatic approval of a transaction 30 days from the date the application was deemed to be a complete filing, provided the proposed transaction does not include certain provisions or exceed certain limitations or fail to meet other standards in the current delegation of authority.

The Board believes review of all branch-sale transactions is necessary in order that it may consider certain aspects and make a proper assessment of the transaction under antitrust, supervisory, and CRA standards.

Related Issues

The Board notes that the transfer of savings account liabilities may raise questions regarding proper procedures for notification of affected accountholders. The Board believes that an accountholder who would be adversely affected by the transfer of his account should be advised of the proposed transfer and be given the option of retaining his account with the selling institution. Examples of situations the Board considers adverse are transfers to institutions the accounts of which are not insured by an agency of the federal government (i.e., the FSLIC, Federal Deposit Insurance Corporation, or the National Credit Union Share Insurance Fund) and transfers which would cause an accountholder's account(s) to exceed the limits of applicable federal insurance coverage.

The Board is also aware that the consideration passed in connection with branch sale and account transfer transactions has given rise to questions concerning the applicabililty of certain provisions in the Rules and Regulations for the Federal Savings and Loan System. Section 545.9-4 (12 CFR 545.9-4) would apply to investments of corporate debt securities, including those issued by an insured institution, and § 545.7-9 (12 CFR 545.7-9) would apply to collateralized loans. The provisions of these sections as they relate to branch sales are being reviewed in connection with the Board's currently outstanding proposed major revision of federally chartered institutions' investment authority. (*See* Board Resolution No. 82-813, December 16, 1982; 48 FR 2340, January 19, 1983.)

Regulatory Analysis

The elements of regulatory analysis for major proposed regulations required by Board Resolution No. 80-584 (September 11, 1980) have been incorporated into the supplementary information regarding the proposal.

Because there is a present need to consider action regarding branch sales and account assumption transactions, the Board has limited the comment period to 30 days.

Initial Regulatory Flexibility Analysis

Pursuant to section 3 of the Regulatory Flexibility Act (5 U.S.C. ch. 6) the Board is providing the following regulatory flexibility analysis:

1. *Reasons, objective, and legal basis underlying the proposed rule.* These elements have been incorporated elsewhere into the supplementary information regarding the proposal.

2. *Small entities to which the proposed rule will apply.* The proposed rule would apply to all FSLIC-insured institutions.

3. *Impact of the proposed rule on small institutions.* The proposal would add new application requirements and amend existing ones for all FSLIC-insured institutions engaging in the sale or purchase of branch offices or the assumption of savings account liabilities. Small institutions must meet the same requirements as larger institutions, but the proposal would have no disproportionate effect on small institutions.

4. *Overlapping or conflicting Federal rules.* There are no known Federal rules that may duplicate, overlap, or conflict with the proposal.

5. *Alternatives to the proposed rules.* The basic regulatory requirements included in the proposal concern the Board's review of the sale and purchase of branch office and assumption of savings account liabilities by any FSLIC-insured institution. The Board believes that the review is necessary in order to assess certain supervisory, antitrust, and CRA concerns discussed elsewhere in the supplementary materials, and that the standards accurately reflect the Board's intended policy for review. It would not be possible to eliminate or modify these requirements for small entities without causing the Board to have insufficient information to act on certain applications.

List of Subjects 12 CFR Parts 563 and 571

Savings and loan associations.

Accordingly, the Board hereby proposes to amend Parts 563 and 571, Subchapter D, Chapter V of Title 12, Code of Federal Regulations, as set forth below.

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

PART 563—OPERATIONS

1. Amend § 563.22 by revising the title; revising the first sentence of paragraph (a); redesignating paragraphs (b), (c), (d) and (e) as paragraphs (c), (d), (e), and (f), respectively; adding new paragraph (b); revising new paragraphs (c) and (d); revising the introductory sentence of new paragraph (f); and adding new paragraphs (g) and (h); as follows:

§ 563.22 Merger, consolidation, purchase or sale of assets, or assumption of liabilities.

(a) No insured institution (which for purposes of this section shall not include a Federal institution the deposits of which are insured by the Federal Deposit Insurance Corporation) may increase its accounts of an insurable type: (1) As part of any merger or consolidation with another institution, (2) through the purchase of assets, (3) through the assumption of liabilities, without application to and approval by the Corporation. * * *

(b) No insured institution (which for purposes of this section shall not include a Federal institution the deposit of which are insured by the Federal Deposit Insurance Corporation) may at any time make a transfer of assets or a tansfer of savings account liabilities without application to and approval by the Corporation. Application for such approval shall be upon forms prescribed by the Corporation and shall contain such information as the Corporation may require.

(c) Applications filed pursuant to paragraph (a) of this section shall follow the procedures set forth in § 543.2 of this Chapter, except that (1) the required newspaper publication of notice of application shall be made in the communities in which the home offices of each of the parties to the transaction are located; and (2) applicants may additionally mail such notice to the voting members of each institution within the time specified in § 543.2(d).

(d) The requirements of paragraph (c) of this section do not apply to any merger, consolidation, purchase of assets, or assumption of liabilities (1) authorized by the Corporation to be instituted for supervisory reasons, or (2) involving an interim Federal association or an interim state-chartered institution if the resulting institution is immediately acquired in accordance with the procedures set forth in § 584.4 of this Chapter.

* * * * *

(f) Corporation approval of mergers that may not occur automatically under paragraph (e) of this section, including those which entail modifications of the plan of merger, consolidation, purchase of assets, or assumption of savings account liabilities, may be given by the Board's Principal Supervisory Agent in those cases where paragraph (e) does not apply because: * * *

* * * * *

(g) Unless the context otherwise requires, in paragraphs (e) and (f) of this section, (1) the word "merger" shall also mean "purchase of assets" and "assumption of savings account liabilities"; (2) the term "resulting institution" shall also mean "acquiring institution"; and (3) the terms "merging institution" and "acquired institution" shall also mean "selling institution."

(h)(1) Applications filed pursuant to paragraph (b) of this section shall be deemed approved automatically by the Corporation 30 calendar days after the Principal Supervisory Agent sends written notice to the applicant that the application is complete, unless:

(i) The Principal Supervisory Agent raises objection(s) to the valuation or accounting treatment of the proposed transaction; or

(ii) The Principal Supervisory Agent determines that the financial condition of the selling institution does not satisfy minimum net-worth levels set forth in § 571.5(k)(2) of this Subchapter.

(2) Corporation approval of transactions that may not occur automatically under paragraph (h)(1) of this section may be given by the Principal Supervisory Agent in those cases where paragraph (h)(1) does not apply because the Principal Supervisory Agent objects to the valuation or accounting treatment of the proposed transaction.

2. Amend § 571.5 by revising the title, revising paragraphs (a), (b)(1), (c), the first two sentences of (d)(1), (d)(2), (e)(1), (e)(2), (e)(8), (f), (h), and (j), and adding new paragraphs (k) and (l), as follows:

§ 571.5 Mergers and transfers of assets and liabilities.

(a) *General policy.* This is a statement of the Federal Home Loan Bank Board's general policy on merger and transfer proposals. It does not ordinarily apply to transactions authorized by the Corporation to be instituted for supervisory reasons. For the purposes of this section, the term "merger" includes consolidation, and the term "transfers" means transfers in bulk not made in the ordinary course of business, including the transfer of assets and saving account liabilities, purchase of assets, and assumption of savings accounts and other liabilities. Potential merger and transfer applicants are encouraged to review proposed transactions with the Supervisory Agent prior to proceeding with the formal application process. Generally, the Board neither encourages nor discourages mergers or transfers but regards them as primarily business decisions to be made by the institutions involved.

(b) *Legal considerations*—(1) *General.* The legality of a proposed merger or

transfer is a precondition to further consideration by the Board. Applicable laws and regulations include the Federal antitrust laws (the Clayton and Sherman Acts), section 408 (regulation of holding companies) of the National Housing Act, applicable State law, and the Board's own regulations. To enable the Board to make a legal evaluation of the possible anticompetitive impact of proposed mergers and transfers, applicants are required to submit certain information on Board-prescribed forms available at each Federal Home Loan Bank. In any case in which the Supervisory Agent believes it clear that no antitrust or competitive problem exists, a merger or a transfer proposal may be submitted with relevant partial information short of the complete data called for by the schedules.

* * * * *

(c) *Economic evaluation.* (1) *Evaluation of impact on competition.* The Board will examine the competitive impact of the merger or transfer on competition. This will be done for each relevant geographical deposit and mortgage market. All depository and mortgage firms reasonably competitive with the business of the parties to the subject transaction will be considered in the evaluation. The impact on competition will be evaluated on the basis of various economic indices of market structure and performance. Such indices will include, for each relevant deposit and mortgage market: (i) market concentration and ranking of the resulting institution and of other competing institutions; (ii) number and size distribution of competitors; (iii) actual or potential competition significantly curtailed by the transaction; (iv) trends toward concentration, especially as a result of the transaction; (v) overlap of market areas when two or more branch systems are to be consolidated; and (vi) extent to which rates paid on savings instruments and charges on mortgages appear to be competitively determined, consistent with statutory and regulatory constraints, and will continue to be so determined after the transaction.

(2) *Other factors.* The Board will examine the extent to which the transaction will affect the convenience and needs of the communities to be served in terms of deposit facilities, types of loans available, and the impact, if any, on operating efficiency of the resulting or purchasing institution. Account will be taken of the number of institutions of reasonably efficient size that can be suppported by population, deposit, and mortgage demand.

(d) *Managerial and financial aspects.* (1) *Managerial aspects.* The Board's primary requirement is that the resulting or purchasing institution have the managerial and financial resources to operate successfully. The experience and the perfomance record of the persons to be in control or in key managerial positions will be evaluated as to the probability of sound operation of the resulting or purchasing institution.* * *

(2) *Financial aspects.* The overall operations and financial condition will be reviewed to determine the resulting or purchasing institution's prospects of generating sufficient income to meet competition, making the required transfers to reserves, and conducting its affairs essentially free of supervisory concern. The adequacy of the net worth of the resulting or purchasing institution, relative to the risks inherent in its assets, and economic and other factors will be considered. Intangible assets will be closely reviewed.

(e) *Factors relating to fairness and disclosure of the plan.* The Board will review the fairness and disclosure of a merger or transfer proposal on the basis of the following criteria:

(1) *Equitable treatment.* The plan should be equitable to all concerned—savings accountholders, borrowers, creditors, and stockholders (if any) of each institution—giving proper recognition of and protection to their respective legal rights and interests. The plan will be closely reviewed for fairness where the merger or transfer does not appear to be the result of arms'-length bargaining or, in the case of a stock institution, where controlling stockholders are receiving different consideration from other stockholders.

(2) *Full disclosure.* The applicant(s) should make full disclosure of all written or oral agreements or understandings by which any person or company will receive, directly or indirectly, any money, property, service, release of pledges made, or other thing of value, whether tangible or intangible, in connection with the merger.

* * * * *

(8) *Fees paid in connection with mergers and transfers.* The application should state the name of each person or firm rendering legal or other professional services in connection with the merger or transfer. The fee expected to be paid to each such person or firm should be stated, together with a description of the services being performed, the time expected to be spent in performing such services, the hourly rate or other basis used for determining the fee, and any relationship between such person or firm and an institutional party to the transaction. If a finder's or similar fee is to be paid in connection with the merger or transfer, the application should fully justify the payment and amount of the fee and state the name of the person or firm to whom the fee is to be paid. No finder's or similar fee should be paid to any officer, director, or controlling person of an institution which is a party to the transaction.

(f) *Accounting for goodwill.* The proposed treatment of goodwill in connection with the merger or transfer must be fully described in the application. The computation and amortization of goodwill should be in accordance with accounting policies of the Board in effect at the time the application is filed.

(h) *Non-inducement affidavits.* The application should include non-inducement affidavits from each senior officer, director, and controlling person of each institution which is a party to the transaction and each attorney or law firm regularly serving such institutions.

* * * * *

(j) *Tax liability.* A tax ruling from the Internal Revenue Service will generally be required in a merger, except in the case of a mutual-to-mutual merger. If a tax ruling is not being sought, a tax opinion will be required.

(k) *Transfers.* In addition to the other requirements of this section applicable to the parties involved in transfer transactions, the application of an insured institution which is a party to a transfer should provide: (1) A description of the assets and liabilities subject to transfer and their contract rates; (2) any discount rates used; (3) the market value of the assets and liabilities subject to transfer; and (4) the effect of the transfer on the institution's cost of money and yield on assets.

(l) *Sale of assets or liabilities.*—(1) *General.* The application of an insured institution selling assets or savings account liabilities will be reviewed under valuation and accounting standards established by the Board. Any accountholder who would be adversely affected by the transfer of his account should be advised of the proposed transfer and be given the option of retaining such account with the selling institution.

(2) *Supervisory concerns.* The Corporation will closely review a transfer of assets and savings account liabilities entered into by an insured institution with regulatory net worth, as defined in § 561.13 of this Subchapter, calculated prior to the consummation of the transaction and without the benefit

of inclusions permissible under Part 572 of this Subchapter, of 0.5% or less of all liabilities. An application by such an institution should demonstrate that the proposed transaction is beneficial to the short-term and long-term viability of the institution, that the transfer was negotiated at arms' length and that the transfer is not detrimental to the interests of the Corporation.

(Sec. 409, 94 Stat. 160, secs. 402, 403, 407, 48 Stat. 1256, 1257, 1260, as amended (12 U.S.C. 1725, 1726, 1730); sec. 5A, 47 Stat. 727, as amended by sec. 1, 64 Stat. 256, as amended; Sec. 17, 47 Stat. 736, as amended (12 U.S.C. 1464), Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943–48 Corp., p. 1071)

By the Federal Home Loan Bank Board.

J. J. Finn,

Secretary.

[FR Doc. 83-5151 Filed 3-28-83; 8:45 am]

BILLING CODE 6720-01-M

DEPARTMENT OF COMMERCE

Office of the Secretary

15 CFR Parts 920, 921, 923, 928, 930, 931, 932 and 933

Intergovernmental Review of Department of Commerce Programs and Activities; Correction and Additional Conforming Amendments

AGENCY: Office of the Secretary, Commerce.

ACTION: Notice of Proposed Rulemaking; correction.

SUMMARY: This document corrects a proposed rule published by the Department of Commerce to implement Executive Order 12372 regarding the "Intergovernmental Review of Federal Programs" which appeared in the Federal Register of January 24, 1983 (48 FR 3096). This document corrects several errors in the Notice located on pages 3102 and 3103 which concerned conforming amendments to the National Oceanic and Atmospheric Administration's (NOAA) coastal zone management program regulations. In addition, this document makes conforming amendments to other NOAA regulations which were not included in the publication of January 24.

DATE: Comments must be received on or before March 18, 1983.

ADDRESS: Interested persons should submit comments to H. Stephen Halloway, Associate General Counsel for Legislation and Regulation, U.S. Department of Commerce, Room 5892, Washington, D.C. 20230. Comments will be available for inspection at the above address from 9:00 a.m. to 5:00 p.m. Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Barry Bird, Office of the General Counsel, (202) 377–3084.

SUPPLEMENTARY INFORMATION: The Department of Commerce published proposed regulations to implement Executive Order 12372 on January 24, 1983. At the end of the publication the Department listed several NOAA regulations in 15 CFR which it was proposing to amend to conform to the new requirements of E.O. 12372. For the most part, these amendments involved simple changes to remove references to OMB Circular A–95 which has been revoked and to add references to the new executive order. The publication of January 24, however, contained several errors which are corrected by this document. In addition, the January 24th publication did not identify all of the regulations which included references to OMB Circular A–95. This document proposes to make conforming amendments to these other regulations. For the convenience of the reader, this document sets forth all of these amendments and is intended to replace the proposed amendments located in paragraphs 3(b) and 3(c) on pages 3102 and 3103 of the publication in the Federal Register of January 24, 1983.

Issued at Washington, D.C., February 24, 1983.

Malcolm Baldrige,

Secretary of Commerce.

Accordingly, the following corrections are made in FR Doc. 83–1668 appearing on pages 3102 and 3103 in the issue of January 24, 1983.

The amendments to "Title 15—[AMENDED]" appearing in paragraphs 3(b) and 3(c) on page 3102, eleven lines from the bottom of column three, through the first twelve lines on p. 3103 are corrected to read as follows:

PARTS 920, 921, 923 AND 928—[AMENDED]

§§ 920.53, 920.55, 920.58, 920.59, 920.61, 921.14, 923.92, 923.95, 923.98, 928.9 [Amended]

(b)(1) 15 CFR 920.53(b) is amended by removing the phrase "OMB Circular A–95, under * * *" so that the sentence reads, "Should the State wish to allocate a portion of its program development grant to an areawide/regional agency under the provisions of subsection 305(g) of the Act, and in the absence of State law to the contrary preference shall be given to those agencies recognized or designated as areawide/regional comprehensive planning and development agencies under the provisions of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 or Title IV of the Intergovernmental Cooperation Act of 1968." the last sentence is deleted.

(2) 15 CFR 920.55(b) is amended by substituting the phrase "E.O. 12372" for the phrase "OMB Circular A–95" in the first sentence. the remainder of (b) is deleted.

(3) 15 CFR 920.58(a) and 920.59(a) are amended by changing the third sentence to read, "An intergovernmental review process, if one is established by the state pursuant to E.O. 12372, should be followed."

(4) 15 CFR 920.61(d), 920.61(f), 923.95(a), 923.98(c) and 928.9(a) are amended by substituting the phrase "Executive Order 12372" wherever those sections contain reference to "Office of Management and Budget Circular Number A–95", "OMB Circular A–95 (revised)" or "A–95."

(5) 15 CFR 921.14(c) is amended by removing the phrase "appropriate state and regional A–95 clearinghouses" and substituting the phrase "any other agency or office which may be identified by the State if the state has established an intergovernmental review process pursuant to E.O. 12372" in the first sentence. The last sentence is removed.

(6) 15 CFR 923.92(b)(3) is amended by removing the phrase "OMB Circular A–95, under * * *" so that the sentence reads, "Should the State wish to allocate a portion of its program development grant to an areawide/regional agency under the provisions of subsection 305(g) of the Act, and in the absence of State law to the contrary preference shall be given to those agencies recognized or designated as areawide/regional comprehensive planning and development agencies under the provisions of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 or Title IV of the Intergovernmental Cooperation Act of 1968."

(7) 15 CFR 923.95(b) is amended by removing the last sentence.

PARTS 930, 931, 932 AND 933—[AMENDED]

§§ 930.35, 930.54, 930.61, 930.93, 930.94, 930.95, 930.96, 930.98, 931.36, 931.50, 931.77, 931.91, 932.42, 933.42 [Amended]

(c)(1) 15 CFR 930.35(b) and 930.54(a) are amended by substituting the phrase "Intergovenmental Review Process established pursuant to E.O. 12372" for the phrase "OMB Circular A–95 review" or "A–95 review."

(2) 15 CFR 930.61(c)(3) is amended by removing the phrase "A–95 public notices."

(3) 15 CFR 930.93 is revised to read as follows:

§ 930.93 Intergovernmental Review Process.

The term "Intergovernmental Review Process" describes the procedures established by states pursuant to Executive Order 12372, "Intergovernmental Review of Federal Programs," and implementing regulations of the review of Federal financial assistance to states and local governments.

(4) Former 15 CFR 930.94 is renumbered as new 15 CFR 930.95 and 930.95 as renumbered is amended as follows:

(i) 15 CFR 930.95(a) is amended by revoving in the first sentence the phrase, "to assist A-95 state and areawide clearinghouses."

(ii) 15 CFR 930.95(c) is amended by removing the phrase, "and to the A-95 state and areawide clearinghouse."

(5) Former 15 CFR 930.95 is renumbered as new 15 CFR 930.94 and is revised to read as follows:

§ 930.94 State Intergovernmental Review Process for Consistency

The process by which states with approval coastal management programs may review applications from state agencies and local governments for Federal assistance should be developed by each state in accordance with Executive Order 12372 and implementing regulations. In accordance with the Executive Order and regulations, states may use this process to review such applications for consistency with their approved coastal management programs.

(6) 15 CFR 930.96(a), 930.96(b) and 930.98(a) are amended by substituting the phrase "Intergovernmental Review Process" for the phrase "OMB A-95 process" wherever it occurs.

(7) 15 CFR 930.96(b) is amended by removing the word "clearinghouse" and substituting "state agency".

(8) 15 CFR 930.98(a) is amended by removing in the first sentence the phrase "the appropriate clearinghouse" and adding the phrase "any other agency or office which may be identified by the state in its Intergovernmental Review Process pursuant to Executive Order 12372." In the last sentence the phrase "clearinghouse and other" is removed so that the sentence reads as follows: "State agencies must inform the parties * * *"

(9) 15 CFR 931.36(b)(2), 931.50(c)(4), 931.77(c)(4)(v) and 77(c)(5) are removed. 15 CFR 931.36(b) (3) and (4) are renumbered as (2) and (3), respectively.

(10) 15 CFR 931.91 is amended by removing the phrase, "A-95, "Evaluation, Review and Coordination of Federal and Federally Assisted Programs and Projects' (FR 2052, Jan. 13, 1976) and" so that the sentence reads, "Administrative procedures for grants and credit assistance are based to the maximum extent practicable upon the Office of Management and Budget Circular A-102, "Uniform Administrative Requirements for Grants-in-Aids to State and Local Governments' (34 CFR Part 256).

§ 931.92 [Removed]

(11) 15 CFR 931.92 is removed.

(12) 15 CFR 932.42(a) is amended by substituting in the first sentence the phrase "E.O. 12372" for the phrase "Part I, Attachment A of OMB Circular A-95 (revised)". The remainder of the section is removed.

(13) 15 CFR 932.42(c) and 933.42(b) are amended by substituting the phrase "E.O. 12372" wherever that section contains reference to "Office of Management and Budget Circular A-95," or "A-95."

(14) 15 CFR 933.42(a) is amended by substituting in the first sentence the phrase "E.O. 12372" for the phrase "OMB Circular A-95 (revised)."

(Executive Order 12372 (July 14, 1982; 17 FR 30959); section 401(b) of the Intergovernmental Cooperation Act of 1968 (42 U.S.C. 4231(b)))

[FR Doc. 83-5181 Filed 2-28-83; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 270

[Release No. IC-13044; S7-960]

Concept of Utilizing Private Entities in Investment Company Examinations and Imposing Examination Fees

AGENCY: Securities and Exchange Commission.

ACTION: Advance notice of proposed Commission action.

SUMMARY: The Commission is considering whether to propose rules relating to the utilization of private entities to perform certain functions involving the routine examination of investment companies and the imposition of examination fees. The purpose of such action would be to supplement the Commission's present investment company examination program. The Commission is requesting guidance with respect to several alternative systems for achieving this purpose which are described in this release and is also requesting commentators to focus on certain specified questions relating to these alternatives. The comments received will be considered in connection with the development of any rulemaking proposals.

DATE: Comments must be received on or before May 24, 1983.

ADDRESS: Persons wishing to submit written comments on the matters discussed in the release should file five copies thereof with George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, D.C. 20549. Comments should refer to File No. S7-960 and will be available for public inspection and copying in the Commission Public Reference Room, 450 Fifth Street, NW., Washington, D.C. 20549.

FOR FURTHER INFORMATION CONTACT: Bruce Mendelsohn, Chief (202-272-2048) or Mary S. Champagne, Special Counsel (202-272-2079), Office of Regulatory Policy, Division of Investment Management, Securities and Exchange Commission, 450 Fifth Street, NW., Washigton, D.C. 20549.

SUPPLEMENTARY INFORMATION: The Securities and Exchange Commission ("the Commission") announced today that it is considering the advisability of proposing rules which would contemplate the involvement of private entities in the routine examination of investment companies and the imposition of examination fees. Such rules would be intended to supplement the Commission's present investment company examination program. This release discusses certain alternatives for accomplishing these purposes and requests general comment as to whether any of the alternative approaches, or some other alternative, should be pursued further. The release also asks for specific comment with respect to certain issues involved in the implementation of those alternatives. The release makes it clear that although the Commission is considering utilizing private entities to perform certain investment company examination functions as a means to increase the effectiveness of its existing investment company examination program, it does not intend that creation of any such system using private entities would result in duplicative examinations by private entities and the Commission.

I. Background

The Commission supports the concept of self-regulation in the securities industry whereby private entities,

subject to government oversight of their activities, assume some of the responsibility for obtaining compliance by members of the industry with the requirements of the federal securities laws and the rules thereunder. Under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.), the regulatory system for broker-dealers specifically provides for the use of self-regulatory organizations to promulgate standards for industry members and to obtain compliance by members with those standards and the federal securities laws. In addition to the self-regulatory systems created by statutory provisions under the Exchange Act, the Commission is also familiar with and supportive of the self-regulatory system involving peer review of accountants developed by the American Institute of Certified Public Accountants ("AICPA"). The portion of the AICPA program relating to accounting firms which are members of the SEC Practice Section of the Division for Certified Public Accounting Firms was developed and has been implemented by the AICPA, in part, through the cooperation of the accounting profession, the AICPA, and the Commission. At present there is no self-regulatory program for investment companies.[1] In recent years, however, members of the Commission have encouraged the investment company industry to consider the concept of self-regulation.

The financial affairs and operations of investment companies generally are regulated under the Investment Company Act of 1940 (15 U.S.C. 80a-1 *et seq.*) ("the Act"), which was passed to correct abuses existing in the industry prior to 1940.[2] Under the Act the Commission is empowered to promulgate rules (section 38, (15 U.S.C. 80a-37)) and to enforce compliance by investment companies and their associated persons with the Act and the Commission's rules thereunder (section 42, (15 U.S.C. 80a-41)). Under section 31(a) and (b) of the Act (15 U.S.C. 80a-30(a) and (b)) investment companies are required to make and keep records prescribed by the Commission and to make them available to the Commission or any member or representative thereof for examination.

The Commission believes its program of routine investment company examinations has been an important factor in maintaining integrity and investor confidence in the industry. For approximately twenty years the Commission has conducted periodic surprise inspections of investment companies involving examination of the companies' books and records and operations in order to determine compliance with the Act and the Commission's rules thereunder. Often the routine investment company examinations conducted by the Commission reveal deficiencies in compliance, but in the preponderance of cases the problems detected in examination are resolved without enforcement action by the Commission. Typically, the Commission staff apprises the investment company of the deficiencies, requests that the company promptly implement corrective remedial measures, and generally monitors the company's remedial efforts. In some cases, however, enforcement action by the Commission is appropriate or necessary following an examination, for example, because of the seriousness of the deficiencies revealed or the failure of the investment company to correct deficiencies and problems brought to its attention. The Commission believes that routine periodic examination of investment companies is important in that it creates a visible deterrent to violative behavior and permits the detection of problems at a sufficiently early stage to minimize or avoid harm or loss to the investment company's shareholders. The routine examination program conducted by the Commission is also useful to investment companies in that it permits fund managers to be apprised of deficiencies in compliance, including inadvertent ones, and to take steps to correct the deficiencies.

The investment company industry has experienced dramatic growth in recent years, both in net assets and in the number of investment companies registered with the Commission.[3] It is expected that the number of investment companies registered with the Commission will continue to increase significantly, in part, because of greater competition among securities firms, insurance companies and banking institutions in offering new investment vehicles to the public. At the same time the Commission has been operating under budgetary constraints that prevent the allocation of greater staff resources to the investment company examination program. In light of these circumstances, the Commission has considered what alternatives may be available to ensure that investment company inspections will continue to be conducted with an acceptable degree of regularity in the future. One possibility the Commission believes appropriate to consider at this time is the development of a system involving the use of private entities to perform certain functions related to the routine examination of investment companies as a supplement to the Commission's investment company examination program. Such a system would allow the Commission's staff to concentrate on difficult inspection areas and increase overall efficiency. Depending upon the level of growth in the size of the industry and the future availability to the Commission of budgetary resources, development of such a program could operate to increase the number of routine examinations of investment companies conducted or at least continue such examinations with the same frequency that the Commission has conducted them in the past.

The purpose of this release is to request public comment as to whether it is desirable or feasible to develop a system under which private entities would assume partial responsibility for the cost and performance of investment company examinations now conducted exclusively by the Commission using funds appropriated from general revenues. The release describes alternative means by which such a system might be developed by Commission rulemaking action: (1) Authorization of the creation of one or more self-regulatory organizations to conduct routine periodic examinations of investment companies; (2) use of investment company independent auditors to conduct certain additional procedures which would serve to some extent as a substitute for similar procedures now performed by Commission examiners during a routine examination; (3) some combination of these alternatives; and (4) collection of fees from investment companies to cover part or all of the cost of examinations performed by the Commission or a self-regulatory organization under authority of the Independent Offices Appropriations Act, 31 U.S.C. 483a, or under other authority granted by Congress.

[1] The National Association of Securities Dealers ("NASD"), however, has authority, and has promulgated rules, relating to the distribution of investment company shares by broker-dealers subject to NASD regulation. *See* NASD Manual, Rules of Fair Practice, Article III, Section 26.

[2] See, SEC, *Investment Trust and Investment Companies*, H.R. Doc. No. 279, 76th Cong., 1st Sess., pt. 3 (1939).

[3] During the fiscal years 1981 and 1982 the number of registered investment companies increased by 368 to a total of 1830. That represents an annual growth rate of approximately 12%. The Commission anticipates that, with the development of new investment products and assuming that expected economic recovery occurs, the number of companies sponsored by traditional entities will continue to increase. The rate of new investment company registrations could greatly exceed 12 percent if Congress enacts legislation under consideration to authorize banking institutions to organize and operate investment companies.

Comments are requested as to whether any such alternative should be pursued and, if so, which is preferable. Comment is also requested with respect to specific issues involved in the implementation of each alternative. The alternatives and the specific issues involved in their implementation are discussed below. Following the discussion of the alternatives, certain other matters applicable to the concept of using private entities to perform certain investment company examination functions are discussed, including the interrelationship between the activities of any private entities examining investment companies pursuant to any such Commission rulemaking and the Commission's examination and enforcement programs under the Investment Company Act.

II. Discussion

1. Authorization of the Creation of One or More Self-Regulatory Organizations To Conduct Inspections of Investment Companies

One alternative would involve Commission action to authorize the creation of one or more self-regulatory organizations which would conduct routine examinations of investment companies and make the results of those examinations available to the Commission. Although the following discussion focuses on Commission rulemaking to establish a self-regulatory examination program, the Commission requests comments on whether legislation would be more appropriate to accomplish this purpose. A self-regulatory organization created pursuant to such action would function in a manner analogous to national securities exchanges and registered securities associations under the Exchange Act to the extent that these self-regulatory organizations conduct routine period examinations of members and make the results of such examinations available to the Commission. National securities exchanges and national securities associations, whose role in the federal regulation of broker-dealers expressly is provided for in the Exchange Act are, however, also mandated to promulgate rules relating to business practice standards for members and to discipline members. Although the creation of one or more self-regulatory organizations for investment companies that have similarly broad functions is a matter which may merit consideration in the future, the development of a system for investment companies involving self-regulatory organizations empowered under the Investment Company Act to set business practice standards and discipline members would, even assuming that support for this type of self-regulatory system existed, present complex issues that could take significantly longer to resolve than those raised by the proposal discussed herein. Accordingly, at this time the Commission is inviting specific comment with regard to an investment company self-regulatory organization with the more limited function of conducting examinations of investment companies which elect to participate in such an examination program, and making the results of those examinations available to the Commission. However, the Commission requests comment also on whether it would be desirable or feasible to work toward implementation of broader purpose self-regulation in the investment company industry.

The Commission staff has earlier had discussions with the Investment Company Institute ("ICI") regarding the possibility of a self-regulatory system involving investment company examinations. The ICI supplied the staff with a draft proposal containing certain features which the staff had indicated would be necessary in connection with any such SRO. While the general approach discussed herein is similar to that suggested by the ICI, the specific features of the proposal on which the Commission is requesting comment differ from those in the ICI proposal in a number of ways.

For convenience, the description below of the features of this alternative is organized into the following parts: General features of such an SRO, election by investment companies to participate or terminate participation in the SRO, registration of the SRO, and Commission oversight of activities of the SRO.

General Features

Authorization of the creation of SROs to conduct examinations of investment companies would involve proposal and adoption by the Commission of a rule under the Investment Company Act providing for the registration with the Commission of one or more investment company SROs. Under such a rule the Commission would permit the registration of any qualified SRO organized to conduct routine periodic examinations of investment companies and certain persons associated with such companies.[4] The purpose of such examinations would be to determine compliance by the companies and persons associated with the companies with the federal securities laws and the rules thereunder. Under the rule, upon completion of an examination, an SRO would be required to specify in writing to any company or persons associated with such company who were subject to the examination any corrective measures which it determined should be effected to correct deficiencies in compliance detected during the examination. The SRO also would determine whether such corrective measures were implemented. The SRO would make available promptly to the Commission reports of examinations, including information concerning any deficiencies detected and corrective measures suggested, and thereafter promptly notify the Commission of the extent to which deficiencies had been corrected.

Election To Participate and Termination of Election

Any investment Company SRO created pursuant to such a rule would be required to permit registered investment companies, and persons associated with such companies, to elect to be inspected by the SRO upon filing of an appropriate notice of election. Companies electing to participate in the SRO inspection program would enter into a written agreement of election and pay any fees specified by the rules of the SRO. In order for an investment company to elect to be inspected by an SRO, its investment advisers, principal underwriters, and, if the investment company is one of a group of registered investment companies under substantially common management, all registered companies in the group would also have to elect to participate. Investment companies and associated persons electing to be inspected by an SRO would be required to agree to make available to the SRO all books, records, memoranda and data required by any Commission rule to be maintained or preserved in connection with the operations of the investment company. An election to be inspected would continue in effect until the filing by the investment company of a written notice of termination. An SRO would be authorized to terminate the election of a company or a person associated with a company in specified circumstances, for example, if the investment company or any associated person (1) was subject to

[4] As discussed in the text below investment advisers, principal underwriters and other funds under the same management as a fund electing to participate in the SRO would be required to participate in the SRO examination program. Any SRO examination of an investment adviser or underwriter of an investment company electing to participate in the SRO would be confined to its activities in relation to the investment company.

a statutory disqualification under Section 9(a) (15 U.S.C. 80a–9(a)) of the Act or was subject to a Commission order under Section 9(b) (15 U.S.C. 80a–9(b)) of the Act; (2) did not agree or otherwise failed to supply to the SRO such information as the SRO deemed necessary or appropriate to fulfill its functions; (3) did not agree or otherwise failed to permit examination of books, records or other data relating to the operation of the investment company; or (4) failed to implement corrective measures specified by the SRO in accordance with the rule. In addition, an SRO would terminate the election of a company or a person associated with the company in the specified circumstances if so ordered by the Commission.

Registration of the SRO

An investment company SRO could register with the Commission under the rule by filing an application with the Commission. The Commission would expect that the specific provisions of the rule relating to the procedures to be followed with respect to registration and the findings to be made by the Commission with respect to such registration generally would be modeled after those provided in Sections 15A (a) and (b) and 19(a)(1) of the Exchange Act (15 U.S.C. 78*o*–3(a), 78*o*–3(b) and 78s(a)(1)) relating to registration with the Commission of a national securities association, with appropriate modifications to take into account that the functions of any investment company SRO authorized by Commission rulemaking would be more limited than the functions of national securities associations as provided under the Exchange Act.[5] As with the Exchange Act, the Commission could publish notice of the filing and afford interested persons an opportunity to comment in writing on the application. After appropriate procedures were followed,[6] the Commission could grant the registration if it found the requirements of the rule were satisfied and deny registration if it could not make such a finding. In making the findings for registration the Commission might have to determine that the SRO was so organized and was of such character as to be able to conduct systematic examinations, and to perform functions ancillary thereto, to determine compliance by investment companies, and persons associated with such companies, with the federal securities laws and the rules thereunder. In this regard, the Commission could also determine whether the rules of an SRO were designed to promote compliance with the provisions of the securities laws, and to protect the financial safety of investment companies, through a system of examinations, through the analysis of reports required to be filed by electing companies and persons, through the specification of corrective measures, and through other appropriate means.[7]

An SRO could be able, upon such terms and conditions as the Commission by order deemed necessary or appropriate in the public interest or for the protection of investors, to withdraw from registration by filing a written notice of withdrawal with the Commission. If the Commission were to find that any SRO was no longer in existence or had ceased to do business in the capacity specified in its application for registration, the Commission, by order, could cancel the registration. These provisions would be substantially identical to Section 19(a)(3) of the Exchange Act (15 U.S.C. 78s(a)(3)).

Oversight

The Commission believes that provisions for pervasive Commission oversight of the activities of any investment company SRO would be essential. An SRO would be required to make and keep specified records relating to its activities and to make such records available to the Commission upon request. The Commission would expect to conduct periodic routine examinations of an SRO to examine its books and records and determine compliance by the SRO with Commission rules and its own rules. The Commission would also expect to use the reports of examinations provided by an SRO to the Commission, in part, to monitor the adequacy of the SRO's performance of its responsibilities. In addition, although in general it would not be the Commission's intention to perform examinations duplicative of those performed by the SRO, the Commission would monitor the SRO's performance by conducting some examinations of investment companies which recently had undergone examinations conducted by the SRO.

The rule would provide that the Commission could suspend or revoke the registration of an SRO or censure or impose limitations upon the activities of the SRO. These provisions generally would be modeled after those in Section 19(h) of the Exchange Act [15 U.S.C. 78s(h)] with appropriate modifications to take into account the more limited functions of an investment company SRO as described in this release.[8] The rule would also provide, similarly to Section 19(h)(4) of the Exchange Act, that the Commission could remove from office or censure any officer or director of the SRO. The Commission also could relieve an SRO of any responsibility to conduct examinations with regard to or promote compliance with any specified provision of the securities laws or the rules thereunder by any person. This provision would be analogous generally to Section 19(g)(12) of the Exchange Act

[5] For example, as stated above, a national securities association under the Exchange Act is mandated to establish business practice standards for members and to obtain compliance by those members with those standards and the federal securities laws. In permitting registration of a national securities association the Commission is required to make certain findings with respect to these functions. The functions of an investment company SRO as described in this release do not include promulgating business practice standards or disciplining participants but would be limited to conducting examinations of participants, suggesting corrective measures to correct any deficiencies, and reporting the results of the examination and any corrective efforts to the Commission. Accordingly, not all the requirements contained in the Exchange Act with respect to registration with the Commission of national securities associations would be appropriate with respect to registration with the Commission of the type of investment company SRO described in this release.

[6] Following the model of the Exchange Act, Commission rules could provide that, within 90 days of publication of the notice of filing (or a longer time if the applicant consents) the Commission would grant the registration or institute proceedings to determine whether registration should be denied. Notice of the grounds for denial under consideration and an opportunity for a hearing would be given. The proceeding would be concluded within 180 days of the date of publication of the notice of filing, except that upon a finding of good cause and publication of its reasons, the Commission could extend the time for conclusion up to 90 days, or longer if the applicant consents.

[7] In addition, the Commission could determine whether the SRO's rules provided for election of participation and termination of election as described above and whether the rules assured a fair representation of investment companies, persons associated with such companies, and the public interest in the administration of the SRO's affairs, and provided for the equitable allocation of reasonable dues, fees, and other charges. The Commission could also determine whether the SRO had reasonable procedures for the proposal and promulgation of changes in, or amendments to, rules of the SRO and whether the rules of the SRO imposed any burden on competition not necessary or appropriate in furtherance of the purposes of the examination program and the Investment Company Act.

[8] The rule could state that the Commission would take such action if, in its opinion, the action was necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act and the Commission made certain findings, on the record and after opportunity for hearing. The Commission might have to find that the SRO had not complied with rules of the Commission or its own rules, or that, without reasonable justification or excuse, the SRO failed to promote compliance with the Act or rules thereunder by any investment company or associated person electing to participate in the SRO.

(15 U.S.C. 78s(g)(12)). Commission oversight of SRO rulemaking would be modeled after the provisions contained in Sections 19(b) and (c) of the Exchange Act (15 U.S.C. 78s(b) and 78s(c)) relating to rulemaking of a national securities exchage or registered securities association. In all cases in which provisions were modeled after those provided in the Exchange Act relating to Commission oversight of Exchange Act SROs, necessary or appropriate modifications would be made to take into account the differences between Exchange Act SROs and the type of investment company SRO described in this release.

The Commission requests that, in addition to addressing the general issue of whether it would be feasible and appropriate for the Commission to authorize the creation of investment company SROs to conduct routine examinations, commentators focus on the specific features described above for a self-regulatory system utilizing such SROs. The Commission is also requesting commentators to consider whether the benefits of such limited purpose SROs would outweigh the costs, including necessary Commission oversight, and whether under any Commission rule authorizing creation of such SROs, the opportunity to participate in the SRO examination system should be made available to all registered investment companies or only to certain types of companies, for example, open-end management companies.

2. Use of an Investment Company's Auditor To Conduct an Expanded Audit of the Company

Investment companies employ independent auditors to examine and report upon the company's financial statement. Registered investment companies are required to file with the Commission as part of the company's annual report pursuant to section 30 (15 U.S.C. 80a–29) and rule 30a–1 [17 CFR 270.30a–1] thereunder, the report of the independent public accountant resulting from the audit of the company's financial statements and review of the company's internal controls. The accountant's report is required by Commission rule to be in a certain form and to cover certain specified matters and include comments as to a number of specified items. It may be possible for an investment company to request that its auditor, in the course of the regular audit examination, conduct a number of additional procedures, with the understanding that the additional procedures would to some extent serve as a substitute for certain similar ones now performed by the Commission examiner during a routine investment company examination. Commission examiners would thereby be able to concentrate their efforts in those areas where primary reliance upon the auditor would not appear appropriate.

Under this alternative the Commission would establish by rule the additional procedures to be performed and the content of any report to be filed with the Commission containing the audiitor's findings and comments with respect to such an expanded audit. It appears that certain of the procedures now performed by Commission examiners could be performed by auditors if appropriate standards were established.

Specifically, the Commission has made a preliminary determination that in the following areas some of the procedures now performed by the staff could appropriately be performed by investment company auditors under such an expanded audit program. Auditors could review accounting records of the company; calculation of net asset value; capital structure; dividend payments to shareholders; composition of the investment company's board of directors; investment advisory and principal underwriting contracts; meetings of directors, shareholders and committees; fidelity bonding coverage; custody arrangements; distribution and repurchase of closed-end investment company shares; sales of open-end investment company shares; liquidations of open-end investment company shares; and any voluntary or contractual plans offered by the investment company to shareholders for the purpose of enabling shareholders to purchase investment company shares over a period of time. Some of these procedures are already performed by the auditors at least to some extent during the regular audit.

It is the Commission's preliminary assessment that certain procedures now performed by the staff could not appropriately be performed by auditors. These procedures include review of investment decisions; transactions in portfolio securities and other assets owned by the investment company; contracts with independent public accountants, correspondence, including shareholder complaint letters; and activities of affiliated persons. Moreover, even in some of the general areas discussed above which might be appropriate for expanded audit procedures, it might be necessary for the Commission staff to continue to perform certain specific procedures rather than utilize independent auditors to conduct all of the procedures in these areas. Determining compliance with the federal securities laws with respect to matters covered in investment company examinations often involves making legal judgments under the federal securities laws that accountants are not normally called upon to make. Accordingly, the Commission would expect that, even if a system of expanded audits were implemented, Commission examiners would continue to examine investment companies as to these matters, and as to any other matters which the Commission determines are not appropriate for the expanded audit.[8] As discussed below, the extent to which the Commission could rely on expanded audits in these areas would depend on the extent to which satisfactory procedures could be developed, the nature of the auditors' reports, and the Commission's ability to assure itself that the expanded audit program was an adequate substitute for a portion of the Commission's routine examination program.

It is the Commission's view that provision for adequate oversight by the Commission is a prerequisite for any Commission sanctioned system using private entities to perform examination functions. In order for the Commission responsibly and efficiently to oversee a system using expanded audits, the auditors' report would have to provide meaningful information to the Commission as to the scope of the expanded audit and the deficiencies detected so that the Commission could satisfy itself as to the adequacy of the system, determine that corrective measures had been implemented or consider enforcement action with respect to deficiencies reported. Information in the report would also be used by Commission examiners in connection with their conduct of oversight examinations and that portion of the routine examination reserved to them. On the other hand, it may be sufficient to require only a brief negative assurance auditor report. Assuming the procedures to be performed by auditors were described with specificity, it might

[8] The Commission staff estimates that the procedures which could be performed by auditors comprise at least 50 percent of the average time spent by the staff on an examination. Many deficiencies which involve violations of the Commission's requirements regarding the books and records to be kept by investment companies derive from this area and generally are corrected informally and do not result in enforcement action by the Commission. On the other hand, deficiencies in the areas which the Commission believes cannot appropriately be performed by auditors are more likely to be serious, and to result in enforcement action by the Commission.

be possible to permit auditors to report that the prescribed procedures were performed and, if no deficiencies in compliance were revealed, so to state. If deficiencies in compliance were revealed, the report could describe the deficiencies and any corrective efforts suggested by the auditor as well as any corrective efforts known by the auditor to have been undertaken by the investment company to remedy those deficiencies. If such a brief negative assurance auditor report were permitted, it would appear to be desirable to require that the auditor also file with the Commission a separate form which would contain specified objective information as to the investment company and its operations. The information contained on such a form, which would serve as a supplement to the auditor's report, would be designed to assist Commission staff in conducting the portion of the examination reserved to the Commission and in monitoring the expanded audit system.

The question of whether the Commission should have routine access to auditor workpapers must be addressed. Routine access to the underlying documents and papers of the auditors relating to the expanded audit would assist the Commission in monitoring the function of the expanded audit system. However, the Commission appreciates that the issue of direct access on its part to such auditor workpapers on a routine basis is a sensitive one and, accordingly, requests comment as to whether the Commission should require, as part of any expanded audit program, routine access to workpapers relating to the expanded portion of the audit in the absence of a formal order of investigation. Section 32(c) of the Act (15 U.S.C. 80a–31(c)) authorizes the Commission, by rulemaking or order in the public interest or for the protection of investors, to require accountants and auditors to keep reports, work sheets, and other documents and papers relating to registered investment companies for such period or periods as the Commission may prescribe, and to make the same available for inspection by the Commission or any member or representative thereof. This authority has not been exercised by the Commission heretofore.[10]

The Commission would expect that any rule implementing an expanded audit program would set forth in some detail the particular procedures to be performed by the auditors and would provide them guidance for making determinations as to compliance, particularly in those areas where determinations involve complex judgments. The degree of specificity of the procedures and standards to be prescribed would be related to the nature of the auditor's report and the extent of Commission access to auditor workpapers relating to the expanded audit. As indicated above, the Commission believes that provisions for adequate oversight by the Commission of any expanded audit system are essential. If an expanded audit system is implemented involving the type of brief negative assurance auditor report described above and the Commission does not have routine access to auditor workpapers generated during the expanded audit, then the need for the Commission to be specific in describing the procedures to be performed and standards to be appled will be greater than would be the case if the report provided positive assurance or the Commission had routine access to workpapers relating to the expanded audit.

The Commission invites comment on whether examination responsibilities can realistically be divided between the Commission and the independent auditors so as to achieve efficiencies and reduce the Commission's workload. Can the dividing line between the separate responsibilities be made clear enough to permit each examining group to limit its examination to its own area of responsibility? Is it reasonable to expect that each appropriate examining group would so limit its examination, given concerns that it might overlook problems that would have readily been seen had its responsibility been broader?

The Commission also invites comment with respect to two additional issues. First, to what extent can the Commission, under its existing authority under the federal securities laws, mandate expanded audits for investment companies, and should it do so with respect to all registered investment companies, or alternatively, with respect to certain kinds of companies, for example, open-end management companies? Second, if it is determined not to require that an expanded audit be performed, would it be feasible to establish an expanded audit program on a voluntary basis?

3. Combination of Investment Company SROs and Expanded Audits

A system utilizing SROs to conduct examinations of participants and a system of expanded audits are not necessarily mutually exclusive. The expanded audit system and the SRO system might be utilized as complementary means for achieving a degree of investment company self-regulation and supplementing the Commission examination program. The possibility of combining these two alternatives raises a number of questions. For example, if a self-regulatory system utilizing SROs were established, should those companies which do not participate in the SRO be given the opportunity to participate in an expanded audit system? Should the Commission consider requiring SRO members to have an expanded audit performed? Also, if an SRO self-regulatory system existed as well as an expanded audit system, should consideration be given to utilizing the SRO, rather than the Commission, to perform those portions of the routine investment company examination which will not be performed by auditors?

4. Imposition of Inspection Fees

Another alternative, which could be implemented either in conjunction with or without any self-regulatory organization, is the imposition of examination fees upon companies actually examined by the Commission. Such fees could be limited to the added costs of the Commission's inspection program necessitated by the Commission's expanding responsibilities in this area.

The Commission is already authorized to collect such fees under the Independent Offices Appropriations Act, 31 U.S.C. 483(a). Although any fee collected under this act must be turned over to the United States Treasury, the Commission could then seek a corresponding increase in appropriations without creating any new net burden on the Federal budget. Alternatively, the Commission could seek Congressional authority to directly apply the funds collected to its examination program.

The Commission seeks comments on whether imposition of inspection fees is desirable, and, if so, whether it should be done in conjunction with or without the other alternatives discussed above. For instance, would the additional benefits of a self-regulatory organization limited to routine examinations

[10] Moreover, although the Commission exercises oversight of the AICPA peer review program with respect to peer reviews of accounting firms which are members of the SEC Practice Section of the AICPA Division for CPA firms, it does not now have routine direct access to the peer reviewers' workpapers. (Under the AICPA program every three years member firms must submit to a peer review of the firm's systems of quality control for accounting and auditing.)

outweigh the not inconsiderable costs of Commission oversight of the self-regulatory organizations?[11]

If it is desirable both to develop a self-regulatory organization for the purpose of conducting routine examinations and impose fees for Commission examinations, the Commission seeks comment on how to implement the latter without discouraging the former. For instance, the Commission could impose fees only on those it actually examines and waive the fees regarding any examination which is part of our oversight of examinations already conducted by a self-regulatory organization. Thus, no investment company would be discouraged from joining a self-regulatory organization due to the fees charged by the Commission.

Relationship of Investment Company Self-Regulation and the Commission's Examination and Enforcement Programs

Whatever alternative or alternatives, if any, might be implemented to supplement the Commission's routine examination program and achieve a degree of investment company self-regulation, the Commission would expect to conduct periodic routine examinations of investment companies participating in the self-regulatory or expanded audit system. The Commission would expect to maintain an oversight program with respect to either system under which the Commission staff would conduct a number of routine examinations of investment companies which had recently undergone self-regulatory examination or expanded audits in order to determine how well the program was functioning. The Commission would also expect to continue performing examinations of a segment or sample of the industry for general regulatory purposes including, among other things, determination of the need for new or modified rules or determination of the effects of certain events, rules, or policies on the industry. In addition, the Commission would reserve its right to conduct any investment company examination and institute any appropriate enforcement action authorized under the federal securities laws. In this regard the Commission would reserve its right to conduct any examination which may be necessary or appropriate in the public interest or for the protection of investors, and to institute any appropriate enforcement action. Vigilant Commission presence is necessary under the law and for the preservation of investor confidence in the industry.

Nevertheless, the Commission recognizes that members of the investment company industry may be reluctant to support an investment company self-regulatory or expanded audit system if they believe the result will be unnecessary duplication of examinations or enforcement action by the Commission with respect to deficiencies which have been adequately resolved as a result of the self-regulatory or expanded audit system. It has not been the Commission's policy, nor would it be so if such a program were implemented, to bring enforcement proceedings with respect to violations where corrective action satisfactory to the Commission has been taken and where enforcement proceedings are not otherwise necessary or appropriate. Moreover, it would be inconsistent with the Commission's objectives to administer any investment company self-regulatory or expanded audit program in a manner which resulted in unnecessary duplication of examinations by the private sector and the Commission and it would not be the Commission's policy to do so.[12] To alleviate any industry concern on these matters, the Commission would consider issuing a statement at the time any rule was adopted setting forth its policies with respect to the foregoing matters.

Cost of Investment Company Self-Regulation

The Commission expects that the cost of any investment company self-regulatory examination program will be borne by the participants, and the Commission intends to consider the issues of costs and benefits in making a determination as to the feasibility of any of the alternatives discussed in this release. Commentators are invited to address these issues in their analysis of the alternatives to the extent they are able to do so.[13] The Commission recognizes that until the specific features of any alternative are determined it may be difficult for commentators to estimate reliably the costs to the industry of that alternative. Commentators may, however, be able to provide information as to the relative costs of the various alternatives and the relative costs of particular features of an alternative.[14] To the extent commentators are able to provide such information it would be useful to the Commission in assessing the feasibility of these alternatives.[15]

[11] The Commission's Division of Investment Management has roughly estimated that it would cost the Commission approximately $1 million to oversee the inspection program of a self-regulatory organization. Moreover, preliminary information indicates that inspections by the Commission staff can be performed at less expense than those conducted by a self-regulatory organization.

[12] The Commission notes that many investment company principal underwriters are members of the National Association of Securities Dealers ("NASD") and subject to routine periodic examination by the NASD. Under the SRO alternative discussed above a principal underwriter of an investment company participating in the SRO also would be subject to examination by the SRO with respect to its activities in connection with the investment company. Commentators may wish to address the extent to which efforts might be made to avoid unnecessary duplication in examinations of such principal underwriters by the NASD and any investment company SRO.

[13] In this regard it may be helpful for commentators to know that the Commission estimates that in fiscal year 1982 the average investment company examination required 80 hours of staff time actually spent in the investment company's offices. This figure does not reflect planning the examination, preparing the report, supervisory review of the report, overhead or other factors such as activities incidental to the examination program, training, and paid leave. Considering all factors, the total staff hours required for an average investment company examination is 210. (As discussed above, under the SRO alternative the SRO would conduct the entire routine examination, while under the expanded audit alternative, approximately 50% of the routine examination would be subject to the expanded audit). It should be noted that the foregoing estimates represent staff hours required for an average investment company examination. Certain examinations, for example, examinations of funds utilizing highly complex investment strategies, would require more staff hours; others, for example, an examination of one fund in a complex of funds all of which are examined at the same time, would require fewer staff hours. The Commission estimates that its average cost in conducting an investment company examination was $4500 in fiscal year 1982. (This estimate, which takes into account overhead and other costs, was derived by comparing the number of routine investment company inspections conducted by Commission staff in fiscal year 1982 to the total cost to the Commission attributable to its investment company examination program that year).

[14] For example, in discussing the expanded audit alternative commentators may be able to estimate the relative cost of an expanded audit program requiring only the brief negative assurance auditor report and supplemental form described above compared to the cost of the same program requiring a positive assurance auditor report.

[15] The Commission also would incur costs with respect to these alternatives which it intends to consider. As discussed above, under the SRO alternative the Commission would continue to conduct routine examinations of investment companies not participating in the SRO program and would also conduct examinations of SRO participants for cause, oversight and general regulatory purposes. Under the expanded audit alternative, the Commission would continue to conduct those portions of the examination reserved to the Commission and would also conduct examinations for cause, oversight and general regulatory purposes. In addition, if a voluntary system of expanded audits were implemented, the Commission would continue to conduct full routine examinations of investment companies not participating in the expanded audit program. Finally, under both alternatives the Commission would incur general oversight costs in connection with such matters as reviewing auditor or SRO reports.

Conclusion

The Commission believes that it is appropriate to examine the feasibility and desirability of proposing rules relating to the utilization of private entities to perform certain functions involving the routine examination of investment companies and the imposition of examination fees in order to supplement the Commission's investment company examination program, and that the foregoing alternatives merit consideration. Accordingly, the Commission is requesting public comment with respect to the matters and issues discussed in this release. The Commission wishes to emphasize, however, that, by asking for public comment, it has not taken any firm positions with respect to any of the alternatives or specific questions discussed in this release or on the broader question of whether any action by the Commission on these matters would be desirable or feasible.

List of Subjects in 17 CFR Part 270

Investment companies, Reporting and recordkeeping requirements, Securities.

Dated: February 23, 1983.

By the Commission.

George A. Fitzsimmons,

Secretary.

[FR Doc. 83-5191 Filed 2-28-83; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 133

[Docket No. 83N-0021]

Extra Hard Grating Cheese

AGENCY: Food and Drug Administration.

ACTION: Advance notce of proposed rulemaking.

SUMMARY: The Food and Drug Administration (FDA) is offering to interested persons an opportunity to review the "Recommended International Standard for Extra Hard Grating Cheese" (Codex Standard No. C-35) and to comment on the desirability of and need for a U.S standard of identity for the food. The Codex standard was submitted to the United States for consideration of acceptance by the Food and Agriculture Organization/World Health Organization's Committee of Government Experts on the Code of Principles Concerning Milk and Milk Products, a subsidiary body of the Codex Alimentarius Commission. If the comments received do not support the need for a U.S. standard of identity for the food, FDA will not propose a standard.

DATE: Comments by May 2, 1983.

ADDRESS: Written comments, data, or other information to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

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: The Food and Agriculture Organization (FAO) and the World Health Organization (WHO) jointly sponsor the Codex Alimentarius Commission, which conducts a program for developing worldwide food standards. Codex standards for milk and milk products, including the standard for extra hard grating cheese, are developed by the FAO/WHO Committee of Government Experts on the Code of Principles Concerning Milk and Milk Products, a subsidiary body of the Codex Alimentarius Commission. Under the FAO/WHO program, a large number of food standards have been developed and submitted to governments for acceptance.

As a member of the Codex Alimentarius Commission, the United States is under treaty obligation to consider all Codex standards for acceptance. The rules of procedure of the Codex Alimentarius Commission state that a Codex standard may be accepted by a participating country in one of three ways: full acceptance, target acceptance, or acceptance with specified deviations. A commitment to accept at a designated future date constitutes target acceptance. A country's acceptance of a Codex standard signifies that, except as provided for by specified deviations, a product that complies with the Codex standard may be distributed freely within the accepting country. A participating country that concludes it will not accept a Codex standard is asked to indicate the ways its requirements differ from the recommended international standard. Member nations of the FAO/WHO Codex Alimentarius Commission are asked to notify the Technical Secretary, Committee on the Code of Principles Concerning Milk and Milk products, Animal Production ahd Health Division, FAO, Rome, Italy, of their decision. Should a sufficient number of governments accept the standard, the Secretariat of the Committee will notify the Codex Alimentarius Commission and request the publication of the standard by the Codex Alimentarius Commission as a worldwide standard.

For the United States to accept some or all of the provisions of a Codex standard for any food to which the Federal Food, Drug, and Cosmetic Act (the act) applies, it is necessary either to establish a U.S. standard under authority of section 401 of the act (21 U.S.C. 341), or to revise an existing standard appropriately to incorporate the provisions within the standard.

FDA advises that the Codex standard for extra hard grating cheese was developed because some members of the FAO/WHO Committee on the Code of Principles Concerning Milk and Milk Products did not wish to establish Codex individual varietal standards for parmesan cheese and romano cheese. But in the United States, standards of identity have been developed for parmesan and reggiano cheese (21 CFR 133.165), and romano cheese (21 CFR 133.183), as well as a class standard of identity for hard grating cheeses (21 CFR 133.148). The United States does not have a class standard of identity for extra hard grating cheeses.

Under the procedure in 21 CFR 130.6(b)(3), FDA is providing an opportunity for review and informal comment on (1) the desirability of and need for a U.S. standard of identify for extra hard grating cheese, (2) the specific provisions of the Codex standard, (3) additional or different requirements that should be in the U.S. standard of identity, if established, and (4) any other pertinent points.

FDA advises that if comments received do not support the need for a U.S. standard of identity for the food, no standard will be proposed. If this decision is reached, the Technical Secretary for the Committee on the Code of Principles Concerning Milk and Milk Products will be informed that imported foods that comply with the requirements of the Codex standard may move freely in interstate commerce in this country, providing they comply with the applicable U.S. laws and regulations.

Because of the large number of countries, often with diverse food regulations, which are associated with the development of Codex standards, certain provisions of the Codex standards may not be consistent with aspects of U.S. policy and regulations. Codex standards customarily include hygiene requirements, certain basic labeling requirements such as declaration of the net quantity of contents, name of manufacturer, and country of origin, and other factors.

These factors are not considered a part of U.S. food standards under section 401 of the act; rather, they are dealt with under the authority of other sections of the act.

The Codex standard for extra hard grating cheese specifies analytical methods by which compliance with certain provisions is to be determined. As stated in 21 CFR 2.19, FDA's policy is to employ the methods published in the latest edition of "Official Methods of Analysis of the Association of Official Analytical Chemists," when these are available, in preference to other methods. FDA will adhere to this policy in any U.S. standard of identity proposed under this notice.

Under § 130.6(c), all persons who wish to submit comments are encouraged and requested to consult with different interested groups (consumers, industry, academic community, professional organizations, and others) in formulating their comments, and to include a statement of any meetings or discussions that have been held with other groups.

List of Subjects in 21 CFR Part 133

Cheese, Food standards.

The Codex standard under consideration is as follows:

Recommended International Standard for Extra Hard Grating Cheese (Codex Standard No. C-35)

1. Designation of Cheese

Extra Hard Grating.

2. Depositing Country

United States of America.

3. Raw Materials

3.1 Kind of milk: cow's milk, goat's milk or sheep's milk and mixtures of these milks
3.2 Authorized additions:
3.2.1 Necessary additions:
—cultures of harmless lactic acid producing bacteria (starter)
—rennet or other suitable coagulating enzymes
—sodium chloride
3.2.2 Optional additions:
—calcium chloride, maximum 200 mg anhydrous/kg of milk used
—harmless flavour producing bacteria
—harmless enzymes to assist in flavour development (solids of preparation not to exceed 0.1% of weight of milk used)
—chlorophylls, including copper chlorophyll (Colour Index No. 75810)
—sorbic acid or its sodium or potassium salts, maximum 1000 mg/kg calculated as sorbic acid in the final product

4. Principal Characteristics of the Cheese Ready for Consumption

4.1 Type:
4.1.1 Consistency: extra hard, suitable for grating
4.1.2 Age of cure: minimum age 6 months
4.2 Shape: various
4.3 Dimensions and Weight:
4.3.1 Dimensions: various
4.3.2 Weights: various
4.4 Rind, where present:
4.4.1 Consistency: extra hard
4.4.2 Appearance: dry, may be coated with vegetable oil, food grade wax or plastic materials.
4.4.3 Colour: amber
4.5 Body:
4.5.1 Texture: granular, slightly brittle
4.5.2 Colour: natural uncoloured to light creams colour
4.6 Holes (when holes are a typical characteristic of the variety):
4.6.1 Number: few
4.6.2 Shape: small, round
4.6.3 Size: approximately 1–2 mm
4.6.4 Appearance: characteristic gas holes
4.7 Minimum fat: 32% fat in dry matter.
4.8 Maximum moisture: 36%
4.9 Brief description: extra hard, dry, slightly brittle, suitable for grating

5. Method of Manufacture

5.1 Method of coagulating: rennet or other suitable coagulating enzymes; with the possible addition of lactic acid starter.
5.2 Heat treatment: milk may be raw or pasteurized. If pasteurized the milk is heated to not less than 72°c (161°F) for 15 seconds.
5.3 Fermentation procedure: lactic acid fermentation or other flavour producing cultures and enzymes.
5.4 Maturation procedure: after the curd which may be lightly salted is shaped into forms, the cheese may be salted again in brine, dry salted or both; held in a cool and well aerated or temperature controlled room for not less than 6 months.

6. Sampling and Analysis

6.1 Sampling: according to FAO/WHO Standard B.1 "Sampling Methods for Milk and Milk Products" para 7—Sampling Cheese.
6.2 Determination of fat content: according to FAO/WHO Standard B.3 "Determination of Fat Content of Cheese and Processed Cheese Products".
6.3 Determination of dry matter: (under elaboration).

7. Marking and Labelling

7.1 Cheese conforming to this standard may be designated Extra Hard Grating Cheese or any recognized variety name in the consuming county. A "coined" or "fanciful" name, however, may be used provided it is not misleading and is accompanied by the phrase "Extra Hard Grating Cheese".
7.2 It shall be labelled in conformity with the appropriate sections of Article of the FAO/WHO Standard A-6 "General Standard for Cheese".

Interested persons may, on or before May 2, 1983 submit to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm 4-62, 5600 Fishers Land, Rockville, MD 20857, written comments regarding this proposal. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Any comments submitted in support of establishing a U.S. standard of identity for extra hard grating cheese should be supported by appropriate information and data regarding impact on small businesses consistent with the provisions of the Regulatory Flexibility Act (Pub. L. 96-354). (Executive Order 12291 does not apply to regulations issued in accordance with the formal rulemaking provisions of the Administrative Procedure Act (5 U.S.C. 556, 557). Food standards promulgated under 21 U.S.C. 341 and 371(e) fall under this exemption.)

Dated February 16, 1983

Sanford A. Miller,

Director, Bureau of Foods.

[FR Doc. 83-4907 Filed 2-28-83; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1928

[Docket No. H-308]

Field Sanitation

AGENCY: Occupational Safety and Health Administration, Labor.

ACTION: Advance notice of proposed rulemaking and request for comments and information.

SUMMARY: The Occupational Safety and Health Administration (OSHA) is considering amending 29 CFR Part 1928, Standards for Agriculture, to require employers to provide sanitation facilities for agricultural employees working in the field. This action comes after an earlier proposal concerning field sanitation (41 FR 17578) and comments received on that proposal. In response to those comments and litigation involving the Agency, OSHA is issuing this Advance Notice of Proposed Rulemaking (ANPR) to inform the public and interested parties that it is considering proposing a new field sanitation standard. The Agency is soliciting quantitative and qualitative data, expert opinion, comments, and information regarding field sanitation to

facilitate the development of an appropriate proposal and standard.

DATE: Data, comments, and information must be received on or before May 2, 1983, to receive consideration.

ADDRESS: Data, comments and information submitted in response to this notice may be mailed or delivered to the Docket Officer, Room S6212, Docket No. H-308, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210; Telephone: (202) 523-7894.

FOR FURTHER INFORMATION CONTACT: Mr. James Foster, Room N3637, Occupational Safety and Health Administration, 200 Constitution Avenue, NW., Washington, D.C. 20210; Telephone: (202) 523-8151.

SUPPLEMENTARY INFORMATION:

Introduction

The Occupational Safety and Health Act of 1970 was enacted "to assure so far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources * * *." Under the Act, each employer "shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees * * *."

The absence or inadequacy of basic sanitation and hygiene practice and facilities has long been recognized by medical science as a principal factor in the transmission of bacterial, viral and parasitic diseases. Poor sanitation gives rise to the pollution of soil and water with human waste containing pathogenic organisms. This situation increases the possibility of contaminating drinking water and food, and increases the likelihood of transmitting diseases. Substantial scientific evidence exists demonstrating that the provision of clean drinking water, the proper disposal of human wastes, and the use of personal and public hygienic practices prevent the transmission of communicable diseases.

The need for good sanitation to protect the public health has been generally recognized by municipal, county, state, and Federal governments, as evidenced by various public health laws providing for this protection. Currently, at the Federal level, OSHA standards (29 CFR 1910.141 and 1926.51), require sanitation facilities to be provided at the workplace for all groups of workers within the Agency's jurisdiction except agricultural workers. In addition, an OSHA (29 CFR 1910.142) standard also requires employers to provide sanitation facilities in temporary labor camps (living quarters), where many migrant agricultural field workers live while at a job. This standard has been in effect since shortly after the Agency's inception. Seven states (California, Connecticut, Florida, Idaho, New Jersey, Oregon, and Pennsylvania) presently have laws or regulations requiring sanitation facilities in agricultural fields. Other states (North Carolina, Texas) are responding to the need for such facilities by developing regulations or guidelines which would require employers to provide drinking water, handwashing facilities, and/or toilets in the field.

For many agricultural workers, particularly those employed in hand labor (planting, cultivating, harvesting, etc.), the conditions of work and crops necessitate seasonally concentrated, long hours of daily work in frequently hot environments. These factors may increase the need for sanitation facilities to be accessible to agricultural workers in the field. Agricultural employee representatives argue (1) that safe and healthful employment cannot exist for farmworkers as long as sanitation facilities in the fields are inadequate and drinking water is not available: (2) where these facilities are unavailable, communicable diseases are easily spread, and heat stroke, poisoning by agricultural chemicals, food poisoning and skin conditions are likely to occur: (3) Risks to consumers might also be increased through contamination of food stuffs and drinking water supplies by personal wastes. OSHA makes no pre-judgment on these arguments and solicits public comment on each of these points.

A standard which would require employers to provide clean drinking water and handwashing and toilet facilities for agricultural field workers is unique in that it involves both public health and occupational health concerns. the hazards that these workers face are not typical of other regulated occupational health hazards: they include lack of water, heat, bacteria, viruses, and parasites, as well as toxic chemical substances. Moreover, the seasonal and migratory nature of portions of the workforce makes it unusually difficult to acquire quantitative scientific data on the extent of risk associated with the lack of sanitation facilities in agricultural fields. The development of a standard regulating field sanitation thus will entail special problems.

Background

On September 1, 1972, the Mirgrant Legal Action Program, Inc. (MLAP) and several other organizations, on behalf of migrant and seasonal farmworkers, petitioned OSHA to issue a standard requiring provision of potable drinking water, handwashing facilities, and toilet facilities for agricultural workers in the field. The petition declared that agricultural workers are not adequately provided such facilities. It alleged that because of these existing inadequacies communicable diseases are spread and other health problems are created. In response to the petition, OSHA requested advice from the Standards Advisory Committee for Agricultural (SACA), which concluded that a standard was needed and submitted a proposed standard to OSHA. In 1973, dissatisfied with the speed at which OSHA was proceeding on a standard, MLAP filed suit in U.S. District Court to compel OSHA to issue a standard.

On April 27, 1976, OSHA published a notice in the **Federal Register** (41 FR 17576) proposing a new standard. The proposal was based substantially upon the recommendations of SACA and existing standards in California and New Jersey. It required drinking water, washing facilities, toilet facilities, and where food was prepared, sanitary preparation facilities. In addition, the notice requested comments and information on issues relating to the proposed standard. Approximately 1200 comments were received and reviewed by OSHA. The vast majority of these were critical with respect to the form and scope of the 1976 proposal. Thereafter, however, development of the standard was discontinued in the face of other priorities.

Legal History

The litigation which commenced in 1973 has continued. The history of that litigation is complex. In the initial suit seeking to compel OSHA to issue a field sanitation standard, the District Court for the District of Columbia in October 1975 granted the relief sought by the National Congress of Hispanic American Citizens. It held that the statutory guidelines of section 6(b)(1)-(4) of the OSH Act of 1970 constituted mandatory time frames, which were triggered once the Secretary of Labor began action on the standard, and that the Secretary had violated these mandatory time frames. *National Congress of Hispanic American Citizens* v. *Dunlop*, 425 F. Supp. 900 (D.D.C. 1975). On appeal by the Secretary, the Court of Appeals reversed the lower court's decision. *National Congress of Hispanic American Citizens* v. *Usery*, 554 F. 2d 1196 (D.C. Cir 1977) (also known as El Congreso I). The appeals court held that

the Act's time frames are not mandatory and that the Secretary may "rationally order priorities and reallocate his resources at any rulemaking stage" so long as "his discretion is honestly and fairly exercised." Remanding the case to the District Court for action, the D.C. Court of Appeals ordered the Secretary to file a report on the proposed field sanitation standard, including a timetable its development.

In September 1978, the Secretary submitted a report indicating that because of existing priorities no action would be taken on the standard for eighteen months. In December 1978, the District Court ordered the Secretary "to complete development of a field sanitation standard * * * as soon as possible." *National Congress of Hispanic American Citizens* v. *Marshall*, No. 2142–73 (D.D.C. December 21, 1978). The Secretary again appealed, and the District Court's decision again was reversed. *National Congress of Hispanic American Citizens* v. *Marshall*, 626 F. 2d 882 (D.C. Cir. 1979) (also known as El Congreso II). The appeals court ruled that the lower court had "impermissibly substituted its judgement" for OSHA's. In remanding the case once more to the District Court, the Court of Appeals directed the District Court to require the Secretary to provide a timetable reflecting his "good faith representation * * * regarding his reasonable expectation as to when the standard will be forthcoming." The Court of Appeals recognized that modifications in such a timetable might be justified by circumstances requiring readjustments of priorities. Such readjustments, the Court held, are proper so long as made in good faith.

In June 1980 OSHA filed another timetable, indicating that completion of a standard would take at least forty-five months. In December 1980, the District Court conducted a five-day hearing to determine whether that timetable was consistent with the criteria set down in *El Congreso II*. At the hearing, plaintiffs presented evidence to show that medical and scientific option supported the need for field sanitation facilities. The Agency agreed that the absence and inadequacy of sanitary facilities may result in disease, but contended that the existing administrative record was an inadequate basis for issuance of a final standard, and that further information was needed.

With the new administration, the Secretary asked the District Court for time to permit the newly designated Assistant Secretary of OSHA, Thorne G. Auchter, to evaluate the June 1980 timetable before the court ruled on it. The Secretary stated that intervening circumstances required a review of priorities and the timetable. The District Court approved the Secretary's request, and on August 17, 1981 the Assistant Secretary filed another timetable, stating that the standard would be developed in a 34–39 month period, following an initial two-year deferral. The Agency asserted that a deferral period was necessary because in the interim all available resources would be allocated to the development of higher priority standards. Plaintiffs asked the court to order OSHA to complete a standard within a period they claimed to be feasible: 23-39 months.

On October 30, 1981, the District Court rejected the OSHA timetable. The Court ruled in favor of plaintiffs and ordered OSHA to make a good faith effort to promulgate a standard within eighteen months. *National Congress of Hispanic Citizens et al.* v. *Raymond J. Donovan*, No. 2142–73. OSHA appealed to the D.C. Court of Appeals, seeking a stay of the lower court's order pending a decision on the merits. *National Congress of Hispanic American Citizens* v. *Raymond J. Donovan* (D.C. Cir Nos. 81–2344, 81–2376). The stay was granted. Before the appellate hearing, the Agency negotiated a settlement with complainants. The District Court approved the settlement on July 16, 1982.

Under the settlement, OSHA has agreed to make a good faith effort to complete a field sanitation standard or to publish in the **Federal Register** a determination that no such standard is needed. Should plaintiffs disagree with the agency's published reasons for not promulgating a standard, under the court order they reserve the right to return to court to challenge the agency's decision. An agreed-upon schedule for this activity was negotiated. The schedule provides for the agency to make a good faith effort to publish a proposal within 15-18 months (not later than January 15, 1984); to hold hearings on any published proposal within 20-23 months (no later than June 15, 1984); and to publish a final standard within 31 months (by February 15, 1985) or alternatively to publish a statement of the reasons why no such standard is necessary.

Comments and Information Requested

The original proposal for a field sanitation standard published in 1976 was criticized for being too broad in coverage and too specific in certain of its requirements. In order to develop an appropriate new proposal, OSHA is inviting the submission of data, expert opinion, comments and information concerning field sanitation. Comments submitted in response to the 1976 **Federal Register** notice need not be resubmitted since they already are part of the record and will be considered by the Agency in the present rulemaking. OSHA requests responses to the following questions, which, where appropriate, should be quantified. The effort to acquire quantitative data on health risks is required in developing health standards under the Occupational Safety and Health Act and by the U.S. Supreme Court's decision in the benzene case (*Industrial Union Department, AFL–CIO* v. *American Petroleum Institute*, et al. 488 U.S. 607, 100 S. Ct. 2844 (1980)).

In your response please identify replies by question number.

Scope of Standard

1. To which sorts of fieldwork, fieldworkers and agricultural industries should a field sanitation standard apply? Explain.

2. Estimate the total number of agricultural field workers in each of the categories you discuss in your answer to question 1. Identify the basis and sources of the numbers presented.

3. What exemptions should be considered?

Health Risks

Considerable evidence exists in the history of the development of public health practices over the past few centuries to demonstrate the efficacy of providing clean drinking water, proper disposal of human wastes, and employment of hygienic practices in preventing the transmission of communicable diseases. There is no evidence in the record to show that agricultural field workers are less susceptible when exposed to disease producing organisms than other workers. Without the provision of field sanitation facilities, which would break the chain of transmission of communicable disease, health problems could be expected.

The seasonal and migratory nature of many occupations in agriculture may not permit easy access to medical facilities. The facilities that are available may have few if any resources to devote to systematically studying farm workers' health problems. Thus, the OSHA record contains little data on the incidence of disease among agricultural workers indicating whether they suffer excess risks of material impairment due to their occupational conditions when compared with other agricultural workers in non-field settings or with workers in construction or other non-agricultural industries.

4. Please provide any information on disease rates observed among agricultural field workers, both for workers involved in hand labor operations and for workers in other agricultural operations. In particular, we are requesting information on bacterial, viral and parasitic disease rates, incidence data on urinary tract infections among female workers, incidence data on pesticide related illness, and incidence data on heat related illness among agricultural field and non-field workers. Comparisons of these disease rates between various occupational groups including agricultural workers would be extremely useful to the agency.

5. Please provide any data, information or expert opinion which indicates that the provision of one, two or all three of the basic sanitation facilities (drinking water, handwashing facilities, toilet facilities) would or would not reduce the risk of disease for farm workers.

6. What information is there regarding the relationship between urine retention and infections in females?

7. Please provide any data demonstrating that only one or two of the three basic sanitation facilities (drinking water, handwashing facilities, toilets) being considered would adequately protect employees from the risk of impaired health?

8. Please provide any data or information indicating that one, two, or all three of the basic sanitation facilities has or has not had an actual and demonstrated effect on the health of farm workers.

Methods of Compliance

The requirements of a standard may be stated in greater or lesser detail (i.e., specification vs. performance standards). For example, if toilets are required, a specification-type standard could stipulate the number required per number of employees, and their location relative to the workers. By contrast, a performance-type standard might require simply that "adequate and accessible toilet facilities be provided," with no specific requirements on how this is to be done.

9. What would be the advantages and/or disadvantages of each type of standard?

a. How might a performance-type standard be designed to protect employees adequately from risk of occupational illness? Would supplementary guidelines to such a standard be necessary, and if so, what should they include?

b. How might a specification standard be designed to ensure adequate flexibility for employers to deal with their own particular situations?

10. Describe the number and kinds of field sanitation facilities (drinking water, handwashing facilities, toilet facilities) now being provided. Where they are provided, what are the benefits or problems being experienced? Please identify the source of your information.

11. a. Taking into account temperature, seasonal and geographic variations, how would you ensure that the amount of drinking water provided to employees is sufficient to prevent dehydration and heat related illness?

b. What evidence exists of farm workers suffering from dehydration or heat related illness?

c. How is drinking water presently provided to farm workers?

12. It is well established that drinking water must be cool in order that sufficient quantities will be consumed to prevent dehydration and heat related illness. In hot industrial settings, the American Conference of Governmental Industrial Hygienists recommends that the temperature of drinking water be less than 60° F.

a. What practical methods are available for keeping water cool under hot field conditions?

b. Which one of these methods is preferable and why?

c. Should a maximum temperature for drinking water be specified? If so, what temperature?

13. What practical methods are available for providing handwashing facilities to agricultural field workers? Which one of these methods is preferable and why?

14. What practical methods are available for providing toilet facilities to agricultural field workers? Which one of these methods is preferable and why?

15. What is an adequate ratio of toilet facilities to number of employees? Should any ratio be specified? Explain.

16. What is an adequate ratio of handwashing facilities to number of employees? Should any ratio be specified? Explain.

17. Available data indicate that washing with soap and water is effective in removing and preventing the absorption of pesticides and in preventing the transmission of disease organisms by the fecal-oral route. Is there evidence to show that disposable pre-moistened towelettes or other cleaning materials would be equally effective?

18. To provide reasonable access, where should field sanitation facilities be located with respect to employees working in the field? Should location be specified? Would facilities mounted on a vehicle be a practical means of making these facilities accessible to workers in the field?

Economic Impact

19. Where sanitation facilities (toilets, handwashing, drinking water) are currently provided for agricultural employees in the field:

a. Please identify and give the number of each type of facility in use.

b. What is the cost of each of these facilities? Please itemize purchase, installation, operation, maintenance and transportation expenses.

c. Please give the number of men, women and children each of these facilities serve.

20. What would be the cost (itemized by purchase, installation, operation, maintenance and transportation) for your operation or business to provide each of the following sanitation facilities near or at the field worksite for agricultural employees:

a. Toilet(s) (portable or permanent).

b. Drinking water.

c. Handwashing facility(ies).

d. Any combination of the above.

e. Other.

21. Are there any economic reasons for excluding sanitation facilities from certain worksites? If so, what are they?

22. Where there are multiple worksites, what are the variations in cost of providing sanitation facilities for each location?

23. If a field sanitation standard is promulgated, there may be an increase in the demand for field sanitation components or equipment.

a. Please identify those operations or businesses which currently make up the field sanitation industry.

b. What is the capacity of the industry to meet the present and future demands of its customers?

c. Are there any unique conditions in the industry which would preclude the industry from meeting the demands of its customers?

d. What is the geographic dispersion of the industry and its customers?

24. Please provide any available information on the effect of providing any one or comibination of the basic sanitation facilities on the profit levels of the agricultural sector. Would the cost be borne by the producer or passed along to the consumer?

25. What are the average earnings, the average number of work hours per day/week, and length of season for agricultural field workers by men, women and children? How would a proposed standard potentially affect their earning rates?

26. If the Agency determines that a substantial number of small businesses

are affected by this rulemaking. OSHA will prepare a Regulatory Flexibility Analysis. The following information is requested to aid in that determination:

a. How many and what kinds of small businesses, farms or organizations would be affected by regulating field sanitation?

b. Which, if any, Federal rules may duplicate, overlap, or conflict with an OSHA regulation concerning field sanitation?

c. Will difficulties be encountered by small entities when attempting to comply with such a regulation?

d. What time table would be optimal for allowing small entities sufficient time to comply?

Environmental Impact

27. The National Environmental Policy Act of 1969 requires that each Federal Agency consider the environmental impact of major actions significantly affecting the quality of the human environment. Any persons having information, data, or comments pertaining to possible environmental impact is invited to submit them and accompanying documentation to OSHA. In particular, consideration should be given to the potential direct or indirect impacts on any action, or alternative actions, on water and air pollution, energy usage, solid waste disposal, or land use. Such impact might include:

a. Any positive or negative environmental effects that could result should a field sanitation standard be implemented.

b. Measure(s) under consideration to minimize environmental effects.

c. Beneficial or adverse relationships between the local short-term use of the human environment and enhancement of long-term productivity.

d. Any irreversible or irretrievable commitment of resources which could be involved should a field sanitation standard be implemented.

All data, expert opinion, comments, and information submitted in response to these questions and this notice will become part of the record of any resulting rulemaking and will be carefully considered in the development of any proposed regulation. All responses should be submitted by May 2, 1983, to the Docket Officer, Docket No. H-308, Room S6212, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210; telephone 202-523-7894.

This document was prepared under the direction of Thorne G. Auchter, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20210. It is issued pursuant to sections 6(b) and 8(g) of the Occupational Safety and Health Act (84 Stat. 1593, 1599, 29 U.S.C. 655, 657) 5 U.S.C. 553 Secretary's order No. 8-76 (41 FR 25059), and 29 CFR Part 1911.

List of Subjects in 29 CFR Part 1928

Agriculture, Occupational safety and health.

Signed at Washington, D.C., this 22nd day of February 1983.

Thorne G. Auchter,

Assistant Secretary of Labor.

[FR Doc. 83-4749 Filed 2-28-83; 8:45 am]

BILLING CODE 4510-26-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[A-5-FRL 2303-3]

Designation of Areas For Air Quality Planning Purposes; Ohio

AGENCY: Environmental Protection Agency (EPA).

ACTION: Supplemental notice of proposed rulemaking.

SUMMARY: This supplemental rulemaking notice proposes to change the attainment status designation for Lucas County, Ohio relative to the total suspended particulate (TSP) National Ambient Air Quality Standard (NAAQS). The purpose of this notice is to discuss the results of EPA's review of additional monitoring data; to propose to change the TSP designation for Lucas County to nonattainment for the secondary NAAQS for the Cities of Toledo and Oregon and to attainment for the remainder of the County; and to solicit comments on this rulemaking action.

DATE: Comments must be received by March 31, 1983.

ADDRESSES: Copies of the redesignation request and supporting air quality data are available at the following addresses:

Environmental Protection Agency, Region V, Air Programs Branch, 230 South Dearborn Street, Chicago, Illinois 60604

Ohio Environmental Protection Agency, Office of Air Pollution Control, 361 East Broad Street, Columbus, Ohio 43216

Written comments should be sent to: Gary Gulezian, Chief, Regulatory Analysis Section, Air Programs Branch, Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604

FOR FURTHER INFORMATION CONTACT: Delores Sieja at the EPA, Region V, address above or call (312) 886-6038.

SUPPLEMENTARY INFORMATION: On January 12, 1982 the State of Ohio submitted a request to revise the attainment status designations for 15 counties relative to the TSP NAAQS. On June 9, 1982 (47 FR 25018) in a notice of direct final rulemaking, EPA approved the redesignation request for the 15 counties. The approval included Lucas County in which the TSP primary nonattainment area was reduced in size to include only the City of Toledo, east of the Maumee River. The remainder of the County was designated attainment.

In the approval notice, EPA advised the public that it was deferring the effective date of its approval until August 9, 1982, and if notice was received by July 9, 1982, that someone wanted to submit an adverse or critical comment, EPA would withdraw its approval and begin a new rulemaking by proposing the action and establishing a 30-day comment period. On July 8, 1982, EPA received notice that a member of the public wished to submit an adverse or critical comment on the approval of the Lucas County designation. Therefore, in accordance with applicable procedures, EPA on September 17, 1982 (47 FR 41143) withdrew the final action for Lucas County only, and proposed to reduce the size of the TSP primary nonattainment area to include only the City of Toledo, east of the Maumee River, and to designate the remainder of the County as attainment. Interested parties were given until October 18, 1982, to comment on the proposed rulemaking. EPA received comments from two industries, the State of Ohio, and the Toledo Environmental Services Agency.

In comments submitted, both the City and State requested that the designation of Lucas County be modified to: Secondary nonattainment for the Cities of Toledo and Oregon, and attainment for the remainder of the County. To support their requests, the City and the State submitted data collected at numerous sites in the County between January 1980 and 1982. (Since the State had submitted its January 12, 1982, request, the data for 1981 were validated and additional 1982 data became available).

EPA reviewed the available monitoring data. EPA may redesignate

an area if eight consecutive quarters of the most recent, quality assured, representative ambient air quality data show no violations of the TSP NAAQS. Violations of the secondary NAAQS for TSP were recorded at four sites in 1982 (26 Main Street, 60 North Westwood, Eastside Sewage, and Oregon Municipal Building). The area for which Ohio is requesting a nonattainment designation includes the area around each of these four monitors. No violations of the NAAQS for TSP were recorded for the remainder of Lucas County between January 1980 and 1982. EPA, therefore, is proposing to approve the redesignation request.

In addition, EPA reviewed the modeling analysis performed by the State as part of its Part D State Implementation Plan for Lucas County. The analysis demonstrated the representativeness of the monitoring data. Thus, the modeling is further support for the redesignation.

Interested parties are invited to submit comments on this proposed approval. EPA will consider all comments received within 30 days of publication of this notice. At this time, EPA will not be responding to the public comments received from the two industry commentators on EPA's September 17, 1982, proposed rulemaking action since today's supplemental action supersedes the action taken in the September 17, 1982, notice. If, however, EPA receives notification that the submitted comments continue to be applicable to today's rulemaking action, they will be addressed in the notice of final rulemaking.

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

Under 5 U.S.C. 605(b), the Administrator has certified that redesignations do not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709).

List of Subjects in 40 CFR Part 81

Air pollution control, National Parks, Wilderness Areas.

(Sec. 107(d) of the Clean Air Act, as amended (42 U.S.C., 7407))

Dated: January 20, 1983.

Alan Levin,

Acting Regional Administrator.

[FR Doc. 83-5137 Filed 2-28-83; 8:45 am]

BILLING CODE 6560-50-M

GENERAL SERVICES ADMINISTRATION

National Archives Records Service

41 CFR Part 101-11

Records Management; Declassification of and Public Access to National Security Information

AGENCY: National Archives and Records Service, General Services Administration.

ACTION: Proposed rule.

SUMMARY: This proposed rule revises the procedures for the declassification of and public access to national security information in the legal custody or under the declassification jurisdiction of the National Archives and Records Service. This revision is required by the signing of Executive Order 12356 of April 2, 1982 (National Security Information) and the issuance of the Information Security Oversight Directive Number 1 of June 22, 1982. This proposed rule affects the process for the mandatory declassification review of classified records by the National Archives and Records Service.

DATE: Comments must be received on or before March 31, 1983.

ADDRESS: Comments shall be addressed to National Archives and Records Service (NAA), Attn: Adrienne C. Thomas, Washington, D.C. 20408.

FOR FURTHER INFORMATION CONTACT: Edwin A. Thompson (202-523-3165).

SUPPLEMENTARY INFORMATION: The General Services Administration has determined that this rule is not a major rule for the purpose of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of $100 million or more; a major increase in costs to consumers or others; or significant adverse effects. The General Services Administration has based all administrative decisions underlying this rule on adequate information concerning the need for, and consequences of , this rule; has determined that the potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net costs to society.

List of Subjects in 41 CFR Part 101-11

Archives and records, Classified information, Freedom of Information.

GSA proposes to amend 41 CFR Part 101-11 as follows:

PART 101-11—RECORDS MANAGEMENT

1. Part 101-11 is amended by revising Subpart 101-11.3a to read as follows:

Subpart 101-11.3a Declassification of and Public Access to National Security Information

101-11.320 General provisions.
101-11.321 Public requests for mandatory review of classified information under Executive Order 12356.
101-11.322 Mandatory review of classified U.S. Government originated information.
101-11.322-1 NARS action.
101-11.322-2 Agency action.
101-11.323 Mandatory review of foreign government information provided to the United States in confidence.
101-11.323-1 NARS action.
101-11.323-2 Agency action.
101-11.324 Mandatory review of classified information originated by a defunct agency or received by a defunct agency from a foreign government.
101-11.324-1 NARS action.
101-11.323-2 Agency action.
101-11.325 Mandatory review of classified White House originated information and foreign government information received or classified in the White House less than 30 years old.
101-11.325-1 NARS action.
101-11.325-2 NARS appellate process.
101-11.325-3 Agency action.
101-11.326 Mandatory review of classified White House originated information and foreign government information received or classified in the White House more than 30 years old.
101-11.327 Mandatory review of classified White House information in the custody of other agencies.
101-11.328 Liaison.
101-11.329 Requests for reclassification of information.
101-11.329-1 Information originated by or under the declassification jurisdiction of Federal agencies.
101-11.329-2 Information originated in the White House and under the declassification jurisdiction of the Archivist.
101-11.329-3 Appeals.

Authority: Sec. 205(c), 63 Stat. 390; 40 U.S.C. 468(c).

2. Subpart 101-11.3a is revised to read as follows:

Subpart 101-11.3a—Declassification of and Public Access to National Security Information.

§ 101-11.320 General Provisions.

Declassification of and public access to national security information and material (hereafter referred to as "classified information" or collectively termed "information") is governed by Executive Order 12356 of April 2, 1982 (47 FR 14874, April 6, 1982), and by the Information Security Oversight Office

Directive Number 1 of June 22, 1982 (47 FR 27836, June 25, 1982).

§ 101-11.321 Public requests for mandatory review of classified information under Executive Order 12356.

United States citizens or permanent resident aliens, federal agencies, or State or local governments wishing to request mandatory review of classified information which has been accessioned into the National Archives and Records Service or which has been donated to the Government should identify the records or information desired and apply in writing to the appropriate NARS depository listed in 41 CFR 105-61.5101. The documents or materials containing the information should be described with sufficient specificity to enable NARS to locate it with a reasonable amount of effort. When practicable, a request shall include the name of the originator and recipient of the information, as well as its date, subject, and file designation. If the information sought cannot be identified from the description provided or if the information sought is so voluminous that processing it would interfere with NARS' capacity to serve all requesters on an equitable basis, NARS shall notify the requester that, unless additional information is provided or the scope of the request is narrowed, no further action will be taken. NARS shall review for declassification and release the requested information or those declassified portions of the request that constitute a coherent segment unless withholding is otherwise warranted under applicable law.

§ 101-11.322 Mandatory review of classified U.S. Government originated information.

§ 101-11.322-1 NARS action.

(a) *Information less than 30 years old.* NARS shall promptly acknowledge receipt of a request for mandatory review of classified U.S. Government originated information, and within 20 calendar days of receipt of the request, shall forward the request together with copies of the documents containing the requested information to the agency which originated the information or the agency which the Archivist determines has primary subject matter interest. NARS shall inform the requester that referrals have been made.

(b) *Information more than 30 years old.* NARS shall acknowledge receipt of a request for mandatory review of classified U.S. Government originated information which NARS may review for declassification using systematic review guidelines and within 60 calendar days of receipt of the request will act upon it and notify the requester of the action taken. If additional time is necessary to make a declassification determination, NARS shall notify the requester of the time needed to process the request. Except in unusual circumstances, NARS will make a final determination within 1 year of the receipt of the request. Information which NARS may not declassify using the systematic review guidelines will be promptly forwarded, with copies of documents containing the requested information, to the responsible agency. NARS shall inform the requester that referrals have been made.

§ 101-11.322-2 Agency action.

Upon receipt of a request for mandatory review of classified U.S. Government originated information forwarded by NARS, the originating or responsible agency shall:

(a) Either make a prompt declassification determination and notify the requester accordingly, or inform the requester and NARS of the additional time needed to process the request. Except in unusual circumstances agencies shall make a final determination within 1 year.

(b) Notify NARS of any other agency to which it fowarded the request in those cases requiring the declassification determination of another agency.

(c) Forward the declassified reproductions to the requester with their determination and also notify NARS of that determination. When the request cannot be declassified in its entirety, the agency must also furnish to the requester (with a copy to NARS):

(1) A brief statement of the reasons the requested information cannot be declassified; and

(2) A statement of the right to appeal within 60 calendar days of receipt of the denial, the procedures for taking such action; and the name, title, and address of the appeal authority. The agency appellate authority shall make a determination within 30 working days following the receipt of an appeal. If additional time is required to make a determination, the agency appellate authority shall notify the requester and NARS of the additional time needed and provide the requester with the reason for the extension. The agency appellate authority shall notify NARS and the requester in writing of the final determination and of the reasons for any denial.

(d) Furnish to NARS a copy of each document released only in part, marked to indicate the portions which remain classified.

§ 101-11.323 Mandatory review of foreign government information provided to the United States in confidence.

§ 101-11.323-1 NARS action.

(a) *Information less than 30 years old.* NARS shall promptly acknowledge receipt of a request for mandatory review of foreign government information and, within 20 calendar days of receipt of the request, shall forward the request, together with copies of the documents containing the requested information, to the agency which initially received or classified the information. If unable to identify the agency, NARS will forward the request to the agency which has primary subject matter interest. NARS will inform the requester of all such referrals.

(b) *Information more than 30 years old.* NARS shall acknowledge receipt of a request for mandatory review of foreign government information which NARS may review for declassification using applicable systematic review guidelines, and within 60 calendar days of receipt of the request will act upon it and notify the requester of the action taken. If additional time is necessary to make a declassification determination, NARS shall notify the requester of the time needed to process the request. Except in unusual circumstances, NARS will make a final determination within 1 year of the receipt of the request. Requests for information which NARS cannot declassify using the systematic review guidelines will be promptly forwarded, with copies of the documents containing the requested information, to the responsible agency. NARS will notify the requester of all such referrals.

§ 101-11.323-2 Agency action.

Upon receipt of a request forwarded by NARS for review of foreign government information, the agency shall:

(a) Either make a prompt declassification determination and notify the requester accordingly, or inform the requester and NARS of the additional time needed to process the request. Except in unusual circumstances agencies shall make a final determination within 1 year.

(b) Notify NARS of any other agency to which it forwarded the request in those cases requiring the declassification determination of another agency.

(c) Forward the declassified reproductions to the requester with their determination and also notify NARS of that determination. When the request cannot be declassified in its entirety, the agency must also furnish the

reproduction and information cited in § 101-11.322-2 (c) and (d).

§ 101-11-324 Mandatory review of classified information orginated by a defunct agency or received by a defunct agency from a foreign government.

§ 101-11.324-1 NARS action.

NARS is responsible for declassification of all information in the custody of NARS originated by an agency which has ceased to exist and whose functions have not been transferred to another agency and of all foreign government information originally received or classified by such an agency. NARS will promptly acknowledge receipt of requests for such information, review the information using applicable systematic review guidelines, and, when necessary, consult with any agency having primary subject matter interest. NARS shall either make a prompt declassification determination and notify the requester accordingly, or inform the requester of the additional time needed to process the request. Except in unusual circumstances NARS shall make a final determination within one year. If the request is denied in whole or in part, the Assistant Archivist for the National Archives or the Assistant Archivist for Presidential Libraries will furnish the requester a brief statement of the reasons for denial and a notice of the right to appeal the determination within 60 calendar days to the Deputy Archivist of the United States, National Archives and Records Service (ND), Washington, DC 20408. Upon receipt of an appeal the Deputy Archivist shall, within 30 working days:

(a) Review the previous decision made to deny the information and, as necessary;

(b) Consult with the appellate authorities in any agency having primary subject matter interest in the information previously denied; and

(c) Notify the requester of the determination and make available to the requester any additional information that has been declassified as a result of the appeal.

§ 101-11.324-2 Agency action.

Upon receipt of a request forwarded by NARS for consultation regarding the declassification of information originated by a defunct agency or of foreign government information originally received or classified by a defunct agency, the agency with primary subject matter interest shall:

(a) Advise the Archivist whether the information should be declassified in whole or in part or should continue to be exempt from declassification; and

(b) Return the request to NARS along with a brief statement of the reasons any requested information should not be declassified.

§ 101-11.325 Mandatory review of classified White House originated information and foreign government information received or classified in the White House less than 30 years old.

Information originated by a President, the White House staff, by committees, commissions, or boards appointed by a President, or others specifically providing advice and counsel to a President or acting on behalf of a President (hereafter cited as White House originated information) is subject to mandatory review consistent with the provisions of applicable laws or lawful agreements that pertain to the respective Presidential papers or records. Unless precluded by such laws or agreements, White House originated information is subject to mandatory review 10 years after the close of the administration which created the materials or when the materials have been archivally processed, whichever occurs first.

§ 101-11.325-1 NARS action.

(a) NARS shall promptly acknowledge receipt of a request for mandatory review of such classified White House originated information and foreign government information received or classified in the White House.

(b) NARS will review the requested information, determine which agencies have primary subject matter interest, forward to those agencies copies of material containing the requested information, and request their recommendations regarding declassification.

(c) NARS will review the recommendations returned by the agencies and make its declassification determination within one year of receipt of the request, except in unusual circumstances.

(d) When the request cannot be declassified in its entirety, NARS will furnish the requester:

(1) A brief statement of the reasons the requested information cannot be declassified;

(2) Access to those portions of documents releasable only in part that constitute a coherent segment; and

(3) A notice of the right to appeal the determination within 60 calendar days to the Deputy Archivist of the United States, National Archives and Records Service (ND), Washington, DC 20408.

§ 101-11.325-2 NARS appellate process.

Upon receipt of an appeal, the Deputy Archivist shall within 30 working days:

(a) Review the decision made to deny the information;

(b) Consult with the appellate authorities in agencies having primary subject matter interest in the information previous denied;

(c) Notify the requester of the determination and make available to the requester any additional information which has been declassified as a result of the appeal; and

(d) Notify the requester of the right to appeal denials of access to the Director, Information Security Oversight Office (mailing address: General Services Administration (Z), Washington, DC 20405).

§ 101-11.325-3 Agency action.

Upon receipt of a request forwarded by NARS for consultation regarding declassification of White House originated information and foreign government information received by or classified in the White House, the agency with primary subject matter interest shall:

(a) Advise the Archivist whether the information should be declassified in whole or in part or should continue to be exempt from declassification; and

(b) Provide a brief statement of the reasons any requested information should not be declassified and return the reproductions to NARS.

(c) Return all reproductions referred for consultation including a copy of each document which should be released only in part, marked to indicate the portions which should remain classified.

§ 101-11.326 Mandatory review of classified White House originated information and foreign government information received by or classified in the White House more than 30 years old.

(a) NARS shall promptly acknowledge the receipt of a request for mandatory review of classified White House originated information and foreign government information received by or classified in the White House more than 30 years old, and shall act upon that request within 60 calendar days. If additional time is necessary to make a declassification determination, NARS shall notify the requester of the time needed to process the request. NARS will make a final determination within 1 year of the receipt of the request, except in unusual circumstances.

(b) NARS shall review the information using applicable systematic review guidelines and will make available to the requester information declassified using those guidelines.

(c) Information which cannot be declassified by NARS using systematic review guidelines will be promptly

forwarded to the agencies with primary subject matter interest and further processed in accordance with § 101–11.325–1(b) through (d) and §§ 101–11.325–2 through 101–11.325–3.

§ 101–11.327 Mandatory review of classified White House information in the custody of other agencies.

Agencies having custody of classified White House information of a previous administration shall forward requests for mandatory review of such information to the Office of the National Archives (mailing address: General Services Administration (NND), Washington, DC 20408) together with copies of documents containing the requested information and the agency's recommendations regarding declassification. NARS will make a declassification determination on such requests after consulting with any other agency with primary subject matter interest and will reply to the requester. If the request is denied in whole or in part, the requester may appeal within 60 calendar days of receipt of the denial to the Deputy Archivist of the United States (mailing address: General Services Administration (ND), Washington, DC 20408). Appeals are processed in accordance to the procedures listed in § 101–11.325–2.

§ 101–11.328 Liaison

To ensure that NARS will be able to respond promptly to mandatory review requests and appeals from denials, the head of each agency shall be requested to provide NARS with the current name, title, and address of the agency's designated mandatory review and appellate authority.

§ 101–11.329 Requests for reclassification of information

§ 101–11.329–1 Information originated by or under the declassification jurisdiction of Federal agencies.

An agency may request NARS to temporarily close, re-review, and possibly reclassify records and donated historical materials originated by the agency which were declassified in accordance with E.O. 12356 or predecessor Orders. The agency shall submit the request in writing to the Assistant Archivist for the National Archives (NN) or to the Assistant Archivist for Presidential Libraries (NL) (mailing address: General Services Administration, Washington, DC 20408). If the urgency of the matter precludes a written request, an authorized agency official may make a preliminary request by telephone. A written request shall follow the oral request within 5 workdays. In the request the authorized agency official shall:

(a) Identify the records or donated historical materials involved as specifically as possible;

(b) Explain the reason the agency believes a re-review and possible reclassification may be necessary in the interest of national security; and

(c) Provide any information the agency may have concerning any previous public disclosure of the information in the records or donated historical materials.

§ 101–11.329–2 Information originated in the White House and under the declassification jurisdiction of the Archivist.

Requests from agencies to re-review and possibly reclassify information originated by a President; the White House staff; committees, commissions, or boards appointed by the President; or others specifically providing advice and counsel to a President or acting on behalf of a President and which has been declassified and disclosed shall be submitted in writing to the Archivist of the United States. In the request the authorized agency official shall:

(a) Specifically identify the record or donated historical material;

(b) Explain the reason the agency believes a re-review and possible reclassification may be necessary in the interest of national security; and

(c) Provide any information the agency may have concerning the public disclosure of the information in the records or donated historical material.

§ 101–11.329–3 Appeals.

NARS may appeal to the Director, Information Security Oversight Office, any re-review or reclassification request from an agency when, in the Archivist's opinion, the facts of previous disclosure suggest that such action is unwarranted or unjustified.

Dated: January 12, 1983.

Robert M. Warner,

Archivist of the United States.

[FR Doc. 83–4420 Filed 2–28–83; 8:45 am]

BILLING CODE 6820–26–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 3460

Amendment to Federal Coal Management Program Regulations

AGENCY: Bureau of Land Management, Interior.

ACTION: Proposed rulemaking.

SUMMARY: This proposed rulemaking would modify unsuitability criterion number 7 for coal mining by amending § 3461.1(g) of Title 43 of the Code of Federal Regulations to make it consistent with the unsuitability system of section 522(e) of the Surface Mining Control and Reclamation Act of 1977 and other relevant policies for the conduct of the Federal lands review under section 522(b) of the Surface Mining Control and Reclamation Act of 1977.

DATE: Comments should be submitted by May 2, 1983.

ADDRESS: Comments should be sent to: Director (140), Bureau of Land Management, 1800 C Street, N.W., Washington, D.C. 20240.

Comments will be available for public review in Room 5555 of the above address during regular business hours (7:45 a.m. to 4:15 p.m.), Monday through Friday.

FOR FURTHER INFORMATION CONTACT:

Tom Walker, (202) 343–4636

or

Robert C. Bruce, (202) 343–8735.

SUPPLEMENTARY INFORMATION: Section 522(e) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1272(e)) describes certain lands on which surface mining is prohibited, subject to valid existing rights. The regulations for the Federal coal program issued in 1979 incorporated the mandatory unsuitability criteria which are to be applied during land use planning by the Bureau of Land Management.

One of the prohibitions contained in section 522(e) of the Surface Mining Control and Reclamation Act is the prohibition, with some exceptions, against mining operations "which will adversely affect any publicly owned park or places included in the National Register of Historic Sites." Unsuitability criterion number 7, § 3461.1(g), makes all sites, whether publicly or privately owned, "which are included in or eligible for inclusion in the National Register of Historic Places" unsuitable for surface coal mining. The existing regulation goes beyond the mandatory requirements of section 522(e) by prohibiting mining of privately owned properties that are "included in or eligible for inclusion in" the National Register of Historic Places and publicly owned properties that are "eligible for inclusion in" the National Register. This provision was a broad extension of the requirements of section 522(e) of the Act. Since the issuance of the existing Federal Coal Management regulations in

1979, the Department of the Interior has reconsidered this provision and decided to propose its deletion.

The proposed rulemaking that resulted from the Department of the Interior's review of the Federal coal program published in the **Federal Register** on December 16, 1981 (45 FR 61401), provided for proposed revisions to the unsuitability criteria. While the proposal treated other unsuitability criteria in § 3461.1, several of the comments received on that section suggested deletion of the eligibility language of criterion number 7. This proposal is derived in part from a review of those comments.

The rationale of the court in *Texaco, Inc.* v. *Andrus*, and *National Coal Association* v. *Andrus*, Nos. 79–2448 and 79–2458 (D.D.C., Mar 15, 1980), *appeal docketed*, Nos. 80–2125 and 80–2126 (D.C. Cir., Mar 4, 1981), supports the policy of allowing eligible and privately owned lands to be considered for coal leasing. In that case, the court held that the Secretary of the Interior lacked the authority to make unsuitability determinations under criterion number 1 (43 CFR 3461.1(a)), which were based solely on the fact that the lands involved were under study or had been recommended for inclusion in a Federal land system, such as the National Wildlife Refuge System. The court's ruling is grounded on the fact that the Surface Mining Control and Reclamation Act authorized per se unsuitability determinations only for lands actually included in a Federal land system (30 U.S.C. 1272(e)(1)). The court's rationale applies equally for "eligible" and privately owned properties as they are covered inunsuitability criterion number 7. Under the court's rationale, these provisions of criterion number 7 are unnecessary and inappropriate.

Deletion of the automatic unsuitability status for privately owned properties in the National Register and all eligible properties does not mean that these lands will be leased or ultimately mined. The deletion will allow the Federal land manager to make a reasoned decision on whether the lands should be further considered for possible coal leasing. If a lease is issued which contains a property eligible for inclusion in the National Register, this will be noted in the lease and the lessee thus placed on notice that a surface mining permit may be denied if the property is later listed in the National Register. The Federal land manager may also require appropriate protective stipulations, if necessary.

At the time criterion number 7 was made part of the existing regulations, the office of Surface Mining interpreted section 522(e)(3) of the Surface Mining Control and Reclamation Act to be as broad as the National Historic Preservation Act of 1966, as amended (30 U.S.C. 470), and thus applicable to properties included or eligible for inclusion in the National Register, whether publicly or privately owned. It is now recognized by the Office of Surface Mining, the agency charged with implementing the Surface Mining Control and Reclamation Act, that section 522(e)(3) of that Act was not intended to incorporate the broadening amendments to the National Historic Preservation Act, which became law almost one year before the enactment of the Surface Mining Control and Reclamation Act. Congress used the terms "publicly owned" and "places included in the National Register"; neither the Surface Mining Control and Reclamation Act nor any other statute requires broader prohibition. Any broader prohibition is wholly an exercise of discretion under either section 522(e)(3) of the Act or the land use planning and leasing statutes to exclude coal from consideration for development. The Office of Surface Mining proposed deletion of privately owned places listed, and all properties eligible for listing, in the National Register from its unsuitability designation system in the **Federal Register** of June 10, 1982 (47 FR 25284). The Bureau of Land Management proposes to follow the lead of the Office of Surface Mining and amend its unsuitability assessment system in this proposed rulemaking to promote efficiency through consistent intrepretation of the requirements of the Surface Mining Control and Reclamation Act.

The Bureau of Land Management considered, but did not propose, additional change to unsuitability criterion no. 7. The provisions of buffer zones and the standard for an exception to unsuitability assessment (a finding of no significant adverse impact to the cultural resource after consultation with the State Historic Preservation Office and the advisory Council on Historic Preservation) are not mandated by section 522(e)(3) of SMCRA. The inclusion of these provisions in the original unsuitability criterion no. 7 was either an exercise of discretion under 522(e)(3) of SMCRA or an erroneous application of section 106 of the National Historic Preservation Act. In either case, the two provisions might be altered and comments on possible reformulation of the rule are requested on this point.

It is important to not in connection with the changes made by this proposed rulemaking that the unsuitability criteria are for planning purposes only and do not in any way relieve the Federal surface managing agency of its responsibilities under section 106 of the National Historic Preservation Act to consider the effect of undertakings, such as coal leasing, on places listed, or eligible for listing, in the National Register and to provide the Advisory Council on Historic Preservation a reasonable opportunity to comment.

An environmental assessment is being prepared to determine whether or not this proposed rulemaking constitutes a major Federal action significantly affecting the quality of the human environment and would or would not require the preparation of a detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)). The results of the environmental assessment will be published in the **Federal Register** as soon as it is available. If an environmental impact statement is required, it will be made available prior to the issuance of the final rulemaking.

The Department of the Interior has determined that this document is not a major rule under Executive Order 12291 and will not have a significant economic effect on a substantial number of small entities under the Regulation Flexibility Act (5 U.S.C. 601 et seq.). This proposed rulemaking is likely to be most advantageous to small businesses because the imposition of unsuitability criterion number 7 would tend to have the greatest impact on tracts of small surface area which would be more attractive to small businesses whereas larger tracts may be mineable without disturbing that part of the surface which is eligible or included in the National Register. At the same time, the change offers the possibility of making more federally-owned coal available for leasing.

List of Subjects in 43 CFR Part 3460

Coal Environmental protection, Mines, Public lands—classification, Public lands—mineral resources.

PART 3461—[AMENDED]

Under the authority of the Mineral Leasing Act of 1920, as amended and supplemented (30 U.S.C. 181 et seq.) and section 522(b) of the Surface Mining Control and Reclamation Act (30 U.S.C. 1272(b)), it is proposed to amend Part 3460, Group 3400, Subchapter C, Chapter II of Title 43 of the Code of Federal Regulations as set forth below:

§ 3461.1 [Amended]

1. Section 3461.1(g) is revised to read:

* * * * *

(g)(1) *Criterion number 7.* All publicly owned districts, sites, buildings, structures and objects of historic, architectural, archeological or cultural significance on Federal lands which are included in the National Register of Historic Places, and an appropriate buffer zone around the outside boundary of the designated property (to protect the inherent values of the property that make it eligible for listing in the National Register) as determined by the surface management agency, in consultation with the Advisory Council on Historic Preservation and the State Historic Preservation Officer shall be considered unsuitable.

(2) *Exceptions.* All or certain stipulated methods of coal mining may be allowed if the surface management agency determines, after consultation with the Advisory Council on Historic Preservation and State Historic Preservation Office that the direct and indirect effects of mining, as stipulated, on a property in the National Register of Historic Places will not result in significant adverse impacts to the property.

(3) *Exemptions.* The application of this criterion to a property listed in the National Register is subject to valid existing rights, and does not apply to surface coal mining operations existing on August 3, 1977. The application of the criterion to buffer zones does not apply to lands: To which the operator made substantial legal and financial commitments prior to January 4, 1977; on which surface coal mining operations were being conducted on August 3, 1977; or which include operations on which a permit has been issued.

David G. Houston,

Acting Assistant Secretary of the Interior.

December 9, 1982.

[FR Doc. 83-5149 Filed 2-28-83; 8:45 am]

BILLING CODE 4310-84-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 83-97; RM-4235]

FM Broadcast Station in Pullman, Wash.; Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This action proposes to assign Class C Channel 258 to Pullman, Washingon, in response to a petition filed by P-N-P Broadcasting. The assignment could provide a second FM service to Pullman.

DATES: Comments must be filed on or before April 11, 1983, and reply comments must be filed on or before April 26, 1983.

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

FOR FURTHER INFORMATION CONTACT: Joel Rosenburg, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Adopted: February 9, 1983.

Released: February 23, 1983.

1. A petition for rule making was filed October 25, 1982, by P-N-P Broadcasting ("petitioner") seeking the assignment of Class C Channel 258 to Pullman, Washington, as its second FM assignment. Petitioner stated that it would apply for the channel, if assigned. The channel can be assigned in compliance with the minimum distance separation requirements, provided a site restriction of 3.7 miles south is required. The restriction is necessary due to Station KSEM in Moses Lake, Washington, and Station KICN in Spokane, Washington.

2. In view of the provision of a second FM broadcasting service to Pullman, Washington, the Commission proposes to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules, as follows:

City	Channel No.	
	Present	Proposed
Pullman, Washington	285A	258, 284A

3. The Commission's authority to institute rule making proceedings, showings, required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein.

Note.—A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be assigned.

4. Interested parties may file comments on or before April 11, 1983, and reply comments on or before April 26, 1983, and are advised to read the Appendix for the proper procedures.

5. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules. See *Certification that Sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Making to Amend Sections 73.202(b), 73.504 and 73.606(b) of the Commission's Rules*, 46 FR 11549, published February 9, 1981.

6. For further information concerning this proceeding, contact Joel Rosenberg, Mass Media Bureau, (202) 634-6530. However, members of the public should note that from the time a notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel assignments. An *ex parte* contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission. Any comment which has not been served on the petitioner constitutes an *ex parte* presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment to which the reply is directed constitutes an *ex parte* presentation and shall not be considered in the proceeding.

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

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Mass Media Bureau.

Appendix

1. Pursuant to authority found in Sections 4(i), 5(d)(1), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, and §§ 0.61, 0.204(b) and 0.283 of the Commission's Rules, it is proposed to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules and Regulations, as set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached.

2. *Showings Required.* Comments are invited on the proposal(s) discussed in the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if

authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of the Commission's Rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this *Notice*, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to assign a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in §§ 1.415 and 1.420 of the Commission's Rules and Regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420 (a), (b) and (c) of the Commission's Rules.)

5. *Number of Copies.* In accordance with the provisions of § 1.420 of the Commission's Rules and Regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street NW., Washington, D.C.

[FR Doc. 83-5066 Filed 2-28-83; 8:45 am]
BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 83-96; RM-4234]

FM Broadcasting Station in Hilo Hawaii; Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This action proposes to assign Class C FM Channel 262 to Hilo, Hawaii as its fourth FM channel in response to a petition filed by Big Island Broadcasting Co., Ltd.

DATES: Comments must be filed on or before April 11, 1983, and reply comments must be filed on or before April 26, 1983.

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

FOR FURTHER INFORMATION CONTACT: Joel Rosenberg, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Adopted: February 9, 1983.
Released: February 23, 1983.

1. A petition for rule making was filed October 25, 1982, by Big Island Broadcasting Co., Ltd. ("petitioner") seeking the assignment of Class C Channel 261 to Hilo, Hawaii as its fourth FM assignment. Petitioner stated that it would apply for the channel, if assigned.

2. Class C Channel 261 cannot be assigned in compliance with the minimum distance separation requirements due to the assignment of Channel 260 to Lahaina, Hawaii. However, Class C Channel 262 is available to Hilo as an alternative. The assignment could provide a fourth FM broadcasting service to Hilo. Accordingly, the Commission proposes to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules, as follows:

City	Channel No.	
	Present	Proposed
Hilo, HI.	234, 246, and 250	234, 246, 250, and 262.

3. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein.

Note.—A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be assigned.

4. Interested parties may file comments on or before April 11, 1983, and reply comments on or before April 26, 1983, and are advised to read the Appendix for the proper procedures.

5. The Commission has determined that the relevant provivisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules. See, *Certification that Sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Making to Amend §§ 73.202(b), 73.504 and 73.606(b) of the Commission's Rules*, 46 FR 11549, published February 9, 1981.

6. For further information concerning this proceeding, contact Joel Rosenberg, Mass Media Bureau, (202) 634-6530. However, members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel assignments. An *ex parte* contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission. Any comment which has not been served on the petitioner constitutes an *ex parte* presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment to which the reply is directed constitutes an *ex parte* presentation and shall not be considered in the proceeding.

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

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Mass Media Bureau.

Appendix

1. Pursuant to authority found in Sections 4(i), 5(d)(1), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) and 0.204(b) of the Commission's Rules, it is proposed to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules and Regulations, as set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached.

2. *Showings Required.* Comments are invited on the proposal(s) discussed in

the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of the Commission's Rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this *Notice*, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to assign a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in § 1.415 and 1.420 of the Commission's Rules and Regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420 (a), (b) and (c) of the Commission's Rules.)

5. *Number of Copies.* In accordance with the provisions of § 1.420 of the Commission's Rules and Regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, D.C.

[FR Doc. 83-5065 Filed 2-28-83; 8:45 am]
BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 83-95; RM-4259]

FM Broadcast Station in Pueblo, Colo.; Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This action proposes a sixth FM assignment to Pueblo, Colorado, in response to a petition filed by Scribner Broadcasting, Inc.

DATES: Comments must be filed on or before April 11, 1983, and reply comments on or before April 26, 1983.

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

FOR FURTHER INFORMATION CONTACT: Montrose H. Tyree, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Adopted: February 9, 1983.

Released: February 23, 1983.

1. Scribner Broadcasting, Inc. ("petitioner") on November 18, 1982, submitted a petition for rule making which seeks the assignment of Class C Channel 300 to Pueblo, Colorado, as its sixth FM assignment.

2. The petitioner submitted population and economic data in an effort to demonstrate a need for the requested assignment. In view of the action taken in *Revision of FM Policies and Procedures*, 90 F.C.C. 2d 88 (1982), these issues are no longer relevant to this type of proceeding.

3. The assignment of Channel 300 to Pueblo will require a site restriction of 10.8 miles north of the city to avoid short spacing to station KCOL-FM (Channel 300), Fort Collins, Colorado. Petitioner notes that the Commission's proposed *Modification of FM Broadcast Station Rules to Increase the Availability of Commercial FM Broadcast Assignments*, 78 F.C.C. 2d 1235 (1980) would allow operation of the Class C facility without the need to locate its antenna outside Pueblo. Petitioner adds that it reserves the right to modify its petition (or application) based on the outcome of this rule making.

4. In view of the foregoing, the Commission proposes to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules, as follows for the community listed:

City	Channel No.	
	Present	Proposed
Pueblo, CO.	245, 255, 260, 264, and 296A	245, 255, 260, 264, 296A, and 300.

5. The Commission's authority to institute rule making proceedings, showing required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein.

Note.—A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be assigned.

6. Interested parties may file comments on or before April 11, 1983, and reply comments on or before April 26, 1983, and are advised to read the Appendix for the proper procedures.

7. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules. See, *Certification that Section 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Making to Amend §§ 73.202(b), 73.504 and 73.606(b) of the Commission's Rules*, 46 FR 11549, published February 9, 1981.

8. For further information concerning this proceeding, contact Montrose H. Tyree, Mass Media Bureau, (202) 634-6530. However, members of the public should note that from the time a *Notice of Proposed Rule Making* is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involves channel assignments. An *ex parte* contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission. Any comment which has not been served on the petitioner constitutes an *ex parte* presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment to which the reply is directed constitutes

an *ex parte* presentation and shall not be considered in the proceeding.

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

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Mass Media Bureau.

Appendix

1. Pursuant to authority found in Sections 4(i), 5(d)(1), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, and §§ 0.61, 0.204(b) and 0.283 of the Commission's Rules, it is proposed to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules and Regulations, as set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached.

2. *Showings Required.* Comments are invited on the proposal(s) discussed in the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of the Commission's Rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this *Notice*, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to assign a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in § 1.415 and 1.420 of the Commission's Rules and Regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420 (a), (b) and (c) of the Commission's Rules.)

5. *Number of Copies.* In accordance with the provisions of § 1.420 of the Commission's Rules an Regulations, and original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, D.C.

[FR Doc. 83-5064 Filed 2-28-83; 8:45 am]

BILLING CODE 6712-01-M

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47 CFR Part 73

[MM Docket No. 83-94; RM-4276]

FM Broadcast Station in Hyannis, Mass.; Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: Action taken herein proposes to assign FM channel 276A to Hyannis, Massachusetts, in reponse to a petition filed by Dana Poupolo. The proposed channel could provide a second FM service to that community.

DATES: Comments must be filed on or before April 11, 1983, and reply comments on or before April 26, 1983.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Adopted: February 9, 1983.

Released: February 23, 1983.

1. A petition for rule making was filed December 17, 1982, by Dana Poupolo ("petitioner") seeking the assignment of FM Channel 276A to Hyannis, Massachusetts, as its second FM assignment. Petitioner expressed an interest in applying for the channel, if assigned. The channel can be assigned in compliance with the minimum distance separation requirements.

2. In view of the fact that the assignment could provide a second FM service to Hyannis, Massachusetts, the Commission believes that it is appropriate to propose amending the FM Table of Assignments (§ 73.202(b) of the Commission's Rules) with respect to the following community:

City	Channel No.	
	Present	Proposed
Hyannis, MA	291	276A, 291

3. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein.

Note.—A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be assigned.

4. Interested parties may file comments on or before April 11, 1983, and reply comments on or before April 26, 1983, and are advised to read the Appendix for the proper procedures.

5. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules. See, *Certification that Sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Making to Amend Sections 73.202(b), 73.504 and 73.606(b) of the Commission's Rules*, 46 FR 11549, published February 9, 1981.

6. For further information concerning this proceeding, contact Mark N. Lipp, Mass Media Bureau, (202) 634-6530. However, members of the public should note that from the time a *Notice of Proposed Rule Making* is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel assignments. An *ex parte* contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission. Any comment which has not been served on

the petitioner constitutes an *ex parte* presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment to which the reply is directed constitutes an *ex parte* presentation and shall not be considered in the proceeding.

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

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Mass Media Bureau.

Appendix

1. Pursuant to authority found in Sections 4(i), 5(d)(1), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, and §§ 0.61, 0.204(b) and 0.283 of the Commission's Rules, it is proposed to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules and Regulations, as set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached.

2. *Showings Required.* Comments are invited on the proposal(s) discussed in the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of the Commission's Rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this *Notice*, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to assign a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in §§ 1.415 and 1.420 of the Commission's Rules and Regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420 (a), (b) and (c) of the Commission's Rules.)

5. *Number of Copies.* In accordance with the provisions of § 1.420 of the Commission's Rules and Regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street NW., Washington, D.C.

[FR Doc. 83-5065 Filed 2-28-83; 8:45 am]

BILLING CODE 6712-01-M

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47 CFR Part 73

[MM Docket No. 83-93; RM-4268]

TV Broadcast Station in Alexandria, Minnesota; Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This action proposes the assignments of UHF Television Channel 42 to Alexandria, Minnesota, as its third television assignment in response to a petition filed by Hubbard Broadcasting, Inc.

DATES: Comments must be filed on or before April 8, 1983, and reply comments on or before April 25, 1983.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Mass Media, (202) 634-6530.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Television broadcasting.

Adopted: February 9, 1983.

Released: February 22, 1983.

1. The Commission herein considers a petition for rule making filed December 17, 1982, by Hubbard Broadcasting, Inc. ("petitioner"), seeking the assignment of UHF Television Channel 42 to Alexandria, Minnesota, for commercial use.

2. Alexandria (population 7,608)[1], seat of Douglas County (population 27,839), is located in west central, Minnesota, approximately 192 kilometers (120 miles) northwest of Minneapolis.

3. Petitioner has submitted demographic information in support of its request which demonstrates sufficient need to propose a third television assignment for Alexandria. Petitioner indicates that it would apply for the channel either as a full service or as a satellite TV station. The channel can be assigned in compliance with the minimum distance separation requirements and other criteria.

4. Since the proposed assignment of Channel 42 to Alexandria, Minnesota, is within 400 kilometers (250 miles) of the U.S.-Canadian border, it must be coordinated with the Canadian government.

5. In view of the fact that Alexandria could receive its third television service, we shall seek comments on the proposal to amend the Television Table of Assignments (§ 73.606(b) of the Commission's Rules) with respect to the city of Alexandria, Minnesota, as follows:

City	Channel No.	
	Present	Proposed
Alexandria, Minnesota	7, *24	7,*24, 42

6. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein. NOTE: A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be assigned.

7. Interested parties may file comments on or before April 8, 1983, and reply comments on or before April 25,

[1] Population figures are taken from the 1980 U.S. Census, Advance Report.

1983, and are advised to read the Appendix for the proper procedures.

8. Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the Table of Assignments, §73.606(b) of the Commission's Rules. See, *Certification that Sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Making to Amend § 73.202 (b), 83.504 and 73.606 (b) of the Commission's Rules*, 46 FR. 11549, published February 9, 1981.

9. For further information concerning this proceeding, contact Mark N. Lipp, Mass Media Bureau, (202) 634–6530. However, members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Comission proceedings, such as this one, which involve channel assignments. An *parte* contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission. Any comment which has not been served on the petitioner constitutes an *ex parte* presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment to which the reply is directed constitutes an *ex parte* presentation and shall not be considered in the proceeding.

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

Federal Communications Commission.

Martin Blumenthal,

Assistant Chief, Policy and Rules Division, Mass Media Bureau

Appendix

1. Pursuant to authority found in Sections 4(i), 5(d) (1), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.61, 0.204 (b) and 0.283 of the Commission's Rules, it is proposed to amend the TV Table of Assignments, § 73.606 (b) of the Commission's Rules and Regulations, as set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached.

2. *Showings Required.* Comments are invited on the proposal(s) discussed in the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of the Commission's Rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this *Notice*, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to assign a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in § 1.415 and 1.420 of the Commission's Rules and Regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompenfed by a certificate of service. (See§ 1.420 (c) of the Commission's Rules.)

5. *Number of Copies.* In accordance with the provisions of Section 1.420 of the Commission's Rules and Regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 Streets, N.W. Washington, D.C.

[FR Doc. 83–5062 Filed 3–28–83; 8:45]

BILLING CODE 6712–1–M

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47 CFR Part 73

[MM Docket No. 83–98; RM–4269]

FM Broadcast Station in Desert Center, California; Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Porposed rule.

SUMMARY: This action proposes to assign FM Channel 272A to Desert Center, California, in response to a petition filed by Bill Harling. The proposal could provide a first FM service to that community.

DATES: Comments must be filed on or before April 11, 1983, and reply comments must be filed on or before April 26, 1983.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Adopted: February 9, 1983.

Released: February 23, 1983.

In the Matter of Amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Desert Center, California), MM Docket No. 83–98 RM–4269.

1. A petition for rule making was filed December 10, 1982, by Bill Harling ("petitioner") proposing the assignment of Channel 272A to Desert Center, California, as its first FM service. Petitioner submitted information in support of the proposal and expressed an interest in applying for the channel, if assigned. The channel can be assigned in compliance with the minimum distance separation requirements.

2. Since Desert Center is located within 320 kilometers (199 miles) of the U.S.-Mexican border, the proposed assignment requires the concurrence of the Mexican government.

3. In view of the fact that the proposed assignment could provide a first local FM servie to Desert Center, California, the Commission believes it is appropriate to propose amending the FM Table of Assignments, § 73.202(b) of the Commission's Rules, with respect to the following community:

City	Channel No.	
	Present	Proposed
Desert Center, Calif.		272A

4. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein.

Note.—A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be assigned.

5. Interested parties may file comments on or before April 11, 1983, and reply comments or or before April 26, 1983, and are advised to read the Appendix for the proper procedures.

The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules. See, *Certification that Sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Making to Amend §§ 73.202(b), 73.504 and 73.696(b) of the Commission's Rules*, 46 FR 11549, published February 9, 1981.

7. For further information concerning this proceeding, contact Mark N. Lipp, Mass Media Bureau, (202) 634–6530. However, members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel assignments. An *ex parte* contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission. Any comment which has not been served on the petitioner constitutes an *ex parte* presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment to which the reply is directed constitutes an *ex parte* presentation and shall not be considered in the proceeding.

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Mass Media Bureau.

Appendix

1. Pursuant to authority found in Sections 4(i), 5(d)(1), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.61, 0.204(b) and 0.283 of the Commission's rules, it is proposed to amend the FM Table of Assignments, § 73.202(b) of the Commission's rules and regulations, as set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached.

2. *Showings Required.* Comments are invited on the proposal(s) discussed in the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of the Commission's rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this *Notice*, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to assign a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in § 1.415 and 1.420 of the Commission's rules and regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who file comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420 (a), (b) and (c) of the Commission's rules.)

5. *Number of Copies.* In accordance with the provisions of § 1.420 of the Commission's rules and regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, D.C.

[FR Doc. 83-5067 Filed 2-28-83; 8:45 am]

BILLING CODE 6712-01-M

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42 CFR Part 73

[MM Docket No. 83-100; RM-4209]

FM Broadcasting Station in Wrightsville, Georgia; Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Proposed Rule.

SUMMARY: This action proposed the assignment of FM Channel 292A to Wrightsville, Georgia, in response to a petition filed by Wimley Waters. The proposal could provide a first local FM service to Wrightsville.

DATES: Comments must be filed on or before April 11, 1983, and reply comments must be filed on or before April 26, 1983.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Adopted: February 9, 1983.

Released: February 23, 1983.

In the Matter of Amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Wrightsville, Georgia), MM Docket No. 83–100 RM–4209.

1. A petition for rule making was filed October 4, 1982, by Wimley Waters, ("petitioner") proposing the assignment of FM Channel 292A to Wrightsville, Georgia, as its first FM assignment. Petitioner expressed an interest in applying for the channel if it is assigned. The channel can be assigned in compliance with the minimum distance separation requirements.

2. In view of the fact that the assignment could provide a first local FM service to Wrightsville, the Commission believes it is appropriate to propose amending the FM Table of Assignments, § 73.202(b) of the Commission's rules with regard to the following community:

City	Channel No.	
	Present	Proposed
Wrightsville, Ga.		292A

3. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein.

Note.—A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be assigned.

4. Interested parties may file comments on or before April 11, 1983, and reply comments on or before April 26, 1983, and are advised to read the Appendix for the proper procedures.

5. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules. See, *Certification that Sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Making to Amend §§ 73.202(b), 73.504 and 73.606(b) of the Commission's Rules*, 46 FR 11549, published February 9, 1981.

6. For further information concerning this proceeding, contact Mark N. Lipp, Mass Media Bureau, (202) 634–6530. However, members of the public should note that from the time a *Notice of Proposed Rule Making* is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel assignments. An *ex parte* contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission. Any comment which has not been served on the petitioner constitutes an *ex parte* presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment to which the reply is directed constitutes an *ex parte* presentation and shall not be considered in the proceeding.

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Mass Media Bureau.

Appendix

1. Pursuant to authority found in Sections 4(i), 5(d)(1), 303(g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) and 0.204(b) of the Commission's Rules, it is proposed to amend the FM Table of Assignments § 73.202(b) of the Commission's rules and regulations, as set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached.

2. *Showings Required.* Comments are invited on the proposal(s) discussed in the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of the Commission's rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this *Notice*, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to assign a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in § 1.415 and 1.420 of the Commission's rules and regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420(a), (b) and (c) of the Commission's rules.)

5. *Number of Copies.* In accordance with the provisions of § 1.420 of the Commission's rules and regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, D.C.

[FR Doc. 83-5069 Filed 2-28-83; 8:45 am]

BILLING CODE 6712-01-M

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47 CFR Part 73

[MM Docket No. 83-92; RM-4267]

TV Broadcast Station in Redwood Falls, Minnesota; Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This action proposes the assignment of UHF Television Channel 43 to Redwood Falls, Minnesota, as its first television assignment in response to a petition filed by Hubbard Broadcasting, Inc.

DATES: Comments must be filed on or before April 8, 1983, and reply comments on or before April 25, 1983.

ADDRESS: Federal Communications Commisssion, Washington, D.C. 29554.

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Television broadcasting.

Adopted: February 9, 1983.

Released: February 22, 1983.

In the matter of Amendment of § 73.606(b), Table of Assignments, TV Broadcast Stations. (Redwood Falls, Minnesota), MM Docket No. 83–92 RM–4267.

1. The Commission herein considers a petition for rule making filed December 17, 1982, by Hubbard Broadcasting, Inc. ("petitioner"), seeking the assignment of UHF Television Channel 43 to Redwood Falls, Minnesota. Petitioner expressed its interest in applying for the channel, if assigned, either as a full service or a satellite station.

2. Redwood Falls (population 5,210),[1] seat of Redwood County (population 19,341), is located in southwestern Minnesota, approximately 150 kilometers (94 miles) southwest of Minneapolis.

3. Petitioner has submitted demographic information in support of its request which adequately demonstrates the need for a first local television channel for Redwood Falls. The channel can be assigned in compliance with the minimum distance separation requirements and other criteria.

4. In view of the fact that Redwood Falls could receive its first local television service, we shall seek comments on the proposal to amend the Television Table of Assignments (§ 73.606(b) of the Commission's Rules) with respect to the city of Redwood Falls, Minnesota, as follows:

City	Channel No.	
	Present	Proposed
Redwood Falls, Minnesota		43

5. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein.

Note.—A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be assigned.

6. Interested parties may file comments on or before April 8, 1983, and reply comments on or before April 25, 1983, and are advised to read the Appendix for the proper procedures.

7. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the TV Table of Assignments, § 73.606(b) of the Commission's Rules. See, Certification that Section 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Making to Amend §§ 73.202(b) 73.504 and 73.606(b) of the Commission's Rules, 46 FR 11549, published February 9, 1981.

8. For further information concerning this proceeding, contact Montrose H. Tyree, Mass Media Bureau, (202) 634–6530. However, members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all ex parte contacts are prohibited in Commission proceedings, such as this one, which involve channel assignments. An ex parte contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission. Any comment which has not been served on the petitioner constitutes an ex parte presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment to which the reply is directed constitutes an ex parte presentation and shall not be considered in the proceeding.

(Secs. 4, 303, 48 stat., as amended, 1066, 1082, 47 U.S.C. 154, 303).

Federal Communications Commission.

Martin Blumenthal,

Assistant Chief, Policy and Rules Division Mass Media Bureau.

Attachment: Appendix.

Appendix

1. Pursuant to authority found in Section 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and §§ 0.61,0.204(b) and 0.283 of the Commission's rules, it is proposed to amend the TV Table of Assignments, § 73.606(b) of the Commission's rules and regulations, as set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached.

2. *Showings Required.* Comments are invited on the proposal(s) discussed in the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of the Commission's rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this *Notice*, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to assign a different channel then was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in §§ 1.415 and 1.420 of the Commission's rules and regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420 (a), (b) and (c) of the Commission's rules.)

5. *Number of Copies.* In accordance with the provisions of § 1.420 of the Commission's rules and regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, D.C.

[FR Doc. 83-5061 Filed 2-28-83; 8:45 am]

BILLING CODE 6712-01-M

[1] Population figures are taken from the 1980 U.S. Census, Advance Report.

47 CFR Part 73

[MM Docket No. 83-99; RM-4242]

FM Broadcast Station in Amarillo, Texas; Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Proposed Rule.

SUMMARY: This action proposes to assign FM Channel 276A to Amarillo, Texas, in response to a petition filed by Wendell C. Alexander. The proposal could provide a seventh FM service to that community.

DATES: Comments must be filed on or before April 11, 1983, and reply comments must be filed on or before April 26, 1983.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Adopted: February 9, 1983.

Released: February 23, 1983.

In the matter of Amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Amarillo, Texas), MM Docket No. 83-99 RM-4242.

1. A petition for rule making was filed November 4, 1982, by Wendell C. Alexander ("petitioner"), seeking the assignment of Channel 276A to Amarillo, Texas, as its seventh FM assignment. Petitioner failed to state that he would apply for the channel, if it is assigned. He is expected to do so in his comments. The channel can be assigned in compliance with the minimum distance separation requirements.

2. In view of the fact that the proposed assignment could provide a seventh FM service to Amarillo, Texas, the Commission believes it is appropriate to propose amending the FM Table of Assignments, § 73.202(b) of the Commission's rules, with respect to the following community:

City	Channel No.	
	Present	Proposed
Amarillo, Tex	226, 231, 245, 250, 254, and 270.	226, 231, 245, 250, 254, 270, and 276.

3. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein.

Note.—A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be assigned.

4. Interested parties may file comments on or before April 11, 1983, and reply comments on or before April 26, 1983, and are advised to read the Appendix for the proper procedures.

5. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules. See, *Certification that Sections 603 and 604 of the Regulatory Flexibility Act Do Not apply to Rule Making to Amend §§ 73.202(b), 73.504 and 73.606(b) of the Commission's Rules*, 46 FR 11549, published February 9, 1981.

6. For further information concerning this proceeding, contact Mark N. Lipp, Mass Media Bureau, (202) 634-6530. However, members of the public should note that from the time a *Notice of Proposed Rule Making* is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel assignments. An *ex parte* contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission. Any comment which has not been served on the petitioner constitutes an *ex parte* presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment to which the reply is directed constitutes an *ex parte* presentation and shall not be considered in the proceeding.

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Mass Media Bureau.

Appendix

1. Pursuant to authority found in Sections 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and § 0.61, 0.204(b) and 0.283 of the Commission's rules, it is proposed to amend the FM Table of Assignments § 73.202(b) of the Commission's rules and regulations, as set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached.

2. *Showings Required.* Comments are invited on the proposal(s) discussed in the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered if advance in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of the Commission's rules.)

(b) With respect to petitions for rule making which conflict with the propopsal(s) in this *Notice*, they will be considered as comments in the proceeding, and public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to assign a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in §§ 1.415 and 1.420 of the Commission's rules and regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420(a), (b) and (c) of the Commission's rules.)

5. *Number of Copies.* In accordance with the provisions of § 1.420 of the Commission's rules and regulations, an original and four copies of all comments,

reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All fillings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, D.C.

[FR Doc. 83-5068 Filed 2-28-83; 8:45 am]
BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 83-91; RM-4257]

TV Broadcast Station in Jacksonville, Texas; Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This action proposes the assignment of UHF Televison Channel 56 to Jacksonville, Texas, in response to a petition filed by George E. Gunter.

DATES: Comments must be filed on or before April 8, 1983, and reply comments on or before April 25, 1983.

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

FOR FURTHER INFORMATION CONTACT: Montrose H. Tyree, Mass Media Bureau (202) 634-6530.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Television broadcasting.

In the matter of Amendment of § 73.606(b), Table of Assignments, Television Broadcasting Stations. (Jacksonville, Texas), MM Docket No. 83-91, RM4257.

Adopted: February 9, 1983.

Released: February 22, 1983.

1. George E. Gunter ("petitioner") on November 29, 1982, submitted a petition for rule making requesting the assignment of UHF Television Channel 54 to Jacksonville, Texas,[1] as a first television assignment. Petitioner failed to state that he would apply for the channel if assigned, and is requested to do so in comments to this proceeding.

2. Jacksonville (population 12,264), in Cherokee County (population 38,217),[2] is located in east central Texas, approximately 165 kilometers (100 miles) southeast of Dallas. It is without local television service.

3. Petitioner describes Jacksonville as a growing community, with a diversified and prosperous economy. Petitioner adds that Jacksonville has two commerical broadcast stations, KEBE (AM) and KOOI (FM) (under common ownership), in addition to a local newspaper. According to Gunter, Jacksonville is deserving of a first television station which would ensure a competitive broadcast voice in the community.

4. A Channel 54 assignment to Jacksonville would be short-spaced to the recent assignment of Channel 40 to Crockett, Texas (BC Docket 82-596). A staff study indicates thsat Channel 56 can be assigned to Jacksonville, and meet all spacing requirements without a site restriction. Therefore, we shall propose Channel 56 for that community.

5. Based on the above information we believe that the petitioner has made an adequate showing for the need of a television assignment to Jacksonville. The proposal could provide the community with an opportunity to develop a first broadcast television service. Comments are invited on the proposal to amend the Television Table of Assignments, § 73.606(b) of the Rules, with regard to the following city:

City	Channel No.	
	Present	Proposed
Jacksonville, Tex.		56

6. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein.

Note.—A showing of continuing interest is requied by paragraph 2 of the Appendix before a channel will be assigned.

7. Interested parties may file comments on or before April 8, 1983, and reply comments on or before april 25, 1983, and are advised to read the Appendix for the proper procedures

8. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules. See, Certification that Sections 603 and 604 of the Regulatory Flexibility Act do Not Apply to Rule Making to Amend §§ 73.202(b), 73.504 and 73.606(b) of the Commission's Rules, 46 FR 11549, published February 9, 1981.

9. For further information concerning this proceeding, contact Montrose H. Tyree, Mass Media Bureau, (202) 634-6530. However, members of the public should note that from the time a *Notice of Proposed Rule Making* is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel assignments. An *ex parte* contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission. Any comment which has not been served on the petitioner constitutes an *ex parte* presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment, to which the reply is directed, constitutes an *ex parte* presentation and shall not be considered in the proceeding.

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

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division Mass Media Bureau.

Appendix

1. Pursuant to authority found in Sections 4(i), 5(d)(1), 303(g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.61, 0.204(b) and 0.283 of the Commission's rules, it is proposed to amend the TV Table of Assignments, § 73.606(b) of the Commission's Rules and Regulations, as set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached.

2. *Showings Required.* Comments are invited on the proposal(s) discussed in the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

[1] The petition, as filed, requested Channel 54 and was later amended to specify Channel 40.

[2] Population figures are taken from the 1980 U.S. Census, Advance Report.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of the Commission's rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this *Notice*, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to assign a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in § 1.415 and 1.420 of the Commission's rules and regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420(a), (b) and (c) of the Commission's rules.)

5. *Number of Copies.* In accordance with the provisions of § 1.420 of the Commission's rules and regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, D.C.

[FR Doc. 83-5060 Filed 2-28-83; 8:45 am]
BILLING CODE 6712-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Review of Special Rules on Sea Turtles; Extension of Comment Period

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Extension of comment period.

SUMMARY: The comment period on the Service's Notice of Intent to review special rules on threatened sea turtles, January 3, 1983 (48 FR 42), is extended to March 9, 1983, in response to requests for extension by several interested parties.

DATE: Comments must be submitted on or before March 9, 1983.

ADDRESS: Comments may be sent to: Mr. Robert Batky, Staff Biologist, U.S. Fish and Wildlife Service, Federal Wildlife Permit Office, P.O. Box 3654, Arlington, Virginia 22203.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Batky, Staff Biologist, U.S. Fish and Wildlife Service.

Robert A. Jantzen,

Director, U.S. Fish & Wildlife Service.

February 22, 1983.

[FR Doc. 83-5050 Filed 2-28-83; 8:45 am]
BILLING CODE 4310-55-M

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Proposed Listing of 12 Species of Foreign Mammals as Endangered Species

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Service proposes that 12 species of foreign mammals be listed as Endangered species as provided for by the Endangered Species Act of 1973, as amended. These species are the Singapore roundleaf horseshoe bat (*Hipposideros ridleyi*), Ghost bat (*Macroderma gigas*), Rodriguez Island flying fox fruit bat (*Pteropus rodricensis*), Bulmer's flying fox fruit bat (*Aproteles bulmerae*), bumblebee bat (*Craseonycteris thonglongyai*) buff-headed marmoset (*Callithrix flaviceps*), Preuss's red colobus monkey (*Colobus badius preussi*), Vancouver Island marmot (*Marmota vancouverensis*), Indus River dolphin (*Platanista indi*), African wild dog (*Lycaon pictus*), giant panda (*Ailuropoda melanoleuca*), and Pakistan sand cat (*Felis margarita scheffeli*). These 12 species are entirely foreign in distribution, none occurring in the United States, or in territories or areas administered by the U.S.; because of this, no Critical Habitat is being proposed for any of them. Threats that are believed causing their declines include habitat destruction, exploitation as a source of human food (mainly by local peoples), and very restricted distributions and/or extemely specialized habitats. If made final, the proposed rule would provide certain benefits to these 12 species which might assist in assuring their survival; these benefits are discussed in the main body of the proposal.

The Service at this time is seeking additional information on the status and biology of these species, as well as information on the environmental impacts of the action.

DATE: Comments from the public and from the governments of the resident countries must be received by June 29, 1983.

ADDRESSES: Submit comments to Director (OES), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Comments or material relating to this proposed rule are available for public inspection, by appointment, during normal business hours at the Service's Office of Endangered Species, 1000 North Glebe Road, Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT: Mr. John L. Spinks, Jr., Chief, Office of Endangered Species, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240 (703/235-2771).

SUPPLEMENTARY INFORMATION:

Background

The following 12 foreign species of mammals are herewith proposed to be added to the List of Endangered and Threatened Wildlife as Endangered species:

Common Name and Scientific Name
Rodriguez flying fox fruit bat, *Pteropus rodricensis*
Bulmer's flying fox fruit bat, *Aproteles bulmerae*
Ghost bat, *Macroderma gigas*
Singapore roundleaf horseshoe bat, *Hipposideros ridleyi*
Bumblebee bat, *Craseonycteris thonglongyai*
Buff-headed marmoset, *Callithrix flaviceps*
Preuss's red colobus, *Colobus badius preussi*
Vancouver Island marmot, *Marmota vancouverensis*
Indus River dolphin, *Platanista indi*
African wild dog, *Lycaon pictus*
Giant panda, *Ailuropoda melanoleuca*
Pakistan sand cat, *Felis margarita scheffeli*

A brief description of these species and their problems is as follows:

Rodriguez flying fox fruit bat—This bat occurs only on Rodriguez Island in the Indian Ocean, where less than 2% of its original habitat remains. A large area of mixed natural vegetation is essential for these bats so that fruits ripening at all times are available for food; such mixed vegetation has largely been destroyed. In addition, cyclones periodically kill many of the animals, and the human population hunts them for food. In 1955, the bats were thought to exceed 1,000 but by 1965 less than half this number remained. In 1975, it was thought that no more than 80 survived and possibly only 60, but in May 1976, there were estimated to be 120–125 by direct count. The population is continuing to decline and the species may now be close to the lowest possible viable population size. (I.U.C.N. Red Data Book, 1976.)

Bulmer's flying fox fruit bat—This bat was first discovered among fossil remains dating back 9,000 to 12,000 years in Central Papua New Guinea (Menzies, 1977). Shortly thereafter, one living specimen was taken in 1975 in the Hindenberg Ranges of far western Papua New Guinea. It had been killed by a native hunter in a large cave at an altitude of 2,300 meters. In November 1977, an intensive effort was made to locate this species, but a local hunter had already killed or driven away nearly the entire colony from the cave in which it was originally found (Hyndman and Menzies, 1980).

Ghost bat—This bat occurs now only in northern Australia, where fewer than several thousand are thought to survive; it formerly also occurred in central and southwestern Australia. Populations have been destroyed, and continued to be destroyed, by open-cut limestone quarrying which eliminated roosting caves. In addition, vandalism is becoming increasingly a problem because tourism is on the rise, especially in areas where the bat is most abundant. (I.U.C.N. Red Data Book, 1978; Hamilton-Smith and Champion, 1976.)

Bumblebee bat—This bat has been found only at Sai Yoke, Kanchanaburi Province, Western Thailand. Roosting habitat consists of the hot upper chamber of caves in limestone hills. Foraging habitat is teak-bamboo forest where the bats feed around the tops of the dominant plants. This teak-bamboo forest has been highly affected by deforestation and teak logging above the sustainable rate. Vast areas of potential habitat have been lost, and loss of this habitat is probably a significant threat. (Bain and Humphrey, 1980.)

Singapore roundleaf horseshoe bat—This Malayan species has only been taken twice, once in Singapore in 1910, and the second time near Kuala Lumpur. It inhabits lowland peat forest which occur in Malaya only in small, isolated patches. In recent years, this habitat has been heavily logged which has reduced the already limited range of the bat considerably. The Kuala Lumpur specimen was taken as recent as 1975, the total population was estimated to be less than 50 animals. (I.U.C.N. Red Data Book, 1978; Medway, 1969; Gould, in press.)

Buff-headed marmoset—The species currently survives in reduced and fragmented populations in the Espiritu-Santo Range and possibly in northern Rio de Janeiro and Minas Gerais, Brazil; it was formerly much more widely distributed in the mountainous regions of southeastern Brazil. It is threatened by widespread habitat disruption and destruction, and has already disappeared from much of its former range. "Any commercial exploitation would be disastrous." Numbers of animals are unknow, but the distribution is "very small." (I.U.C.N. Red Data Book, 1978, 1981).

Preuss's red colobus—The species occurs only in the lowland evergreen forest of Cameroon. Its habitat of mature forest with emergent trees renders it particularly susceptible to logging activities. This species is still hunted for food. The range is very restricted and the animal only survives in the Korup Reserve and perhaps in the Ejhagam Reserve. In this area it is confined to a strip of forest approximately 60 km wide and 120 km long, along the Cameroon side of the Cameroon-Nigerian border. In historical times it probably ranged from the Cross to the Sanaga Rivers in Cameroon and southeast Nigeria, but it is now extinct in Nigeria and its range greatly reduced in Cameroon. It is estimated that fewer than 8,000 animals survive. The greatest threat is logging activity which results in fragmentation of the forest canopy. It also falls on easy prey to the hunter and is commonly taken for food. (I.U.C.N. Red Data Book, 1978; Wolfheim, 1974; Struhsaker, 1975.)

Vancouver Island marmot—This marmot occurs only on Vancouver Island, British Columbia, where active colonies are known from only four general locations. The total population is between 50 and 100 animals, an obvious decline in numbers from past populations. This species lives in alpine and sub-alpine areas characterized by steep slopes, talus debris and open meadow. Steep slopes are preferred because avalanches clear them of snow in the spring which provides early foraging. Avalanches also inhibit tree growth, and thus allow for preferred plants to grow. Ski developments have eliminated some suitable areas, and proposed developments will remove more. Logging may also have an adverse effect on habitat. Because of the restricted habitat for this species, any reduction must be viewed with alarm (Munro., 1979).

Indus River Dolphin—This cetacean is entirely fresh water in distribution, being found only in a section of the Indus River and some of its tributaries in northern India. Formerly it was known to have occurred in the Indus River and its tributaries from the foothills of the Himalayas to the sea. Threats to the species' survival include destruction of river habitat as increasing amounts of water are drawn out for irrigation purposes, and indiscriminate killing of dolphins for food purposes. Population estimates (1975) place the number of these dolphins at between 450 and 600, and indicate that the species is still declining (I.U.C.N. Red Data Book 1976; Kasuya and Nichiwaki, 1975.)

African wild dog—This species has been, and continues to be, widely persecuted as an unwanted predator. It formerly occurred in most of Africa south of the Sahara, but has been wiped out in South Africa (except in the vicinity of Kruger National Park), and has declined greatly in all other areas. Malcolm (1980) estimates that fewer than 7,000 individuals still survive in all Africa.

Giant panda—The giant panda occurs within a restricted range in the mountains of southwestern China (Szechwan, and extreme southern Kansu and Shensi Provinces). Formerly it was widely distributed over southern and eastern China, but massive habitat disruption eliminated the species from all but the most remote areas at a very early date in Chinese history. According to the New China News Agency (1980), recent threats to the continued survival of the species include the sudden dying out of arrow bamboo (the panda's main food) in recent years, and vulnerability of the pandas to earthquakes (138 died in earthquakes in 1975 and 1976). Arrow bamboo flowers but once in every 60 to 100 years after which it dies. Some years are required after the die-off for the seeds to take root and to produce plants which are sufficient to support the panda populations. Records indicate that a similar dying of the arrow bamboo occurred in the 1870's and 1880's but that pandas then could range more widely to find food than they can today, and hence were able to survive. The current concern is that the populations of pandas may have fallen

to such a low numerical level, and be so restricted in distribution, that the natural die-off of the bamboo may prove fatal to the survival of the panda. It is estimated today that, in all of China, fewer than 1,000 pandas survive. (I.U.C.N. Red Data Book, 1976; Chorn and Hoffman, 1978.)

Pakistan sand cat—This cat is confined to the Chagai area of northern Pakistani Balcuhistan. It apparently has always been rare, but declined drastically between 1968 and 1972 when it was relentlessly exploited for the live animal trade. Since that time, it has been extremely difficult to find in the wild. Although it is not protected from export in Pakistan, and is on Appendix II of the C.I.T.E.S., any sort of illegal trade in the species could prove fatal. Even given strict trade control, the small range of the animal and its rarity within that range make it highly vulnerable, particularly since there are no reserves or known breeding groups in captivity. (I.U.C.N. Red Data Book, 1978.)

Summary of Factors Affecting the Species

Section 4(a) of the Act (16 U.S.C. 1531 *et seq.*) states:

> General—(1) The Secretary shall by regulation determine whether any species is an endangered species or a threatened species because of any of the following factors:
>
> (A) the present or threatened destruction, modification, or curtailment of its habitat or range;
>
> (B) overutilization for commercial, recreational, scientific, or educational purposes;
>
> (C) disease or predation;
>
> (D) the inadequacy of existing regulatory mechanisms; or
>
> (E) other natural or man-made factors affecting its continued existence.

The relationship of the 12 species herein proposed for Endangered status to the specific factors above are as follows:

Rodriguez flying fox fruit bat—(A) The habitat is restricted to the tiny island of Rodriguez in the Indian Ocean, and less than 2% of the original habitat of the bat remains on this island; (B), (C) not applicable; (D) there are no regulatory mechanisms known to the Service which operate to the benefit of this species; (E) the bat is widely hunted by the native islanders for food purposes.

Bulmer's flying fox fruit bat—(A), (B), (C), (D) not applicable; (E) fruit bats are esteemed as food in the area of Papua New Guinea where this bat occurs, and it is probable that hunting it for food has wiped out this species except in the remotest and most sparsely inhabited area in the western part of the island.

Bumblebee bat—(A) The teak-bamboo forests inhabited by this bat have been heavily logged, and vast areas of potential habitat have been destroyed; (B), (C), (D), (E) not applicable.

Ghost bat—(A) This bat has been reduced in numbers through destruction of habitat in connection with open-cut limestone mining operations; (B), (C), (D) not applicable; (E) vandalism of roosting caves is becoming increasingly a problem.

Singapore roundleaf horseshoe bat—(A) The very limited, patchy habitat has been heavily timbered in recent years to the extreme detriment of the bat; (B) (C), (D), (E) not applicable.

Buff-headed marmoset—(A) Habitat destruction has been very widespread over the restricted range of this animal; (B), (C) not applicable; (D) before the enactment of protective laws, this marmoset, along with numerous other primate species, was exploited for the bio-medical and pet trade which resulted in reduced biological potential for the species' survival; (E) not applicable.

Preuss's red colobus—(A) Logging activities within its very restricted range have reduced available habitat drastically; (B), (C), (D) not applicable; (E) the species is widely hunted for food by native peoples.

Vancouver island marmot—(A) Ski and other recreation developments have destroyed, and will continue to destroy essential habitat; logging is also destroying habitat; (B), (C), (D) and (E) not applicable.

African wild dog—(A), (B), (C) not applicable; (D), (E) this species is widely regarded as an unwanted predator and is trapped, poisoned, or otherwise killed throughout its range * * * there are no existing regulatory mechanisms to protect it, except in the wildlife parks and reserves.

Indus River dolphin—(A) Increasing amounts of water are being drawn out of the river system for irrigation purposes where the dolphin occurs, thus reducing the amount of available habitat; (B), (C), (D) not applicable; (E) the dolphins are still widely exploited by native peoples for food purposes.

Giant panda—(A) Habitat disruption over the centuries has reduced this species' range to isolated, mountainous areas; (B), (C), (D) not applicable; (E) the species is, because of its now restricted range, highly vulnerable to such natural calamities as die-off of its preferred food (arrow bamboo), and earthquakes.

Pakistan sand cat—(A) not applicable; (B) this cat was heavily exploited by commercial animal dealers from 1967 to 1972 for the pet trade (although this trade has now been controlled, the cat has apparently not been able to recover from the overexploitation); (C), (D), (E) not applicable.

Effects of the Proposal if Published as a Final Rule

Endangered species regulations already published in Title 50 of the Code of Federal Regulations set forth a series of general prohibitions and exceptions which apply to all Endangered species. The regulations referred to above, which pertain to Endangered species, are found at § 17.21 of Title 50, and are summarized below.

With respect to the 12 species of mammals in this proposed rule, all prohibitions of Section 9(a)(1) of the Act, as implemented by 50 CFR 17.21, would apply. These prohibitions, in part, would make it illegal for any person subject to the jurisdiction of the United States to import or export, ship in interstate commerce in the course of a commercial activity, or sell or offer for sale these species in interstate or foreign commerce.

Purpose of the Listing

The Service feels that the listing of these 12 species as Endangered pursuant to the Act will aid in their conservation in the following ways:

(1) It will draw the world's attention (including that of the resident countries) to the plight of these animals, and encourage these countries to take all possible measures to assure their conservation and proper management.

(2) It will assure that the United States does not contribute to their decline by providing any sort of commercial market for these animals.

(3) It will enable the United States to make U.S. expertise available, upon request, to assist in developing conservation and management programs for these species.

(4) It can, under certain circumstances, make U.S. funds available to assist in conservation and management efforts pertaining to these species.

Any one of these factors might prove of significance in insuring the survival of any of the 12 species involved in the proposal.

Information Requested

The Service is requesting information on impacts that might result from the listing of these 12 foreign mammals as Endangered, and information on possible alternatives to the listing. This information will aid the Service in complying with the requirements of the National Environmental Policy Act, and

in preparing any required analyses of effect.

Literature Cited

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Public Comments Solicited

The Service intends that the rules finally adopted will be as accurate and effective as possible in the conservation of these Endangered species. Therefore, any comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, private interests, or any other interested party concerning any aspect of these proposed rules are hereby solicited. Comments particularly are sought concerning:

1. Biological and other relevant data concerning any threat (or lack thereof) to these species and;

2. Additional information concerning the range and distribution of the species.

The Endangered Species Act Amendments of 1982 have provisions for a Public hearing if requested, in writing, within 45 days of the date of this proposal. Requests should be addressed to the Director, U.S. Fish and Wildlife Service, Washington, D.C. 20240.

National Environmental Policy Act

A draft Environmental Assessment has been prepared in conjunction with this proposal. It is on file in the Service's Office of Endangered Species, 1000 North Glebe Road, Arlington, Virginia, and may be examined by appointment during regular business hours. A determination will be made at the time of a final rule as to whether this is a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969, implemented at 40 CFR 1500–1508.

Author

The primary author of this proposed rule is John L. Paradiso, Office of Endangered Species (703/235–1975).

List of Subjects in 50 CFR Part 17

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture).

PART 17—[AMENDED]

Accordingly, 50 CFR 17.11(h) is amended as follows:

1. By adding the Rodriguez flying fox fruit bat, Bulmer's flying fox fruit bat, ghost bat, bumblebee bat, Singapore roundleaf horseshoe bat, buff-headed marmoset, Preuss's red colobus, Vancouver Island marmot, Indus River dolphin, African wild dog, giant panda, and Pakistan sand cat to the list alphabetically, under "Mammals" as indicated below:

§ 17.11 Endangered and threatened wildlife

* * * * *

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Bat, Bulmer's flying fox fruit.	*Aproteles bulmerae.*	New Guinea	Entire	E		N/A	N/A
Bat, Rodriguez flying fox fruit.	*Pteropus rodricensis.*	Rodriguze Island Indian Ocean.	do	E		N/A	N/A
Bat, bumblebee	*Craseonycteris thonglongyai.*	Thailand	do	E		N/A	N/A
Bat, Ghost	*Macroderma gigas.*	Australia	do	E		N/A	N/A
Bat, Singapore roundleaf horseshoe.	*Hipposideros ridleyi.*	Malysia	do	E		N/A	N/A
Cat, Pakistan sand.	*Felis margarita scheffeli.*	Pakistan	do	E		N/A	N/A
Colobus, Preuss's red.	*Colobus badius preussi.*	Cameroon	do	E		N/A	N/A
Dog, African wild	*Lycaon pictus*	Sub-Saharan Africa	do	E		N/A	N/A
Dolphin, Indus River.	*Platanista indi*	India	do	E		N/A	N/A
Marmoset, buff-headed.	*Callithrix flaviceps*	Brazil	do	E		N/A	N/A
Marmot, Vancouver Island.	*Marmota vancouverensis.*	Canada (Vancouver Island.	do	E		N/A	N/A
Panda, giant	*Ailuropoda melanoleuca.*	People's Republic of China.	do	E		N/A	N/A

Dated: February 1, 1983.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 83-4875 Filed 2-28-83; 8:45 am]

BILLING CODE 4310-55-M

Notices

Federal Register
Vol. 48, No. 41
Tuesday, March 1, 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

Office of the Secretary

Members of Performance Review Boards

February 23, 1983.

AGENCY: Department of Agriculture.

ACTION: Notice.

SUMMARY: This document amends the list of Performance Review Board members published October 6, 1982, 47 FR 44127, as amended November 28, 1982, 47 FR 53430.

EFFECTIVE DATE: March 1, 1983.

FOR FURTHER INFORMATION CONTACT: Earl C. Hadlock, Chief, Executive Resources, Performance Appraisal, and Merit Pay Staff, Office of Personnel, Department of Agriculture, 14th Street and Independence Avenue, SW., Washington, D.C. 20250 (202/447–2830).

The membership of the Department of Agriculture's Performance Review Boards is amended by adding the name of James H. Johnson.

John R. Block,

Secretary of Agriculture.

[FR Doc. 83-510 Filed 2-28-83; 8:45 am]

BILLING CODE 3410-01-M

Federal Grain Inspection Service

Renewals of Designation of Evansville Grain Inspection (IN), Quincy Grain Inspection and Weighing Service (IL), and Winchester Grain Inspection (IN)

AGENCY: Federal Grain Inspection Service, USDA.

ACTION: Notice.

SUMMARY: This notice announces the renewals of designation of the Evansville Grain Inspection (Evansville), Quincy Grain Inspection and Weighing Service (Quincy), and Winchester Grain Inspection (Winchester), as offical agencies responsible for providing inspection services under the U.S. Grain Standards Act, as amended (7 U.S.C. 71 *et seq.*) (Act).

EFFECTIVE DATE: April 1, 1983.

ADDRESS: James R. Conrad, Chief, Regulatory Branch, Compliance Division, Federal Grain Inspection Service, U.S. Department of Agriculture, 1400 Independence Avenue, SW., Room 2405 Auditors Building, Washington, DC 20250.

FOR FURTHER INFORMATION CONTACT: James R. Conrad, telephone (202) 447–8525.

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Secretary's Memorandum 1512–1; therefore the Executive Order and Secretary's Memorandum do not apply to this action.

The October 1, 1982, issue of the **Federal Register** (47 FR 43537) contained a notice from the Federal Grain Inspection Service (FGIS) announcing that Evansville's, Quincy's, and Winchester's designations would terminate on March 31, 1983, and requesting applications for designation as the agency to provide official services within each specified assigned area. Applications were to be postmarked by November 1, 1982.

FGIS announced the names of the applicants for designation for each agency and requested comments on them in the December 1, 1982, issue of the **Federal Register** (47 FR 54128). Comments were to be postmarked by January 17, 1983.

There were two applicants for the designation in the Evansville, Indiana, area. Evansville Grain Inspection applied for the entire area, and Southern Illinois Grain Inspection Service, Inc., applied for a portion of the area. Four comments were received regarding the designation of an official agency. Each recommended Evansville's designation renewal based on the quality of service they had received from Evansville.

After considering all available information in relation to the designation criteria in Section 7(f)(1)(A) of the Act, and in accordance with Section 7(f)(1)(B), it has been determined that Evansville is better able to provide official services in the geographic area for which it is being selected, and its designation is being renewed. The assigned area is the entire geographic area, as described in the October 1 issue of the **Federal Register.**

No comments were received regarding Quincy's designation renewal; one favorable comment was received regarding Winchester's designation renewal. Both agencies were the only applicants for each respective designation.

After considering all available information in relation to the designation criteria in Section 7(f)(1)(A) of the Act, and in accordance with Section 7(f)(1)(B), it has been determined that Quincy and Winchester are able to provide official services in the geographic area for which their designations are being renewed. Each assigned area is the entire geographic area, as described in the October 1 issue of the **Federal Register.**

Effective April 1, 1983, and terminating March 31, 1986, the responsibility for providing official inspection services in each geographic area, as specified above, will be assigned to Evansville, Quincy, and Winchester, respectively.

A specified service point for the purpose of this notice is a city, town, or other location specified by an agency for the conduct of official inspection and where the agency and one or more of its licensed inspectors are located. In addition to the specified service points within the assigned geographic area, the agencies will provide official services not requiring a licensed inspector to all locations within their geographic area.

Evansville Grain Inspection has recently informed FGIS that it has changed its name to Ohio Valley Grain Inspection and has also changed its address as indicated below.

Interested persons may contact the Regulatory Branch, specified in the address section of this notice, to obtain a list of the specified service points. Interested persons may also obtain a list of the specified service points by contacting the agencies at the following addresses:

Ohio Valley Grain Inspection, P.O. Box 601, South Plaza, Newburgh, IN 47630

Quincy Grain Inspection and Weighing Service, P.O. Box 755, Quincy, IL 62301

Winchester Grain Inspection, 107 N. Main Street, P.O. Box 386, Farmland, IN 47340

(Sec. 8, Pub. L. 94–582, 90 Stat. 2873 (7 U.S.C. 79))

Dated: February 23, 1983.

J. T. Abshier,

Director, Compliance Division.

[FR Doc. 83–4964 Filed 2–28–83; 8:45 am]

BILLING CODE 3410-EN-M

Request for Comments on Applicant for Designation in the Area Currently Assigned to D. L. Boltenhouse Grain Inspection (OH)

AGENCY: Federal Grain Inspection Services, USDA.

ACTION: Notice.

SUMMARY: This notice requests comments from interested parties on the applicant for designation as the official agency in the area currently assigned to D. L. Boltenhouse Grain Inspection. The designation terminates June 30, 1983.

DATE: Comments to be postmarked on or before April 15, 1983.

ADDRESS: Comments must be submitted in writing, in duplicate, to Lewis Lebakken, Jr., Regulations and Directives Management Staff, Federal Grain Inspection Services, U.S. Department of Agriculture, Room 0667, South Building, 1400 Independence Avenue, SW., Washington, DC 20250. All comments received will be made available for public inspection at the above address during regular business hours (7 CFR 1.27(b)).

FOR FURTHER INFORMATION CONTACT: Lewis Lebakken, Jr., telephone (202) 382–1738.

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Secretary's Memorandum 1512–1; therefore the Executive Order and Secretary's Memorandum do not apply to this action.

The January 3, 1983, issue of the **Federal Register** (48 FR 45) contained a notice from the Federal Grain Inspection Service requesting applications for designation to perform official services under the U.S. Grain Standards Act, as amended (7 U.S.C. 71 *et seq.*) (Act), in the area currently assigned to the official agency. Applications were to be postmarked by February 2, 1983.

D. L. Boltenhouse Grain Inspection (Boltenhouse), the only applicant, requested designation for all of the geographic area currently assigned to that agency. Boltenhouse applied for a renewal of designation for a 3–year period.

In accordance with § 800.206(b)(2) of the regulations under the Act, this notice provides interested persons the opportunity to present their views and comments concerning the applicant for designation. All comments must be submitted to the Regulations and Directives Management Staff, specified in the address section of this notice, and postmarked not later than April 15, 1983.

Consideration will be given to comments filed and to other information available before a final decision is made with respect to this matter. Notice of the final decision will be published in the **Federal Register**, and the applicant will be informed of the decision in writing.

(Sec. 8, Pub. L. 94–582, 90 Stat. 2873 (7 U.S.C. 79))

Date: February 23, 1983.

J. T. Abshier,

Director, Compliance Division.

[FR Doc. 83–4955 Filed 2–28–83; 8:45 am]

BILLING CODE 3410-EN-M

Request for Applicants for Designation to Perform Official Services in the Geographic Areas Currently Assigned to William F. Christen Grain Inspection (IN), Fremont Grain Inspection Department, Inc. (NE), and Titus Grain Inspection, Inc. (IN)

AGENCY: Federal Grain Inspection Service, USDA.

ACTION: Notice.

SUMMARY: Pursuant to the provisions of the U.S. Grain Standards Act, as amended (Act), designations of official agencies shall terminate not later than triennially and may be renewed in accordance with the criteria and procedures provided in the Act. This notice announces that the designations of three agencies will terminate, in accordance with the Act, and requests applications from parties, including the agency currently designated, who are interested in being designated as official agencies to conduct official services in the geographic area currently assigned to each of the specified agencies. The official agencies are William F. Christen Grain Inspection, Fremont Grain Inspection Department, Inc., and Titus Grain Inspection, Inc.

DATE: Applications to be postmarked on or before March 31, 1983.

ADDRESS: James R. Conrad, Chief, Regulatory Branch, Compliance Division, Federal Grain Inspection Service, U.S. Department of Agriculture, 1400 Independence Avenue, SW., Room 2405 Auditors Building, Washington, DC 20250. All applications submitted pursuant to this notice will be made available for public inspection at the above address during regular business hours.

FOR FURTHER INFORMATION CONTACT: James R. Conrad, telephone (202) 447–8525.

SUPPLEMENTARY INFORMATION: This has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Secretary's Memorandum 1512–1; therefore the Executive Order and Secretary's Memorandum do not apply to this action.

Section 7(f)(1) of the Act (7 U.S.C. 71 *et seq.*, at 79(f)(1)) specifies that the Administrator of the Federal Grain Inspection Service (FGIS) is authorized, upon application by any qualified agency or person, to designate such agency or person to perform official inspection services after a determination is made that the applicant is better able than any other applicant to provide official inspection services in an assigned geographic area.

William F. Christen Grain Inspection (Christen), P.O. Box 87, Decatur, Indiana 46733, was designated as an official agency under the Act for the performance of official inspection functions on October 20, 1978. Fremont Grain Inspection Department, Inc. (Fremont), 603 East Dodge Street, Fremont, Nebraska 68025, was designated as an official agency under the Act for the performance of official inspection functions on October 20, 1978. Titus Grain Inspection, Inc. (Titus), 1111 East 800 North, West Lafayette, Indiana 47906, was designated as an official agency under the Act for the performance of official inspection functions on August 31, 1978.

The agencies' designations will terminate on July 31, 1983. This date reflects administrative extensions of official agency designations as discussed in the July 16, 1979, issue of the **Federal Register** (44 FR 41275). Section 7(g)(1) of the Act states generally that designations of official agencies shall terminate no later than triennially and may be renewed accordingly to the criteria and procedures prescribed in the Act.

The geographic area presently assigned to Christen, in Indiana, pursuant to Section 7(f)(2) of the Act, and which is the area that may be assigned to the applicant selected for designation is the following:

Bounded: on the North by the northern Lagrange and Steuben County lines;

Bounded: on the East by the eastern Steuben, De Kalb, Allen, and Adams County lines;

Bounded: on the South by the southern Adams and Wells County lines; the eastern Grant County line south to State Route 18; State Route 18

west to State Route 221; State Route 221 north to Huntington County; the southern Huntington and Wabash County lines; and

Bounded: on the West by the western Wabash County line north to State Route 114; State 114 northwest to State Route 19; State Route 19 north to Kosciusko County; the western and northern Kosciusko County lines; the western Noble and Lagrange County lines.

The geographic area presently assigned to Fremont, in Nebraska and Iowa, pursuant to Section 7(f)(2) of the Act, and which is the area that may be assigned to the applicant selected for designation is the following:

In Nebraska, the area is:

Bounded: on the North by U.S. Route 20 east to the Pierce County line; the eastern Pierce County line; the northern Wayne, Cuming, and Burt County lines east to the Missouri River;

Bounded: on the East by the Missouri River south-southwest to State Route 91; State Route 91 west to the Dodge County line; the eastern and southern Dodge County lines west of U.S. Route 77; U.S. Route 77 south to the Saunders County line;

Bounded: on the South by the southern Saunders, Butler, and Polk county lines; and

Bounded: on the West by the western Polk County line north to the Platte River; the Platte River northeast to the western Platte County line; the western and northern Platte County lines east to U.S. Route 81; U.S. Route 81 north to U.S. Route 20.

The area also includes the following Counties, in Iowa: Carroll (west of U.S. Route 71); Crawford; Harrison (east of State Route 183); and Shelby.

The following locations, outside of the foregoing contiguous geographic area, are presently assigned to Fremont and are part of the area that may be assigned to the applicant selected for designation:

1. Farmers Cooperative and Krumel Grain and Storage, Wahoo, Saunders County, Nebraska; and

2. Juergens Produce and Seed and Farmers Grain and Lumber Company, Carroll, Carroll County, Iowa.

Exceptions to the described geographic area are the following locations situated inside Fremont's area which have been and will continue to be serviced by the following official agencies:

1. Hastings Grain Inspection, Inc., to service Farmers Cooperative Grain Company and Wayner Mills, Inc., Columbus, Platte County, Nebraska;

2. Omaha Grain Inspection Service, Inc., to service Farmers Coop Business Association, Shelby, Polk County, Nebraska; and Farmers Coop Business Association, Rising City, Butler County, Nebraska; and

3. Sioux City Inspection & Weighing Agency, Inc., to service Charter Oak Grain & Seed and Delanty Grain Company, Charter Oak, Crawford County, Iowa.

The geographic area presently assigned to Titus, in Indiana, pursuant to Section 7(f)(2) of the Act, and which is the area that may be assigned to the applicant selected for designation is the following:

Bounded: on the North by the northern Pulaski County line;

Bounded: on the East by the eastern and southern Pulaski County lines; the eastern White County line; the eastern Carroll County line south to State Route 25; State Route 25 southwest to Tippecanoe County; the eastern Tippecanoe county line;

Bounded: on the South by the southern Tippecanoe County line; the eastern and southern Fountain County lines west to U.S. Route 41; and

Bounded: on the West by U.S. Route 41 north to the northern Benton County line; the northern Benton County line east to State Route 55; State Route 55 north to U.S. Route 24; U.S. Route 24 east to the White County line; the western White and Pulaski County lines.

The following locations, in Indiana, outside of the foregoing contiguous geographic area, are presently assigned to Titus and are part of the geographic area that may be assigned to the applicant selected for designation:

1. Boswell Grain Company, Boswell, Benton County;

2. The Andersons, Delphi, Carroll County;

3. Dunn Grain, Dunn, Benton County;

4. York Richland Grain Elevator, Inc., Earl Park, Benton County;

5. Buckeye Feed and Supply Company, Leiters Ford, Fulton County;

6. Cargill, Inc., Linden, Montgomery County; and

7. Raub Grain Company, Raub, Benton County.

Exceptions to the described geographic area are the following locations situated inside Titus' area which have been and will continue to be serviced by Schneider Inspection Service, Inc.: Central Soya and Farmers Grain, Winamac, Pulaski County, Indiana.

Interested parties, including Christen, Fremont, and Titus, are hereby given opportunity to apply for designation as the official agency to perform the official services in each geographic area, as specified above, under the provisions of Section 7(f) of the Act and § 800.196(b) of the regulations issued thereunder. Designations in each specified geographic area are for the period beginning September 1, 1983, and terminating August 31, 1986. Parties wishing to apply for these designations should contact the Regulatory Branch, Compliance Division, at the address listed above for appropriate forms and information. Applications must be postmarked not later that March 31, 1983 to be eligible for consideration.

In making a determination as to which applicant will be designated to provide official services in a geographic area, consideration will be given to applications submitted and other available information.

(Sec. 8, Pub. L. 94-582, 90 Stat. 2873 (7 U.S.C. 79))

Date: February 23, 1983.

J. T. Abshier,

Director, Compliance Division.

[FR Doc. 83-4958 Filed 2-28-83; 8:45 am]

BILLING CODE 3410-EN-M

Official Inspection Service in the South Texas Area

AGENCY: Federal Grain Inspection Service, USDA.

ACTION: Notice.

SUMMARY: This notice announces that no official agency will be designated to provide official inspection services in the South Texas area under the U.S. Grain Standards Act, as amended (7 U.S.C. 71 *et seq.*) (Act). The Federal Grain Inspection Service (FGIS) will continue to provide these services within the specified geographic area.

ADDRESS: James R. Conrad, Chief, Regulatory Branch, Compliance Division, Federal Grain Inspection Service, U.S. Department of Agriculture, 1400 Independence Avenue, SW., Room 2405 Auditors Building, Washington, DC 20250.

FOR FURTHER INFORMATION CONTACT: James R. Conrad, telephone (202) 447-8525.

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Secretary's Memorandum 1512-1; therefore the Executive Order and Secretary's Memorandum do not apply to this action.

The October 1, 1982, issue of the **Federal Register** (47 FR 43538) contained a notice from FGIS requesting applications for designation as the agency to provide official inspection services within a specified geographic

area in South Texas. Applications were to be postmarked by November 1, 1982.

FGIS announced the name of the only qualified applicant, Mr. William R. Hardin, who proposed to establish a new agency and requested comments on this applicant in the December 1, 1982, issue of the Federal Register (47 FR 54130). Comments were to be postmarked by January 3, 1983. We received one comment favoring the designation of an official agency and recommending Mr. Hardin. However, Mr. Hardin has withdrawn his application from consideration.

FGIS will continue to be responsible for providing official inspection services in the geographic area, as specified above. Interested persons may contact FGIS at the following address to obtain these services: USDA/FGIS, 8th and Dallas Streets, Portland, TX 78374, (512) 643–6587.

(Sec. 8, Pub. L. 94–582, 90 Stat. 2873 (7 U.S.C. 79))

Dated: February 23, 1983.

J. T. Abshier,

Director, Compliance Division.

[FR Doc. 83–4959 Filed 2–28–83; 8:45 am]

BILLING CODE 3410-EN-M

COMMISSION ON CIVIL RIGHTS

Connecticut Advisory Committee; Agenda and Notice of Public Meeting

Notice is hereby given pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Connecticut Advisory Committee to the Commission will convene at 7:00 pm and will end at 9:00 pm, on March 22, 1983, at the Connecticut Commission on Human Rights Building, 90 Washington Street, Hartford, Connecticut. The purpose of this meeting will be to discuss program activities for Fiscal Year 1983 which will include projects to study vocational education and block grants.

Persons desiring additional information or planning a presentation to the Committee, should contact the Acting Chairperson, Judith H. Holmes, 24 Towne House Lane, Wethersfield, Connecticut 06109, (203) 247–9211 or the New England Regional Office, 55 Summer Street, 8th Floor, Boston, Massachusetts 02110, (617) 223–4671.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., February 23, 1983.

John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 83–5175 Filed 2–28–83; 8:45 am]

BILLING CODE 6335-01-M

Indiana Advisory Committee; Agenda and Notice of Public Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Indiana Advisory Committee to the Commission will convene at 7:00 pm and will end at 10:00 pm, on March 17, 1983, in Room 100 and 104, at the Center for Continuing Education, University of Notre Dame, South Bend, Indiana, 46556. The purpose of this meeting will be to discuss the status of the Block Grant New Approach project and review the Housing Discrimination Draft Statement.

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Joseph J. Russell, 4165 Gran Haven Drive, Bloomington, Indiana, 47401, (812) 337–9632 or the Midwestern Regional Office, 230 South Dearborn Street, 32nd Floor, Chicago, Illinois, 60604, (312) 353–7479.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., February 23, 1983.

John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 83–5176 Filed 2–28–83; 8:45 am]

BILLING CODE 6335-01-M

Massachusetts Advisory Committee; Agenda and Notice of Public Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Massachusetts Advisory Committee to the Commission will convene at 4:00p and will end at 6:00p, on March 30, 1983, at the New England Regional Office, 55 Summer Street, 8th Floor, Boston, Massachusetts 02110. The purpose of this meeting will be to continue the discussions of the Successful Affirmative Action, the Sexual Harassment, and the State of Civil Rights Law Enforcement projects.

Persons desiring additional information or planning a presentation, should contact the Chairperson, Bradford E. Brown, 17 Roberta Jean Circle, Post Office Box 95, East Falmouth, Massachusetts 02536, (617) 548–5123 or the New England Regional Office, 55 Summer Street, 8th Floor, Boston, Massachusetts 02110, (617) 223–4671.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., February 23, 1983.

John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 83–5174 Filed 2–28–83; 8:45 am]

BILLING CODE 6335-01-M

New Hampshire Advisory Committee; Agenda and Notice of Public Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the New Hampshire Advisory Committee to the Commission will convene at 7:30p and will end at 9:30p, on March 30, 1983, at the Carpenter Center, 323 Franklin Street, Manchester, New Hampshire. The purpose of this meeting will be to discuss the follow up to the Committee's report: *Short Changing the Language Minority Student: Evaluation of the Manchester, New Hampshire Title VI Civil Rights Compliance Plan.*

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Andrew T. Stewart, Moose Mountain, Enfield, New Hampshire, 03748, (603) 523–4880 or the New England Regional Office, 55 Summer Street, 8th Floor, Boston, Massachusetts, 02110, (617) 223–4671.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., February 24, 1983.

John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 83–5173 Filed 2–28–83; 8:45 am]

BILLING CODE 6335-01-M

DEPARTMENT OF COMMERCE

Agency Forms Under Review by the Office of Management and Budget (OMB)

DOC has submitted to OMB for clearance the following proposals for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: Bureau of Economic Analysis
Title: Defense RDT&E Price Index Data Requirements
Form number: OMB—0608–0033
Type of request: Extension
Burden: 25 respondents; 800 reporting hours

Needs and uses: Data are needed to develop deflators for defense purchases of contractual research, development, test and evaluation (RDT&E). Resulting deflators are used in the National Income and Product Accounts and in analysis of RDT&E costs relative to costs of other defense purchases.
Affected public: Private contractors performing RDT&E for the Department of Defense
Frequency: Quarterly
Respondent's obligation: Voluntary
OMB desk officer: Timothy Sprehe, 395–4814
Agency: Economic Development Administration (EDA)
Title: Employment Data of Recipient or Other Party Connected with EDA Assistance
Form number: Agency—ED–525; OMB—0610–0021
Type of request: Reinstatement
Burden: 150 respondents; 1,200 reporting hours
Needs and uses: Data collected is used to evaluate personnel and employment procedures to determine whether employers are in compliance with civil rights laws and regulations.
Affected public: Usually organizations with at least 50 employees
Frequency: Nonrecurring
Respondent's obligation: Mandatory
OMB desk officer: Timothy Sprehe, 395–4814

Copies of the above information collection proposals can be obtained by calling or writing DOC Clearance Officer, Edward Michals (202) 377–4217, Department of Commerce, Room 6622, 14th and Constitution Avenue NW., Washington, D.C. 20230.

Written comments and recommendations for the proposed information collections should be sent to the respective OMB Desk Officer, Room 3235, New Executive Office Building, Washington, D.C. 20503.

Edward Michals,

Department Clearance Officer.

[FR Doc. 83-5131 Filed 2-28-83; 8:45 am]

BILLING CODE 3510-CW-M

International Trade Administration

Advisory Committees; Renewal

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of renewal.

SUMMARY: In accordance with the provisions of the Federal Advisory Committee Act, (5 U.S.C. App. (1976)), and Office of Management and Budget Circular A–63 (Revised), Advisory Committee Management, and after consultation with the General Services Administration, the delegate of the Secretary of Commerce has determined that the renewal of the Importers and Retailers', Management-Labor, and Exporters' Textile Advisory Committees are in the public interest in connection with the performance of duties imposed on the Department of Commerce by law.

Importers and Retailers' Textile Advisory Committee

The Importers and Retailers' Textile Advisory Committee was established by the Secretary of Commerce on August 13, 1963. Its purpose was, and continues to be, to advise Department officials on the effects on import markets and retailing of cotton, wool, and man-made fiber textile agreements.

The Committee will have balanced representation of not more than 25 members, appointed by the Secretary of Commerce, who are directly involved in importing and for retailing imported textile and apparel products, or who represent consumer or public interest groups.

Management-Labor Textile Advisory Committee

The Management-Labor Textile Advisory Committee was initially established by the Secretary of Commerce on October 18, 1961, pursuant to a Presidential directive of October 18, 1961, to advise Department officials on problems and conditions in the textile and apparel industry. The Committee furnishes information on world trade in textiles and apparel to officials in the Department of Commerce and to the Committee for the Implementation of Textile Agreements, the Textile Trade Policy Group, U.S. representatives to the General Agreement on Tariffs and Trade, and U.S. negotiators of textile agreements.

The Committee will have balanced representation of approximately 40 members, appointed by the Secretary of Commerce, who are associated with the domestic textile and apparel industry, labor unions, and consumer or public interest groups.

Exporters' Textile Advisory Committee

The Exporters' Textile Advisory Committee was established by the Secretary of Commerce on March 24, 1966, to advise Department officials on the identification and surmounting of barriers to the expansion of textile exports, and on methods of encouraging textile firms to participate in export expansion.

The Committee will have balanced representation of approximately 30 members, appointed by the Secretary of Commerce, who are associated with the textile and apparel exporting industry and consumer or public interest groups.

The Committees will continue to function solely as advisory bodies and in compliance with the provisions of the Federal Advisory Committee Act. The Office of Textiles and Apparel in the International Trade Administration provides staff support.

Copies of the Committees' revised charters will be filed with appropriate committees of the Congress, and copies will be forwarded to the Library of Congress.

EFFECTIVE DATE: January 28, 1983.

FOR FURTHER INFORMATION CONTACT: Committee Control Officer, Judith McConahy, Office of Textiles and Apparel, International Trade Administration, U.S. Department of Commerce, Room 3100, Washington, D.C. 20230, telephone: (202) 377–4212 or Mrs. Yvonne Barnes, Committee Management Analyst, U.S. Department of Commerce (202) 377–4217.

Dated: February 23, 1983.

Dennis C. Boyd,

Executive Director, Information Resources Management.

[FR Doc. 83-5130 Filed 2-28-83; 8:45 am]

BILLING CODE 3510-CW-M

Certain Steel Pipes and Tubes From Japan; Antidumping Duty Order

AGENCY: International Trade Administration, Commerce.

ACTION: Antidumping Duty Order—Certain Steel Pipes and Tubes from Japan.

SUMMARY: In separate investigations, the U.S. Department of Commerce (the Department) and the U.S. International Trade Commission (ITC) have determined that certain steel pipes and tubes from Japan are being sold at less than fair value and that these sales are materially injuring a U.S. industry. Therefore, all unliquidated entries, or warehouse withdrawals, for consumption of this merchandise made on or after August 25, 1982, the date on which the Department published its "Suspension of Liquidation" notice in the **Federal Register**, will be liable for the possible assessment of antidumping duties. Further, a cash deposit of estimated antidumping duties must be made on all such entries, and withdrawals from warehouse, for consumption made on or after the date of publication of this antidumping duty order in the **Federal Register**.

EFFECTIVE DATE: March 1, 1983.

FOR FURTHER INFORMATION CONTACT: Stuart Keitz, Office of Investigations, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW.,

Washington, D.C. 20230, telephone (202) 377-1769.

SUPPLEMENTARY INFORMATION: For the purposes 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.

In accordance with section 733 of the Tariff Act of 1930, as amended (the Act) (19 U.S.C. 1673b), on August 25, 1982, the Department preliminarily determined that there was reason to believe or suspect that certain steel pipes and tubes from Japan were being sold at less than fair value (47 FR 37263). On January 11, 1983 the Department made its final determination that imports of this merchandise, except for seamless heat-resisting pipes and tubes manufactured by Nippon Kokan K.K., and seamless stainless pipes and tubes manufactured by Kobe Steel, Ltd. and Sanyo Special Steel, Ltd., were being sold at less than fair value (48 FR 1206).

On February 15, 1983, in accordance with section 735(b) of the Act (19 U.S.C. 1673d(b)), the ITC determined and notified the Department that such importations are materially injuring a U.S. industry.

Therefore, in accordance with sections 736 and 751 of the Act (19 U.S.C. 1673e and 1675), the Department directs U.S. Customs officers to assess antidumping duties equal to the amount by which the foreign market value of the merchandise exceeds the U.S. price for all entries of certain steel pipes and tubes from Japan except for seamless heat-resisting pipes and tubes manufactured by Nippon Kokan K.K. and seamless stainless pipes and tubes manufactured by Kobe Steel, Ltd. and Sanyo Special Steel, Ltd. These antidumping duties will be assessed on all of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after August 25, 1982, the date on which the Department published its "Suspension of Liquidation" notice in the **Federal Register**, and all future entries of said merchandise.

On or after the date of publication of this notice, U.S. Customs officers must require, at the same time that importers deposit their estimated normal customs duties on the merchandise, an additional cash deposit of estimated antidumping duties equal to the following rates:

Seamless heat-resisting pipes and tubes—2.83%.

Seamless stainless pipe and tubes—22.95%.

The U.S. Customs service will also take appropriate measures to ensure that the exclusion of oil country tubular goods is properly monitored.

This determination consititutes an antidumping duty order with respect to certain steel pipes and tubes from Japan, pursuant to section 736 of the Act (19 U.S.C. 1673e) and § 353.48 of the Commerce Regulations (19 CFR 353.48). The Department intends to conduct an administrative review within twelve months of publication of this order, as provided in section 751 of the Act (19 U.S.C. 1675).

We have deleted from the Commerce Regulations, Annex 1 to 19 CFR Part 353, which listed antidumping findings and orders currently in effect. Instead, interested parties may contact the Office of Information Services, Import Administration, for copies of the updated list of orders currently in effect.

This notice is published in accordance with section 736 of the Act (19 U.S.C. 1673e) and § 353.48 of the Department of Commerce Regulations (19 CFR 353.48).

Dated: February 23, 1983.

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

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 610.5206, 610.5208, 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 temperatures in heat exchangers, boilers and other industrial equipment. Additional uses may also include mechanical applications such as structurals and bicycle wheel spokes.

[FR Doc. 83-5134 Filed 2-28-83; 8:45 am]

BILLING CODE 3510-25-M

Industrial Nitrocellulose From France; Antidumping Investigation; Extension of Period for Final Determination

AGENCY: International Trade Administration, Commerce.

ACTION: Extension of Period for Final Determination.

SUMMARY: The Department of Commerce hereby extends the period for determination with respect to its antidumping investigation of industrial nitrocellulose from France. The final determination will be made no later than May 9, 1983.

EFFECTIVE DATE: March 1, 1983.

FOR FURTHER INFORMATION CONTACT: Betty H. Laxague or Stuart Keitz, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, D.C. 20230, Telephone (202) 377-3601/1769.

SUPPLEMENTARY INFORMATION: On December 23, 1982, the Department of Commerce (the Department) determined preliminarily that industrial nitrocellulose from France was not being, or was not likely to be, sold at less than fair value within the meaning of section 731 of the Tariff Act of 1930, as amended (19 U.S.C. 1673) (the Act). On January 17, 1983, counsel for the petitioner, Hercules Incorporated, requested that the Department extend the period for determination until 135 days after the date of the preliminary determination in accordance with section 735(a)(2)(b) of the Act.

We have determined that the additional time is needed in order that a proper analysis may be completed with regard to this investigation. Accordingly, the period for determination in this case is hereby extended. A final determination will be made not later than May 9, 1983.

Public Comment

In accordance with § 353.47 of the Commerce Department Regulations, we will hold a public hearing to afford interested parties an opportunity to comment on the preliminary determination at 10:00 a.m. on March 23, 1983, at the United States Department of Commerce, Room 1851, 14th Street and Constitution Avenue NW., Washington, D.C. 20230. Individuals who wish to participate in the hearing must submit a request to the Deputy Assistant Secretary for Import Administration, Room 3099B, at the above address within ten days of publication of this notice. Requests should contain: (1) The party's name, address, and telephone

number; (2) the number of participants; (3) the reason for attending; and (4) a list of the issues to be discussed. In addition, prehearing briefs in at least ten copies must be submitted to the Deputy Assistant Secretary by March 16, 1983. Oral presentations will be limited to issues raised in the briefs.

Dated: February 22, 1983.

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 83-5133 Filed 2-28-83; 8:45 am]

BILLING CODE 3210-25-M

[A-588-045]

Steel Wire Rope From Japan; Final Results of Administrative Review of Antidumping Finding

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of Final Results of Administrative Review of Antidumping Finding.

SUMMARY: On November 24, 1982, the Department of Commerce published the preliminary results of its administrative review of the antidumping finding on steel wire rope from Japan. The review covers 102 of the 110 known manufacturers, exporters, and third-country resellers of this merchandise to the United States and generally the period October 1, 1980 through September 30, 1981.

Interested parties were given an opportunity to submit oral or written comments on the preliminary results. We received no comments. With one exception, the final results of review are unchanged from those presented in the preliminary results of review. Based on our analysis, we have decided to defer publishing final results of review for shipments by Mitsui & Co., Ltd. to permit a possible re-investigation of its dumping margins.

EFFECTIVE DATE: March 1, 1983.

FOR FURTHER INFORMATION CONTACT: Michael R. Cox or Robert J. Marenick, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230, telephone: (202) 377-5255.

SUPPLEMENTARY INFORMATION:

Background

On October 15, 1973, the Treasury Department published in the **Federal Register** (38 FR 28571) an antidumping finding with respect to steel wire rope from Japan. On November 24, 1982, the Department of Commerce ("the Department") published in the **Federal Register** (47 FR 53084-7) the preliminary results of its last administrative review of the finding. The Department has now completed that administrative review.

Scope of the Review

Imports covered by the review are shipments of steel wire rope, except brass electroplated steel truck tire cord of cable construction specially packaged for protection against moisture and atmosphere. The steel wire rope covered is currently classifiable under items numbers 642.1200, 642.1400, 642.1500, 642.1600, and 642.1700 of the Tariff Schedules of the United States Annotated.

The review covers 101 of the 108 known Japanese firms and one of the two known third-country resellers engaged in the manufacture and/or exportation of Japanese steel wire rope to the United States. We will cover in a subsequent review six Japanese firms, Daiyu Kogyo Co., Ltd., Nakasuji Seikosho, Kiyohara & Co., Ltd., Nippo Wire & Rope Co., Ltd., Ui Steel Products Works Ltd., and Wire Shoji, and one Canadian reseller, Wesco Industires Ltd., all of which were only recently discovered to be exporting such merchandise to the U.S. In light of the recent guilty plea to customs fraud by Mitsui & Co. (U.S.A) Inc., wholly-owned subsidiary of Mitsui & Co., Ltd., we are also deferring publication of the final results of review for shipments by the manufacturer/exporter combination of Nippon Steel Wire Rope Mfg. Co., Ltd./Mitsui & Co., Ltd. (representing all of Mitsui's shipments during the review period) in order to permit a possible re-investigation of its dumping margins.

For the majority of the firms covered, the period of review is October 1, 1980 through September 30, 1981. The applicable periods are indicated for each firm under the *Final Results of the Review.*

Final Results of the Review

Interested parties were invited to comment on the preliminary results. The Department received no written comments or requests for a hearing. Based on our analysis, the final results of our review are the same as those presented in the preliminary results of review, except for the deferral of Nippon Steel Wire Rope Mfg. Co., Ltd./Mitsui & Co., Ltd., and we determine that the following weighted-average margins exist:

Manufacturer/exporter	Time period	Margin (percent)
Ace Industrial Co., Ltd.	10/01/80-9/30/81	[1]5.68
Ako Rope, K.K.	10/01/80-9/30/81	[1]5.68
Asahi Mini Rope Co., Ltd.	10/01/80-9/30/81	[1]9.68
Chrysanthemum Nippon Wire Rope Co., Ltd./Izumi Trading Co., Ltd.	10/01/80-9/30/81	0
Chrysanthemum Nippon Wire Rope Co., Ltd./Kent-Moore Japan, Inc.	10/01/80-9/30/81	0
Chuo Seisakusho Ltd./ All Exporters.	10/01/80-9/30/81	[1]1.30
Daido Corp.	10/01/80-9/30/81	[1]5.68
Daisan Kogyo	10/01/80-9/30/81	[1]5.68
Daiwa Steel Co., Ltd. (also known as Daiwa Kogyo K.K.).	10/01/80-9/30/81	[1]5.68
Dia Enterprises, Ltd.	10/01/80-9/30/81	9.68
J. Gerber & Co. (Japan).	10/01/80-9/30/81	[1]0
Godo Tessen Co., Ltd.	10/01/80-9/30/81	[1]9.68
Hakko Sangyo Co., Ltd.	10/01/80-9/30/81	[1]0
Hannan Wire Rope Mfg. Co. Ltd./Far East Industrial Co., Ltd.	10/01/80-9/30/81	[1]9.68
Hannan Wire, Rope Mfg. Co., Ltd./ Higashishiba & Co., Ltd.	10/01/80-9/30/81	[1]5.68
Iba Steel Rope Mfg. Co., Ltd./Hori Trading Co., Ltd.	10/01/80-9/30/81	[1]9.68
Igeta Wire Rope Co., Ltd./Mitsui & Co., Ltd.	10/01/80-9/30/81	[1]3.81
Igeta Wire Rope Co., Ltd./Kimura Shoten, Ltd. (formerly known as Osaka Ship Supplies Center).	10/01/80-9/30/81	[1]3.81
Ito-Ume & Co., Ltd.	10/01/80-9/30/81	[1]5.68
Iwata Wire Rope Mfg. Co. Ltd./Mitsui & Co., Ltd.	10/01/80-9/30/81	[1].47
Japan Steel Wire Rope Co., Ltd./Kohshin Co., Ltd.	10/01/80-9/30/81	[1]9.68
Kasuga Seiko Co., Ltd./Higashishiba & Co., Ltd.	10/01/80-9/30/81	[1]0
Kasuga Seiko Co., Ltd./Kohshin Co., Ltd.	10/01/80-9/30/81	[1]0
Kasuga Seiko Co., Ltd./Nissho-Iwai.	10/01/80-9/30/81	[1].12
Kasuga Seiko Co., Ltd./Sumitomo Corporation (also known as Sumitomo Shoji Kaisha Ltd.).	10/01/80-9/30/81	4.62
Kawashima Trading Co., Ltd.	10/01/80-9/30/81	[1]9.68
Kawatetsu Wire Products Ltd./Mitsui & Co., Ltd.	10/01/80-9/30/81	[1]0
Kiku Steel & Wire Rope Co., Ltd./ Watanabe Trading Co., Ltd.	10/01/80-9/30/81	4.62
Kobayashi Metals Ltd.	10/01/80-9/30/81	[1]5.68
Kokoku Steel Wire, Co., Ltd./Itotaka Int'l.	10/01/80-9/30/81	[1].31
Kokoku Steel Wire, Ltd./Kanematsu Gosho Ltd.	10/01/80-9/30/81	[1]0
Kokoku Steel Wire, Ltd./Kohshin Co., Ltd.	10/01/80-9/30/81	4.62
Kokoku Steel Wire, Ltd./Kongo Corp.	04/01/79-9/30/81	0
	10/01/80-9/30/81	[1]0
Kokoku Steel Wire, Ltd./Koyo Boeki Co., Ltd.	10/01/80-9/30/81	4.62
Kokoku Steel Wire, Ltd./Mitsui & Co., Ltd.	10/01/80-9/30/81	[1]2.55
Kokoku Steel Wire, Ltd./Nichimen Co., Ltd.	10/01/80-9/30/81	4.62

Manufacturer/exporter	Time period	Margin (percent)
Kokoku Steel Wire, Ltd./Nissho Iwai	10/01/80-9/30/81	4.62
Kokoku Steel Wire, Ltd./Shinko Shoji Kaisha Ltd. (also known as Shinsho Corp.).	10/01/80-9/30/81	[1]1.76
Kokoku Steel Wire, Ltd./Sumitomo Corporation (also known as Sumitomo Shoji Kaisha).	10/01/80-9/30/81	[1]0
Kokoku Steel Wire, Ltd./Yutoku & Co., Ltd.	10/01/80-9/30/81	4.62
Kondo Iron Works Co., Ltd.	10/01/80-9/30/81	[1]9.68
Koshihara Iron Works Co., Ltd.	10/01/80-9/30/81	[1]5.68
Kyosei Industry Co., Ltd.	10/01/80-9/30/81	[1]0
Kyowa Wire Rope Mfg. Co., Ltd./Mitsui & Co., Ltd.	10/01/80-9/30/81	[1]0
Kyowa Wire Rope Mfg. Co., Ltd./S.M. Industries, Inc.	10/01/80-9/30/81	.22
Kyowa Wire Rope Mfg. Co., Ltd./Yutoku & Co., Ltd.	10/01/80-9/30/81	.23
Liberty Shokai, Ltd	10/01/80-9/30/81	[1]5.66
Maruka Machinery Co., Ltd.	10/01/80-9/30/81	[1]5.66
Marubeni Wire Rope Mfg. Co., Ltd./S.M. Industries.	10/01/80-9/30/81	4.62
Marusen Wire Rope Mfg. Co., Ltd./Yutoku & Co., Ltd.	10/01/80-9/30/81	.92
Meiji Seiko Co., Ltd. (also known as Meiji Steel Wire & Rope Co., Ltd.)/Mitsui & Co., Ltd.	10/01/80-9/30/81	[1]0
Milwire Industries Co., Ltd./F.A. Industries Corp.	10/01/80-9/30/81	4.62
Milwire Industries Co., Ltd./K. Onishi & Co., Ltd.	10/01/80-9/30/81	4.62
Misawa Trading Co., Ltd. (also known as Misawa Kosan Kaisha, Ltd.)/S.M. Industries, Inc.	10/01/80-9/30/81	[1]0
Naigai Rope Mfg. Co., Ltd./Mitani Kogyo Co.	10/01/80-9/30/81	[1]0
Naniwa Wire Rope Mfg. Co., Ltd./Higashishiba & Co., Ltd.	10/01/80-9/30/81	[1]2.59
Naniwa Wire Rope Mfg. Co., Ltd./Mitsui & Co., Ltd.	10/01/80-9/30/81	[1]0
Naniwa Wire Rope Mfg. Co., Ltd./all exporters other than Mitsui or Higashishiba.	10/01/80-9/30/81	9.68
Nankai Senshu Steel Wire & Rope Co., Ltd./Sumitomo Shoji Kaisha (also known as Sumitomo Corp.).	10/01/80-9/30/81	[1]0
Nanri Trading Co., Ltd	10/01/80-9/30/81	[1]5.68
Nihon (or Nippon) Miniature Rope Mfg. Co., Ltd./Kin-yo Co., Ltd.	10/01/80-9/30/81	[1]0
Nihon (or Nippon) Miniature Rope Mfg. Co., Ltd./Mitsui & Co., Ltd.	10/01/80-9/30/81	[1]0
Nihon (or Nippon) Miniature Rope Mfg. Co., Ltd./S.M. Industries.	10/01/80-9/30/81	[1]0
Nihon (or Nippon) Miniature Rope Mfg. Co., Ltd./Yutoku & Co., Ltd.	10/01/80-9/30/81	[1]0
Nikko (Seiko) Steel Wire Rope Mfg. Co., Ltd./Daimyo Bussan Co., Ltd.	10/01/80-9/30/81	4.62
Nikko (Seiko) Steel Wire Rope Mfg. Co., Ltd./The F.A. Industries Corp.	10/01/80-9/30/81	4.62
Nikko (Seiko) Steel Wire Rope Mfg. Co., Ltd./Union Co., Ltd.	10/01/80-9/30/81	[1]9.68
Nishimura Wire Rope Mfg. Co., Ltd./Kin-yo Co., Ltd.	10/01/80-9/30/81	[1].35
Nishimura Wire Rope Mfg. Co., Ltd./K-M Int'l.	10/01/80-9/30/81	[1]0
Nishiya Wire Rope Co., Ltd./Mitsui & Co., Ltd.	10/01/80-9/30/81	[1].06
Nissei Sangyo Co., Ltd	10/01/80-9/30/81	[1]5.68
Nisshi-Nippon Fujikura Co., Ltd.	10/01/80-9/30/81	[1]5.68
Nobuhara Mfg. & Supply Co.	10/01/80-9/30/81	[1]5.68
Ryoei Shoji Co., Ltd	10/01/80-9/30/81	[1]5.68
Sakai & Co., Ltd	10/01/80-9/30/81	[1]5.68
Sanwa Seiko Co., Ltd./S.M. Industries Inc.	10/01/8079-9/30/81	4.62
Sasaki Kogyo Yugen Kaisha.	10/01/80-9/30/81	[1]9.68
Seiko Wire Rope Co., Ltd./Kin-yo Co., Ltd.	10/01/80-9/30/81	[1]0
Seiko Wire Rope Co., Ltd./Kohshin Co., Ltd.	10/01/80-9/30/81	[1]9.68
Seiko Wire Rope Co., Ltd./Koutoku Trading Co., Ltd.	10/01/80-9/30/81	4.62
Seiko Wire Rope Co., Ltd./Okura & Co., Ltd.	08/04/79-9/30/81	4.62
Seiko Wire Rope Co., Ltd./S.M. Industries, Inc.	10/01/80-9/30/81	4.62
Seo Hardware Corp	10/01/80-9/30/81	[1]9.68
Shibamoto & Co., Ltd	10/01/80-9/30/81	[1]5.68
Shimada & Co., Ltd	10/01/80-9/30/81	[1]5.68
Shimko Wire Co.,Ltd./Kanematsu-Goshs Ltd..	10/01/80-9/30/81	[1]0
Shinko Wire Co., Ltd./Mitsui & Co., Ltd.	10/01/80-9/30/81	[1]0
Shinko Wire Co., Ltd./Nissho-Iwai.	10/01/80-9/30/81	[1]0
Shinko Wire Co., Ltd./Shinsho Corp.	10/01/80-9/30/81	0
Shinyo Ropes Co., Ltd./Higashishiba & Co., Ltd.	10/01/80-9/30/81	4.62
Shinyo Ropes Co., Ltd./Mitsui & Co., Ltd.	10/01/80-9/30/81	[1]0
Shinyo Ropes Co., Ltd./S.M. Industries.	10/01/80-9/30/81	4.62
Shinyo Ropes Co., Ltd./Yutoku & Co., Ltd..	10/01/80-9/30/81	[1]0
Showa Boeki Co., Ltd	10/01/80-9/30/81	[1]5.68
Sumiyoshi Kinzoku Kogyo.	10/01/80-9/30/81	[1]9.68
Taiho Seikosho Co., Ltd./Kin-yo Co., Ltd.	10/01/80-9/30/81	[1]0
Taisei Int'l. Corp	10/01/80-9/30/81	[1]5.68
Taiyo Seiki (Iron Works) Co., Ltd./Far East Industrial Co., Ltd.	10/01/80-9/30/81	5.68
Y. Takeuchi and Co	10/01/80-9/30/81	[1]5.68
Tanaka Metals Corp	10/01/80-9/30/81	[1]5.68
Teikoku Sangyo Co., Ltd./Sumitomo Corporation (Sumitomo Shoji Kaisha, Ltd.).	10/01/80-9/30/81	4.62
Teikoku Sangyo Co., Ltd./The Tosho Co., Ltd.	10/01/80-9/30/81	4.62
Teikoku Sangyo Co., Ltd./Mitsui & Co., Ltd.	10/01/80-9/30/81	[1]0
Teikoku Sangyo Co., Ltd./Mitsubishi Corp.	10/01/80-9/30/81	[1]0
Teikoku Sangyo Co., Ltd./Nissho Iwai.	10/01/80-9/30/81	[1]1.09
Teikoku Sangyo Co., Ltd./Watanabe Trading Co., Ltd.	10/01/80-9/30/81	[1]0
Tokyo Rope Mfg. Co., Ltd./C. Itoh & Co., Ltd.	04/01/78-3/31/79	1.07
	04/01/79-9/30/80	2.21
	10/01/80-9/30/81	[1]2.21
Toyo Sangyo Co., Ltd	10/01/80-9/30/81	[1]5.68
Union Wire Rope Mfg. Co. Ltd./Sanyu Bussan Kaisha, Ltd.	10/01/80-9/30/81	4.62
Yamasho Co., Ltd	10/01/80-9/30/81	[1]9.68
Yuasa Trading Co., Ltd	10/01/80-9/30/81	[1]5.68

[1] No shipments during the period.

Mfr./Third-country reseller (country)	Time period	Margin (percent)
Daishin Shoji Co., Ltd./Vanguard Steel Ltd. (Canada).	10/01/80-9/30/81	4.49
Shinyo Ropes Co., Ltd./Vanguard Steel Ltd. (Canada).	10/01/80-9/30/81	[1]0

[1] No shipments during the period.

The Department shall determine, and the U.S. Customs Service shall assess, dumping duties on all appropriate entries made with purchase dates during the time periods involved. Individual differences between United States price and foreign market value may vary from the percentages stated above. The Department will issue appraisement instructions on each exporter directly to the Customs Service.

Further, as provided for in § 353.48(b) of the Commerce Regulations, a cash deposit of estimated antidumping duties based upon the most recent of the above margins shall be required on all shipments of Japanese steel wire rope from these firms entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice. Because the weighted-average margins for the manufacturer/exporter combinations of Iwata Wire Rope Mfg. Co., Ltd./Mitsui & Co., Ltd., Kasuga Seiko Co., Ltd./Nissho Iwai, Kokoku Steel Wire Co., Ltd./Itotaka International, Kyowa Wire Rope Mfg. Co., Ltd./S.M. Industries, Kyowa Wire Rope Mfg. Co., Ltd./Yutoku & Co., Ltd., Nishimura Wire Rope Mfg. Co., Ltd./Kin-yo Co., Ltd., and Nishiya Wire Rope Co., Ltd./Mitsui & Co., Ltd. are less than 0.5 percent and therefore *de minimis*, the Department waives the deposit requirement for shipments from these firms. For any shipments from a new exporter not covered in this administrative review, unrelated to any covered firm, a cash deposit shall be required at the highest rate for

responding firms with shipments during the review period, that is, 4.62 percent. These deposit requirements, and waivers of deposit, shall remain in effect until publication of the final results of the next administrative review. The Department intends to conduct the next administrative review by the end of October 1983.

The Department encourages interested parties to review the public record and submit applications for protective orders, if desired, as early as possible after the Department's receipt of the information during the next administrative review.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act of 1930 (19 U.S.C. 1675(a)(1)) and § 353.53 of the Commerce Regulations (19 CFR 353.53).

Dated: February 22, 1983.

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 83-5132 Filed 2-28-83; 8:45 am]

BILLING CODE 3510-25-M

National Bureau of Standards

[Docket No. 21005-205]

Approval of Federal Information Processing Standard 98, Message Format for Computer Based Message Systems

Under the provisions of Pub. L. 89-306 (79 Stat. 1127; 40 U.S.C. 759(f)) and Executive Order 11717 (38 FR 12315, dated May 11, 1973), the Secretary of Commerce (Secretary) is authorized to establish uniform Federal automatic data processing standards. On February 13, 1981, notice was published in the **Federal Register** (46 FR 12223) of the availability of the draft specification for a planned standard on Message Format for Computer Based Message Systems. As a result of comments received, a revision was undertaken and published in the **Federal Register** on October 6, 1981 (46 FR 49168) that a standard for Message Format for Computer Based Message Systems was being proposed for Federal use. Interested parties were invited to submit written comments concerning the proposed standard to the National Bureau of Standards (NBS).

The written comments submitted by interested parties and other material available to the Department relevant to this standard were reviewed by NBS. On the basis of this review, NBS recommended to the Secretary his approval of the standard as a Federal Information Processing Standard (FIPS), and prepared a detailed justification document for the Secretary's review in support of that recommendation. The purpose of this notice is to announce that the Secretary has approved the standard as a FIPS, and that the standard shall be published as FIPS Publication 98.

This standard separates information so that a Computer Based Message System can locate and operate on that information (which is found in the fields of messages).

The detailed justification document which was presented to the Secretary, and which includes an analysis of the written comments received, is part of the public record and is available for inspection and copying in the Department's Central Reference and Records Inspection Facility, Room 6622, Main Commerce Building, 14th Street between Constitution Avenue and E Street, NW., Washington, D.C. 20230.

The approved FIPS contains two portions: (1) An announcement portion which provides information concerning the applicability, implementation, and maintenance of the standard and (2) a specifications portion which deals with the technical requirements of the standard. Only the announcement portion of the standard is provided in this notice.

Interested parties may purchase either paper or microfiche copies of this standard, including the technical specifications portion, from the National Technical Information Service (NTIS). Specific ordering information from NTIS for this standard is set out in the Where to Obtain Copies Section of the announcement portion of the standard.

Persons desiring further information about this standard may contact Dr. John F. Heafner, Center for Computer Systems Engineering, Institute for Computer Sciences and Technology, National Bureau of Standards, Washington, D.C. 20234, (301) 921-3537.

Dated: February 23, 1983.

Ernest Ambler,

Director.

Federal Information Processing Standards Publication 98 Announcing the Standard for Message Format for Computer Based Message Systems

(Date) ————————.

Federal Information Processing Standards Publications are issued by the National Bureau of Standards pursuant to section 111(f)(2) of the Federal Property and Administrative Services Act of 1949, as amended, Public Law 89-306 (79 Stat. 1127), Executive Order 11717 (38 FR 12315, dated May 11, 1973), and Part 6 of Title 15 Code of Federal Regulations (CFR).

Name of Standard. Message Format for Computer Based Message Systems (FIPS PUB 98).

Category of Standard. Software Standard; Subcategory: Interchange Codes, Media and Data Files.

Explanation. This standard separates information so that a Computer Based Message System can locate and operate on that information (which is found in the fields of messages). This is the first of a family of standards which will ensure information interchange among Computer Based Message Systems.

Approving Authority. Secretary of Commerce.

Maintenance Agency. Department of Commerce, National Bureau of Standards (Institute for Computer Sciences and Technology).

Cross Index. Not Applicable.

Related Documents.

a. American National Standard Code for Information Interchange (ASCII), X3.4-1977, FIPS PUBS 1-1.

b. American National Standard Code Extension Techniques for Use with the 7-bit Coded Character Set of American National Standard Code (ASCII) for Information Interchange, X3.41-1974, FIPS PUB 35.

c. National Bureau of Standards. *Calendar Date.* Federal Information Processing Standards Publication 4, U.S. Department of Commerce/National Bureau of Standards, November, 1968.

d. National Bureau of Standards. *Data Encryption Standard* Federal Information Processing Standards Publication 46, U.S. Department of Commerce/National Bureau of Standards, January, 1977.

e. National Bureau of Standards. *Representation of Local Time of the Day for Information Interchange.* Federal Information Processing Standards Publication 58, U.S. Department of Commerce/National Bureau of Standards, February, 1979.

f. National Bureau of Standards. *Representation of Universal Time, Local Time differentials, and United States Time Zone References for Information Interchange.* Federal Information Processing Standards Publication 59, U.S. Department of Commerce/National Bureau of Standards, February, 1979.

Applicability. This message format standard applies to Federal departments and agencies in their acquisition and use of computer-based message systems (CBMS) and services in networked systems, except for certain single-processor systems. Specifically, the standard does not apply to a CBMS if it is a stand-alone system which is not interconnected with any other CBMS; nevertheless, conformance with the standard is recommended under these circumstances particularly if there is a possibility that use of another central processing unit, or interconnection with another system, will be required in the future. Where a new CBMS node is incorporated into an existing network, the standard applies at the interface between CBMS's. In this instance, previously existing nodes may accommodate the standard either through retrofit or by the use of a translator. In addition, networks that are established strictly for the purpose of supporting research in computer science or

communications are exempt from complying with this standard.

Subcommittee TC97/SC16 of the International Organization for Standardization (ISO) has developed a reference model for describing communications between "open" systems. (ISO/TC97/SC16 DIS7498) This model is known as the ISO Reference Model for Open Systems Interconnection (OSI). It divides communications protocols into seven layers, ranging from physical interconnection at the lowest layer to data exchange by application programs at the top.

The NBS message format deals with data used by an application within a system; it is not a protocol. Messages defined by the NBS message format would be manipulated by a layer 7 (Application) protocol.

A message as referenced by the NBS message format is a unit of communication from an originator to a recipient, exclusive of any message heading or control information (often referred to as a message envelope). An originator and recipient are typically people but may be roles or processes. A role identifies a function within an organization as opposed to an individual who performs that function. A process refers to a computer process that might originate or receive a message.

Special Information. Certain characteristics distinguish a CBMS from other systems for sending messages. Originators and recipients may be terminal users or processes (discrete software). A system in which the originator addresses a particular terminal device rather than a particular recipient is not considered to be a CBMS. The recipient's system need not be available when the originator sends a message. The message can be stored in the originator's system or at an intermediate node in the network until the recipient's system becomes available. In addition, a CBMS offers both message creation and message processing facilities as part of the system. a CBMS offers text editing facilities to assit the user in the preparation of a message. The recipient CBMS stores the message until the recipient chooses to read it. Message systems which do not provide these minimum functions are not considered CBMS's.

The intent of the message format standard is to allow users of different computer based message systems to send messages to each other. The standard does not make demands on the message transfer system except that it transports messages transparently. The standard makes some simple demands on the CBMS. The CBMS must recognize fields within the message, process fields in predetermined ways, create messages in the correct form, and recognize and create data elements of messages in the correct format. The standard does not dictate or constrain the services that the CBMS provides for users, or the way that messages are stored, represented, manipulated, or presented to the user by the CBMS.

The standard does constrain the format of the message at the interface between systems. This guarantees that, whatever the source of the message, it arrives at the receiving system in the standard format. The message format standard separates information into fields so that the CBMS can locate and operate on that information. The message is converted from the format used within the originator's CBMS to the standard format (if different) on leaving the originator's CBMS. The message is converted from the standard format to the format used within the receipient's CBMS (if different) on entering the recipient's CBMS.

Specifications. Federal Information Processing Standard (FIPS), Message Format for Computer Based Message Systems (affixed).

Qualifications. None.

Implementation Schedule. All applicable equipment or services ordered on or after 24 months from the date of issuance of this FIPS PUB, and all CBMS development initiated inhouse on or after 12 months from the date of issuance of this FIPS PUB must be in conformance with this standard unless a waiver has been obtained in accordance with the procedure described below. An exception to this standard is made when procurement actions are into the solicitation phase on the date of issuance of this FIPS PUB.

Waivers. Heads of agencies may request that the requirements of this standard be waived in instances where it can be clearly demonstrated that there are appreciable performance or cost advantages to be gained and that the overall interests of the Federal Government are best served by granting the requested waiver. Such waiver requests will be reviewed by and are subject to the approval of the Secretary of Commerce. The waiver request must address the criteria stated above as the justification for the waiver.

Forty-five days should be allowed for review and response by the Secretary of Commerce. Waiver requests shall be submitted to the Secretary of Commerce, Washington, D.C. 20230, and labeled as a Request for a Waiver to a Federal Information Processing Standard. No agency shall take any action to deviate from the standard prior to the receipt of a waiver approval from the Secretary of Commerce. No agency shall begin any process of implementation or acquisition of non-conforming equipment unless it has already obtained such approval.

Where to Obtain Copies. Either paper or microfiche copies of this Federal Information Processing Standard, including technical specifications, may be purchased from the National Technical Information Serice (NTIS) by ordering Federal Information Processing Standard Publication (FIPS-PUB-98), Message Format for Computer Based Message Systems. Ordering information, including prices and delivery alternatives, may be obtained by contacting the National Technical Information Service (NTIS), U.S. Department of Commerce, Springfield, Virginia 22161, telephone number (703) 487-4650. Payment may be made by check, money order, purchase order, credit card, or deposit account.

[FR Doc. 83-5085 Filed 2-28-83; 8:45 am]

BILLING CODE 3510-CN-M

National Oceanic and Atmospheric Administration

Announcement of Proposed National Marine Sanctuary Program Site Evaluation List

AGENCY: National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Notice.

SUMMARY: NOAA is proposing a list of sites (Site Evaluation List) that will provide the pool of areas from which NOAA will select sites to evaluate as candidates for national marine sanctuaries. NOAA is providing a 90-day comment period after which a final site evaluation list will be published.

DATE: Comments on the proposed Site Evaluation List will be accepted until May 31, 1983.

ADDRESS: Send comments to: Dr. Nancy Foster, Acting Chief, Sanctuary Programs Division, Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration, 3300 Whitehaven Street, NW., Washington, D.C. 20235, (202) 634-4236.

FOR FURTHER INFORMATION CONTACT: Mr. Edward Lindelof, Sanctuary Programs Division, Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration, 3300 Whitehaven Street, NW., Washington, D.C. 20235, (202) 634-4236.

SUPPLEMENTARY INFORMATION: Title III of the Marine Protection, Research, and Sanctuaries Act of 1972, 16 U.S.C. 1431 (the Act) authorizes the Secretary of Commerce, with Presidential approval, to designate ocean waters as far seaward as the outer edge of the continental shelf as marine sanctuaries to preserve or restore their distinctive conservation, recreational, ecological, or aesthetic values. That authority is administered by the National Oceanic and Atmospheric Administration (NOAA) through the Office of Ocean and Coastal Resource Management (OCRM), Sanctuary Programs Division (SPD).

In regulations published on July 31, 1979 (44 FR 44831), NOAA established the List of Recommended Areas (LRA) as a means of eliminating clearly inappropriate proposals, advising the public at large of recommended sites, cataloging potentially significant marine sites, and soliciting information on those sites. The LRA, however, did not totally fulfill these purposes. Since the LRA Cite evaluation criteria were broad and

allowed marginally acceptable nominations to qualify for further consideration, the procedure resulted in unnecessary controversy over the National Marine Sanctuary Program (Program) as a whole. A great number of nominations were received, many of which were minimally acceptable, in some instances incorporating large areas of Outer Continental Shelf waters and encompassing thousands of square miles. This caused substantial confusion and concern over the status of sites on the LRA and the likelihood of further action. Even though the majority of the listed sites would never become active candidates, the LRA has often been perceived as the blueprint for the Program.

In January 1982, NOAA published a Program Development Plan (PDP) for the Program. The PDP describes the Program's mission and goals; site identification and selection criteria; and establishes a sanctuary nomination and designation process. On September 7, 1982, NOAA published proposed regulations for the continued operation of the Program (47 FR 39191). Pursuant to the PDP and the regulations, NOAA has developed a new Site Evaluation List (SEL) process.

SEL Process

NOAA expects to publish final regulations in March 1983. To facilitate public discussion we are publishing at this time a list of potential SEL sites for public review. This list is based on the recommendations of Regional Resource Evaluation Teams. The teams recommended a total of 33 sites and from these NOAA is proposing 29. NOAA is providing a 90-day comment period on this proposed list. The original team recommendations and additional information on the sites may be obtained from NOAA.

After comments are obtained on the proposed list, NOAA will establish the final SEL list. Sites on the final list will be evaluated over a 5-year period to determine the feasibility of their becoming active candidates for designation as marine sanctuaries. The process for designating sanctuaries is described in the proposed regulations in 47 FR 39191.

Listed below, by region, are the sites that NOAA is proposing for the SEL.

Proposed Site Evaluation List

North Atlantic

Mid-Coastal Maine, Maine

This site covers an area of 430 mi^2 of coastal waters including both State and Federal waters. The site encompasses the mouths of three major estuaries and two bays. It contains intertidal, shallow, and deep water zones which vary greatly in bottoms type, wave exposure, and biological components. The three rivers are the Kennebec, Sheepscot, and the Damariscotta; the site includes the waters of Johns and Muscongus Bays, and Southport, Sequin, Damariscove, Fishermen's Inner Heron, Outer Heron, White, Squirrel, Georges, and Monhegan Islands. Three marine research and educational facilities are situated on land adjacent to the site; the Maine Department of Marine Resources laboratory, the Bigelow Laboratory for Ocean Sciences (both in Boothbay Harbor), and the University of Maine Darling Center in Walpole, ME.

Stellwagen Bank

This site is approximately 31.7 miles (50 km) by 19.1 miles (30.6 km) covering approximately 605 mi^2 (1,567 km^2). The site is entirely within Federal waters situated on submerged Steelwagen Bank which is 6.3 miles (10.2 km) north of Cape Cod, Massachusetts.

Scientific and educational interest has been drawn to Stellwagen Bank due to the recurring seasonal abundance of several cetacean species, including the largest high-latitude population of humpback whales in the contiguous United States. The biologically-productive waters of the Bank provide important feeding and nursery grounds for this and other cetaceans, including fin, minke, and northern right whales. There are at least seven cetacean species occurring at Stellwagen Bank.

Commercially valuable fishery resources are also found in the area, including mackeral, bluefin tuna, and blue fish. The Bank is extensively used by commercial and recreational fishermen, whalewatchers, and cargo vessels.

Smaller cetacean species include the Atlantic white-sided dolphin, the white-beaked dolphin, and the harbor porpoise. In additon to these frequently-observed cetacean species, killer whales and pilot whales have also been spotted.

Nantucket Sound/Shoals and Oceanographer Canyon

The proposed Nantucket Shelf site encompasses approximately 1,805 mi^2 (4,650 km^2) and represents a variety of habitats within the biogeographic transition zone between the northern Acadian and southern Virginian regions. Habitats included are open bay (Nantucket Sound), nearshore open ocean and shoals (Nantucket Shoals), and a shelf-edge submarine canyon (Oceanographer Canyon). The Nantucket Sound site is in Federal waters between Nantucket Island and Cape Cod, Massachusetts, and its boundaries are contiguous with the Massachusetts Ocean Sanctuaries. The Nantucket Shoals and Oceanographer Canyon sites lie wholly within Federal waters off the coast of Massachusetts.

a. *Nantucket Sound:* Located south of Cape Cod, the Sound is affected by the convergence of two major ocean currents, the Labrador Current and the Gulf Stream. The mixture of these systems contributes to the large diversity of species found here. The richness of this transition zone ecology enhances the stability of plant life and the productivity of the estuaries in bordering coastlands that provide habitats for the many species that use the proposed marine sanctuary areas as nursery and feeding grounds. More that 16 species of fish and shellfish are commercially harvested in the area. The most common species found are alewife, bluefish, cod, flounder, clams, whelks, scallops, and squid.

b. *Nantucket Shoals:* Nantucket Shoals are a series of shifting sand shoals, derived from glacially deposited sediments that have been winnowed by marine processes. Most of the shoals are found under water depths of only 25 feet (8 m). Between many of the shallow areas are channels extending 60–120 feet (18–36 m) deep. The site includes Great South Channel.

Fishes common to this area include bluefish, striped bass, pollock, little tuna, Atlantic cod, and mackerel. Clams, scallops, and quahogs are found in some of the shoal's areas. Sea ducks overwinter in this area, and humpback whales occasionally feed within the proposed site.

c. *Oceanographer Canyon:* Submarine canyons, in general, provide a heterogeneous environment characterized by a variety of substrate types, and because they act as conduits for the transport of material from the shelf to the abyss, filter feeding organisms are more common than those found on the shelf. Within Oceanographer Canyon, the concentrations of organisms per 100 m^2 shows peak values of 400–450 around depths of 1,300 feet (400 m) and 6,000 feet (1,800 m). Major faunal groups include corals (primarily alcyonarians), echinoderms, fish, and crustaceans (particularly shrimp).

Virginia/Assateague Island

The candidate site would cover approximately 1,200 mi^2 (3,100 km^2) and lies within both State (Virginia and Maryland) and Federal waters. The site would include the estuarine waters and wetlands adjacent to the barrier islands

and mainland along the Atlantic coast of Virginia and Maryland from the north end of Assateague Island southward to Fisherman's Island out to 10 miles (16 km) from shore.

Along the periphery of this area are extensive, immensely productive salt marshes dominated by *Spartina alterniflora*. Dozens of benthic species are found here including at least 18 species of decapods crustaceans. Crabs, oysters, and clams feed upon the vegetation and microorganisms within these waters. More than 96 species of fish inhabit or migrate through these waters. Seals and dolphins are occasionally reported in this area. The threatened Atlantic loggerhead and green turtles occur here. Tracts of widgeon and eelgrass cover bay bottoms, and scallops inhabit beds of seagrass. A great diversity of waterfowl and shorebirds, including both migratory and resident species, are abundant. Active breeding colonies of birds exist on islands surrounded by these estuarine waters. Eagles, ospreys, brants, peregrine falcons, and the endangered brown pelican utilize the habitat of the area.

South Atlantic Region

Ten Fathom Ledge—Big Rock

This site consists of two areas. The inner shelf site (Ten Fathom Ledge) is a 135 mi^2 rectangle with its center located about 17 miles south of Cape Lookout, NC. The outer shelf site, "Big Rock" is locafed on the shelf break about 36 miles offshore, and is a 36 square mile area. These are both hard-bottom areas, with high productivity and assemblages of tropical marine organisms at the northern extreme of their range. The inner site includes four popular recreational diving spots; one of which includes a World War II German submarine.

Port Royal Sound, South Carolina

The site lies entirely within State waters covering an area of approximately 54.6 mi^2 (140 km^2). Port Royal Sound is South Carolina's largest deepwater sound and largest high-salinity body of water. Freshwater influence is primarily from the Coosawatchie and Pocotaligo Rivers. The site is bordered in part by extensive tracts of highly productive marshlands which provide important nutrient input for the area's food web. Numerous shellfish including shrimp, oysters, crabs, and clams inhabit these waters. Many species, such as king and Spanish mackerel, found primarily in coastal ocean waters elsewhere, are common. The site is a habitat for the endangered bald eagle, brown pelican, and alligator. The threatened green turtle has been reported in the area and the loggerhead turtle nests on beaches in the vicinity, and endangered turtle species which are occasionally reported in the area include: leatherback, hawksbill, and Kemp's Ridley. Bottle-nosed dolphins are also common.

Florida Coral Grounds, Florida

This site consists of two areas off the coast of Florida. These two areas are the 4.5 mi^2 "worm," or "bathtub," reef at St. Lucie, FL, and 92 mi^2 of the *Oculina* Reefs located 17 miles off the Florida coast in 70 to 100 m of water. The *Oculina* Reefs are unusual formations of ivory tree coral that forms delicately branched structures of moderate to high relief. *Oculina varicosa* provides a substrae and protection for a diversity of marine macroinvertebrates. The *Oculina* Reefs are also important breeding grounds for commercially valuable populations of gag and scamp grouper, nursery grounds for juvenile snowy grouper; and feeding grounds for these and other fish including black sea bass, red grouper, amberjack, and red snapper. This shelfedge system may form part of the migration pathway for king mackerel. Large populations of the commercially important squid, *Illex oxygonius*, spawn on reefs and spiny tail stingray use the reef region for courtship and mating.

St. Lucie Nearshore Reefs are hard bottom nearshore reefs of moderate to-high relief, 1–15 feet (0.3–4.6 m), situated at a depth of 5–27 feet (1.5–8 m) adjacent to St. Lucie Inlet, south of Ft. Pierce, Florida. Hard corals such as the ivory tree coral (*Oculina varicosa*), soft corals, and tube-forming sabellariid worms form this barrier reef's ledges, 15 feet (4.6 m) arches, and spur-and-groove buttresses. St. Lucie reef represents the northern limit for several species of hard corals (*Diploria clirosa, Oculina diffusa*) and soft corals.

Caribbean Region

Cordillera Reefs, Puerto Rico

This site includes approximately 62 mi^2 (160 km^2) around the Cordillera Islands totally lying within the waters of the Commonwealth off the northeast coasts of Puerto Rico. The area contains extensive and well-developed coral formation and provides habitat for the endangered manatee (*Trichechus manatus*) and the hawksbill turtle (*Eretmochelys imbricata*).

Southeast St. Thomas, U.S. Virgin Islands

This site consists of 12.3 mi^2 (32 km^2) of Virgin Island's territorial waters immediately southeast of St. Thomas, Jersey and Cowpet Bays, and the waters surrounding Great and Little St. James, Dog, Buck and Capella Islands. The area encompassess diverse tropical marine ecosystems, important coral reefs, and transitional marine meadows of algae and turtle grass.

East End, St. Croix, U.S. Virgin Islands

The area of this site is approximately 40 mi^2 (102 km^2). The site is within territorial waters and is adjacent to the east end of St. Croix, including the waters east of Buck Island and the area of Lang Bank out to a 60 foot depth to Great Pond Bay on the south coast. The site consists of a rich diversity of tropical species and marine habitats, including corals, marine meadows and fish.

Gulf of Mexico Region

Big Bend Seagrass Beds, Florida

This site is composed of 100 mi^2 of seagrass beds in the "big bend" region of Florida. These beds extends up to 22 miles (35 km) offshore and are a vastly productive habitat supporting a rich diversity of marine organisms including the endangered manatee. The seagrass community greatly increases the surface area available for plants and animals and provides a suitable substrate for many organsims that would not be able to colonize bare sand. In this way, the seagrass beds sustain the growth and proliferation of vast numbers of marine invertebrates and algae which interact in a delicately balanced food web that supports several commercially important species such as oysters, scallops, blue crab, stone crab, shrimp, red drum, spotted sea trout, and mullet.

In addition to supporting a rich diversity of food organsims for commercially important indigenous and migratory speices of finfish, detrital material derived from the seagrass beds may also provide an important source of nutrition supporting the adjacent oyster reef communities.

Shoalwater Bay—Chandeleur Sound, Louisiana

This site includes approximately 80 mi^2 (207 km^2) of State waters, pristine, shallow-water seagrass beds and algae located upon a subsiding remnant of abandoned Mississippi River delta. Adjacent to the east of this site is the Breton National Wildlife Refuge.

Dense stands of manatee grass (*Syringodium*), turtle grass (*Thalassia*), shoalgrass (*Halodule*), and widgeon grass (*Ruppia*) provide shallow-water habitiat for numerous finfish and shellfish in the proposed sanatuary. All five species of marine turtles which inhabit the Gulf of Mexico historically have been known to forage and nest in this area. These are the loggerhead turtle (*Caretta caretta*) and the threatened green turtle (*Chelonia mydas*), as well as three endangered turtles: hawksbill (*Eretmochelys imbricata*), Atlantic ridley (*Ledipochelys kempi*), and leatherback (*Dermochelys coriacea*).

The island shores adjoining the proposed site support black mangrove (*Avicennia germinans*) and intertidal marsh grass communities. Approximately 13,000 migratory waterfowl rely upon the shoals of this area for winter foraging.

Flower Garden Banks

This site is located 110 miles (160 km) offshore, consisting of east and west sections approximately 16 miles (25 km) apart and representing the northernmost coral reef community in the western Gulf of Mexico. The proposed borders of the sanctuary conform to the Bureau of Land Management "no activity zone" and encompass a total of 44 mi^2 (114 km^2). The area is a valuable representation of a tropical coral reef community dominated by hermatypic coral (*Montastra annualaris, M. Cavernosa, Porites astreoides*, and *Diploria strigosa*) and associated reef fishes and invertebrates.

Baffin Bay, Texas

At high tide, this site covers approximately 95 mi^2 (246 km^2), entirely within Texas State waters, and includes Baffin Bay, Laguan Salada, Cayo del Grullo, and Alazan Bay. Approximately 25 percent of the Bay system is composed of intertidal salt flat communities. The waters of the Bay are confluent with the upper Lagna Madre; however, the waters of the Bay system remain notably hypersaline.

The Baffin Bay complex occupies a former river valley, drowned as the sea level rose after the last ice age, 5,000–10,000 years ago. Depths throughout this area are shallow, averaging less than 9 feet (3 m). Extensive areas of soft black and grey mud, rich in hydrogen sulphide, cover the central bay bottoms. Isolated reef rocks and reef fields, composed of masses of calcareous tubes of living and dead serpulid worms, are scattered over the bay bottom, and are most notable across the mouths of Baffin Bay and Alazan Bay.

Eastern Pacific

Washington State Nearshore, Washington

This consists of waters around the San Juan Islands within Puget Sound. It encompasses approximately 250–275 mi^2 and is representative of rocky-shore, deep-water, and shallow-embayment habitats. The area contains mud and sand flats, sheltered bays, and marshes. Biotic zonation patterns typical of rocky shore habitats are clearly evident as the 12 foot (3.7 m) tidal range exposes a ruch diversity of marine flora and fauna. Rockweed and a variety of smaller green, red, and brown microalgae form the basis of the nearshore food web, and support vast populations of isopods, amphipods, hermit crabs, shrimp, barnacles, and other marine organisms associated with rocky shore habitats. Subtidally, rockfish, lingcod, cabezone, sculpins, and salmon abound in large numbers. The deeper waters serve as an important habitat for minke, gray, killer, and pilot whales, harbor and dall porpoises, harbor seals, stellar sea lions, and elephant seals. Bird nesting and feeding sites are interspersed throughout the San Juan Island complex, which supports the highest known concentration of nesting oystercatchers in the United States. Bald eagles are common and depend upon the marine environment for much of their food.

Western Washington Outer Coast, Washington

This site extends from Duntz Rock (north of Tatoosh Island on the northwestern tip of Washington State), 90 miles (145 km) southward along the coast to Point Grenville. The area lies within Washington State's jurisdiction. The inshore boundary would extend to mean high water; the offshore boundary is contiguous with the boundary established for the Washington Islands National Wildlife Refuge, 2–3 miles (3.2–4.8 km) offshore and would encompass approximately 230 mi^2. The area is representative of high wave-energy, rocky shore ecosystems, but is unique as a breeding and feeding ground for migratory marine birds, mammals, and fish. The area includes offshore kelp beds, numerous pocket beaches of fine or coarse-grained sands, and richly productive estuarine systems.

Heceta-Stonewall Banks of Oregon

This site is a hard-bottom bank which has an area of approximately 400 square miles (1,000 km^2) lying entirely within Federal waters. The outer boundary of the site lies along the 100-fathom depth contour. The surface waters of this area are highly productive, especially during the summer when northerly winds drive surface water offshore and nutrient-rich water upwells into the area. Bottom topography also causes turbulence bringing nutrient-rich waters to the surface. The Columbia River influences the area during the summer, adding nutrients which contribute to the high productivity.

The highly productive waters at this site provide a large food supply for fish populations. Abundant zooplankton thrive upon the phytoplankton blooms and, in turn, are eaten by other marine animals. The commercially important rockfish feed upon the euphausid shrimp, small fish, squid, and various zooplankton that inhabit this area. Fish caught in this area include: various rockfish, hake, lingcod, ocean perch, flounder, sole, halibut, mackerel, salmon, sablefish, skate, sculpin, and ratfish.

Morro Bay, California

Situated south of the city of Morro Bay in San Luis Opisbo County, this 2,000 acre embayment supports three habitats: coastal salt marsh, tidal mud flats, and deep-water channels. Morro Bay, within California State waters, is a heavily used fishing port and one of the largest bay wildlife habitats on California's coast. At low tide, 1,400 acres of mud flats are exposed, providing a vast feeding ground for over 250 species of birds and access to an extensive clam shellfishery resource. This is an important nesting area for egrets, herons, and the endangered American perigrine falcon. A portion of this site falls within a State park.

Tanner-Cortes Banks off California

This site consists of two neighboring rocky-bottom sites some 112 miles (180 km) west of San Diego, California. The composite area of these two sites is approximately 10 mi^2 extending down to the 200 feet (60 m) depth contour. The location of the banks in relation to oceanic currents results in a combination of both nearshore and offshore organisms. The underwater visibility is normally in excess of 10 feet (20 m). This area contains accessible, rare, relict lifeforms and newly-discovered species which have been the subject of scientific investigations. This area is important for maintenance of those species.

Western Pacific Region

Northern Marianas Islands

This site includes the waters out to 12 miles (20 km) from Uracus, Maug, Asuncion, Pagan, Guguan and Saigan Islands; and encompasses

approximately 700 mi². All of the islands are unpopulated and the area consists of a unique north-south orientation that presents a natural setting for biogeographical studies of marine organisms along a temperature gradient. Sea turtles (green and hawksbill), porpoises, whales (humpback and sperm) and marine birds are present in the area.

Southern Marianas Islands

This site consists of a variety of tropical marine habitats in selected sites off the islands of Saipan, Rota, and Tinian, as well as the waters surrounding Aquijan Islands and Naftan Rock. All sites extend from the high-water line to the 150 foot (46 m), depth contour. The site includes Tanapag Lagoon, the fringing reefs around Managaha Island, the barrier reef down to 150 feet (46 m), around the northern tip (Point Sabaneta), and south to Point Tanke. On Tinian Island, the patch reef just south of the harbor is proposed. On Rota, the fringing reefs and submarine terrace from West Dock south around Puntan Taipingot to East Dock as well as the south-eastern portion of Sosanjaya Bay are proposed. The proposed sites of Saipan, Rota, Tinian, and Aguijan include a wide variety of marine organisms found in various habitats, *i.e.*, lagoons, fringing reefs, barrier reefs, patch reefs, and wave-washed beaches. The lagoon around Managaha Island is unique in that few lagoons exist in the Mariana Islands. An assemblage of marine birds nest on Bird Island (Saipan) and Naftan Rock (off Aguijan). The northern portion of Tanapag Lagoon (Wing Beach) is a known nesting area for green turtles.

Cocos Lagoon, Guam

This site includes the Cocos barrier reefs, Cocos Lagoon, three islets (Cocos Island, Babe Island, and a third sandy island), and the coastal region lying between the mouth of Mamaon and Manell Channels. The triangular lagoon is enclosed by barrier reefs nearly 3 miles (5 km) long on the northwest side, 3.5 miles (5.6 km) long on the south side, and by 2.5 miles (4 km) of steep mountainous land and alluvial coastal lowland on the northeast side. The area of the barrier reefs and lagoon together is 3.9 mi² (10 km²).

The Cocos Lagoon site consists of various habitats and a unique community of marine organisms: (1) fringing reef flats and nearshore area, (2) barrier reef with its seaward slopes and lagonnal slopes, (3) deep channels with vertical and oblique sloping walls, (4) patch reefs, and (5) shallow lagoon floor.

Facpi Point to Fort Santo Angel, Guam

The proposed area includes the offshore waters to depths of 60 feet (18.3 m) from Facpi Point to Fort Santo Angel on the northern side of Umatac Bay. The total area of the site is approximately 2 mi² (5 km²). The shoreline consists of rocky volcanic headlands with steep volcanic shorelines and beaches at the heads of three bays: Sella Bay, Cetti Bay, and Fouha Bay. Low-lying narrow terraces of limestone border much of the shoreline. The bordering reef flat is a narrow intertidal reef. A wide variety of coral and fish are found in the area. Both the green and hawksbill turtles utilize the area. The coastline also contains seven prehistoric archaeological sites and five historic sites from the Spanish occupation.

Papaloloa Point, Ofu Island, American Samoa

The site extends from the southernmost tip of Ofu Island eastward to Asagatai Point. It encompasses approximately 3 miles (4.8 km) of shoreline and adjacent fringing reef down to a depth of 150 feet (45 m). Papalola Point is an excellent example of a fringing reef community and is typical of that found throughout the tropical insular South Pacific. Fishes, corals, and other invertebrates are highly diverse and abundant. The site is unique in that it is the only place in American Samoa where the blue coral, *Heliopora coerulea*, is known to occur.

Great Lakes Region

Cape Vincent (Lake Ontario), New York

This site encompasses 450 mi² (1,165 km²) situated in the northeastern corner of Lake Ontario, and is the gateway to New York State's Thousand Islands resort area and the St. Lawrence Seaway. The Cape Vincent area includes some of the most biologically rich and diverse habitats within the Great Lakes region and represents an environment critical to the life histories of many commerically and recreationally important fisheries of the Great Lakes.

The area contains major fish spawning habitats for 27 species of finfish. Alewives and rainbow smelt (important food fish for Lake Ontario's rapidly growing Pacific salmon fishery), as well as northern pike, bullhead, yellow perch, smallmouth bass, brown trout, and rainbow trout spawn in these bays.

Grenadier Island, Little Galloo Island, and Gull Island are important resting, feeding, and nesting habitats for more than 3,000 birds, representing 69 species of migrating and indigenous waterfowl. Loons, grebes, petrels, gulls, white pelicans, double-crested cormorants, great blue herons, egrets, bitterns, ibises, swans, geese, ducks, teals, widgeons, terns, sandpipers, as well as osprey, bald eagles, and peregrine falcons feed and nest within the boundaries of the area.

Western Lake Erie Islands Including Sandusky Bay, Ohio (Lake Erie)

This site encompasses approximately 440 mi² (1,140 km²) of Sandusky Bay, open Lake Erie waters, lake and bay bed, and wetlands, all within Ohio State jurisdiction. The Muddy Creek Bay wetland on the western end of Sandusky Bay is the most extensive wetland in Ohio along the Lake Erie coast. The site is utilized as a migration area by waterfowl, shorebirds, and pasaserine (perching) birds. Mallards, black ducks, and blue-winged teals breed in the marsh areas. The endangered bald eagle has historically nested in this area. Dense concentrations of great blue herons, great egrets, and black-crowned night herons nest within the West Sister Island U.S. Game Refuge. Cormorants, gulls, and various waterfowl breed on other islands. The rare or endangered common egret, least bittern, hooded merganser, king rail, and common tern are also found within the proposed site.

Ninety-five species of fish have been reported from this area. The area's dominant fish species which breed within these waters are: perch, bass, channel catfish, alewife, gizzard shad, carp, goldfish, freshwater drum, and emerald shiner.

The bottom-dwelling community is composed primarily of wide-spread and abundant chironomids and oligochaetes which are major food items for fish. Also distributed on and with the bottom are polychaete worms, caddisflies, coelenterates, flatworms, molluscs, amphipods, isopods, and other crustaceans. Two dozen species of freshwater mussel have been found on various substrates within the site.

Thunder Bay (Lake Huron), Michigan

This site includes Thunder Bay and vicinity (up to Middle Island) extending out to 83° W. Depths extend to over 300 feet (91 m) along the northeast section of the site. Altogether, the site has an area of approximately 400 mi² (1035 km²) and is entirely within Michigan State waters.

The underwater limestone sinkhole, the large concentration of historical shipwrecks, and the proximity of the Michigan Islands National Wildlife Refuge establish this area as a

particularly valuable historical, educational, and recreational resource.

There is a variety of biological niches in the Thunder Bay area. Marsh vegetation along the edges of the Michigan Islands provides a habitat and breeding area for thousands of colonial nesting birds such as ring-billed gulls, common terns, and herring gulls. Thunder Island alone hosts 11,000 breeding pairs of shorebirds. The area also serves as a habitat for 20 species of gamefish. Chinook salmon, rainbow trout, brown trout, splake, and steelhead are annually stocked by the Michigan Department of Natural Resources in the inland rivers that feed Thunder Bay.

Green Bay (Lake Michigan), Michigan and Wisconsin

The site covers an area of approximately 1,300 mi^2 (3,300 km^2) of Michigan and Wisconsin waters in Green Bay and part of Lake Michigan. The site consists of upper and lower units. The upper region is unpolluted and supports an existing (and potentially greater) fishery and important nursery and spawning grounds. The lower portion of the Bay is estuarine and contains warm water. Lower Green Bay is extremely polluted and highly eutrophic, although a concerted local, State, and Federal effort is continuing to improve water quality.

Over 37 species of fish spawn in the area. Salmon and lake trout are stocked by both State and Federal programs. A drastic depletion of certain fish populations occurred during recent times. Cisco are greatly reduced in number and the once common lake sturgeon is now endangered. Introduction of exotic species, such as German carp, alewife, ocean smelt, and sea lamprey, have markedly affected fish species composition in the area.

Bottom-dwelling tubificid worms and midge larvae, generally recognized as indicators of poor environmental quality, are abundant near the middle and south portions of the Bay. The pollution-intolerant "shrimp" *Pontoporeia affinis* inhabits the northern Bay bottom.

Lake Superior—Apostle Islands/Isle Royale, Wisconsin and Michigan

This site, composed of two important subunits, encompasses a total of 1,031 mi^2 of Wisconsin and Michigan waters situated in the western half of Lake Superior. One unit, roughly 375 mi^2 (970 km^2), lies adjacent to the Federally owned Apostle Islands National Lakeshore. The Boundaries of this park extend ¼ mile (0.4 km) into Lake Superior. The proposed site would include submerged lands beyond this boundary owned by the State of Wisconsin. The second unit consists of 656 mi^2 (1700 km^2) of Michigan State waters and submerged lands surrounding Isle Royale National Park to a depth of 600 feet (183 m). Eastward of Blake Point, the site boundary extends offshore Isle Royale a maximum distance of approximately 11.5 mi (18.5 km).

The waters surrounding the Apostle Islands and Isle Royale represent an important habitat, feeding, and breeding ground for commercially and recreationally important fish and wildlife. Twenty-one species of fish are known to spawn in these waters. Two unusual forms of lake trout (the Sicowet and the "humper") have been found to inhabit the deeper waters of the site. The pygmy whitefish is known to occur only in Lake Superior.

The waters in and around the islands in this region are used extensively as breeding, nursery, and feeding areas for more than 43 species of birds and ducks, including such fish-eating birds as the common loon, bald eagle, osprey, mergansers, and endangered double-crested cormorants which are making a comeback.

(Federal Domestic Assistance Catalog No. 11.419 Coastal Zone Management Program Administration)

Dated: February 24, 1983.

K. E. Taggart,

Acting Assistant Administrator for Ocean Services and Coastal Zone Management.

[FR Doc. 83-5064 Filed 2-28-83; 8:45 am]

BILLING CODE 3510-08-M

DEPARTMENT OF DEFENSE

Department of the Army

Army Medical Research and Development Advisory Committee, Subcommittee on Bacterial Diseases; Partially Closed Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of the following Subcommittee meeting:

Name of committee: United States Army Medical Research and Development Advisory Committee, Subcommittee on Bacterial Diseases

Date of meeting: 17, 18 March 1983

Time and place: 0830 hrs, Room 3092, Walter Reed Army Institute of Research, Washington, DC.

Proposed agenda: This meeting will be open to the public from 0830 to 1015 hrs on 17 March for the administrative review and discussion of the scientific research program of the Bacterial Diseases Branch, Walter Reed Army Institute of Research.

Attendance by the public at open sessions will be limited to space available.

In accordance with the provisions set forth in Section 552b(c)(6), US Code, Title 5 and Section 10(d) of Pub. L. 92–463, the meeting will be closed to the public from 1030–1630 hrs on 17 March and from 0900–1200 hrs on 18 March for the review, discussion and evaluation of individual programs and projects conducted by the US Army Medical Research and Development Command, including consideration of personnel qualifications and performance, the competence of individual investigators, medical files of individual research subjects, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Howard Noyes, Associate Director for Research Management, Walter Reed Army Institute of Research, Bldg 40, Room 1111, Walter Reed Army Medical Center, Washington, DC 20012 (202/576–2436) will furnish summary minutes, roster of Subcommittee members and substantive program information.

Harry G. Dangerfield,

Colonel, MC, Deputy Commander.

[FR Doc. 83-5077 Filed 2-28-83; 8:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF EDUCATION

Publication of Sample Cases and Expected Parental Contributions Under National Direct Student Loan; College Work-Study; Supplemental Education Opportunity Grant Programs

Correction

In FR Doc. 83–2015 beginning on page 3401 in the issue of Tuesday, January 25, 1983, make the following correction.

On page 3402, third column, tenth line from the top, insert the following after "students" but before the period: "if the Secretary approves the system for dependent undergraduate students."

BILLING CODE 1505-01-M

DEPARTMENT OF ENERGY

Economic Regulatory Administration

Gulf States Oil and Refining Co.; Proposed Consent Order

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of proposed Consent Order and opportunity for comment.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces a proposed Consent Order with Gulf States Oil & Refining Company and provides an opportunity for public comment on the

terms and conditions of the proposed Consent Order.

DATE: Comments by: 30 days from date of publication of this notice.

ADDRESS: Send comments to: James O. Neet, Jr., Chief Counsel, Dallas ERA Office, Economic Regulatory Administration, Department of Energy, 1341 W. Mockingbird Lane, Suite 200–E, Dallas, Texas 75247.

FOR FURTHER INFORMATION CONTACT: James O. Neet, Jr., Chief Counsel, Dallas ERA Office, Economic Regulatory Administration, Department of Energy, 1341 W. Mockingbird Lane, Suite 200–E, Dallas, Texas 75247, 214/767–7404. (Copies of the Consent Order may be obtained free of charge by writing or calling this office.)

SUPPLEMENTARY INFORMATION: On February 1, 1983, the ERA executed a proposed Consent Order with Gulf States Oil & Refining Company at 2000 Smith Street, Houston, Texas. Under 10 CFR 205.199J(b), a proposed Consent Order which involves the sum of $500,000 or more, excluding interest and penalties, becomes effective no sooner than thirty days after publication of a notice in the **Federal Register** requesting comments concerning the proposed Consent Order. Although the ERA has signed and tentatively accepted the proposed Consent Order, the ERA may, after consideration of the comments it receives, withdraw its acceptance and, if appropriate, attempt to negotiate a modification of the Consent order or issue the Consent Order as signed.

I. The Consent Order

Gulf States Oil & Refining Company (Gulf States), with its home office located in Houston, Texas, is a firm engaged in the production, refining, processing, reselling, and marketing of covered petroleum products as well as other petroleum related activities, and was subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR Parts 210, 211, and 212 during the period covered by this Consent Order. To resolve certain potential civil liability arising out of the Mandatory Petroleum Allocation and Price Regulations and related regulations, 10 CFR Parts 205, 210, 211, and 212, in connection with Gulf States' transactions involving petroleum products during the period August 19, 1973 through January 27, 1981 ("the period covered by this Consent Order"), the ERA and Gulf States entered into a Consent Order, the significant terms of which are as follows:

A. This Consent Order is intended by the signatories to settle the civil issues between DOE and the Consenting Firm relating to the Consenting Firm's compliance with the Federal petroleum price and allocation regulations during the period from August 19, 1973 through January 27, 1981.

B. ERA has conducted a thorough audit to determine Gulf States' compliance during the period covered by this Consent Order with the Federal petroleum price and allocation statutes, regulations and requirements. ERA and Gulf States disagree in several respects concerning the proper application of such Federal petroleum price and allocation statutues, regulations and requirements to Gulf States' activities during the settlement period. Gulf States and ERA each believes that its respective positions on the legal issues underlying such disagreements are meritorious. Neither Gulf States nor ERA disallows any position it has taken with respect to such legal issues.

C. Notwithstanding the above, Gulf States maintains that it has calculated all of its costs, determined all of its prices, and operated in all other respects in accordance with all applicable statutes, regulations and other requirements. Execution of the Consent Order constitutes neither an admission by the company nor a finding by ERA of any violation by the company of any statute or regulation.

II. Payments

A. Disposition of Refunds.

Under this Consent Order, Gulf States will refund the sum of $700,000.00, which sum includes interest to the effective date of timely refund, to DOE for deposit in the U.S. Treasury as miscellaneous receipts. Payment is to be made commencing on the first day of the first quarter following the effective date of the Consent Order and if payment is not made within the specific period of time, Gulf States agrees to pay installment interest on the unpaid balance. Upon full satisfaction of the terms and conditions of this Consent Order by Gulf States, the DOE releases Gulf States from any civil claims that the DOE may have arising out of the matters covered by this Consent Order.

The foregoing provisions for payment of the refund amount were concurred in after ERA attempted to determine and identify injured parties. These attempts were unsuccessful due to the nature of the business transactions in which Gulf States was engaged during the settlement period. Gulf States' activities were of such a nature so as to make it impossible to identify specific parties who or which may have been injured.

III. Submission of Written Comments

Interested persons are invited to submit written comments concerning the terms and conditions of this Consent Order to the address given above. Comments should be identified on the outside of the envelope and on the documents submitted with the designation, "Comments on Gulf States Oil & Refining Company Consent Order." The ERA will consider all comments it receives by 4:30 p.m., local time, on 30 days after the date of publication of this notice. Any information or data considered confidential by the person submitting it must be identified as such in accordance with the procedures in 10 CFR 205.9(f).

Issued in Dallas, Texas, on the 1st day of February, 1983.

Ben L. Lemos,

Director, Dallas Office, Economic Regulatory Administration.

[FR Doc. 83-5147 Filed 2-28-83; 8:45 am]

BILLING CODE 6450-01-M

Lakeside Refining Co. and Crystal Refining Co.; Proposed Consent Order

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of proposed Consent Order and opportunity for comment.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces a proposed Consent Order with Lakeside Refining Company and Crystal Refining Company and all entities under common control (Lakeside/Crystal) and provides an opportunity for public comment on the terms and conditions of the proposed Consent Order.

DATE: Comments by March 31, 1983.

ADDRESS: Send comments to: David H. Jackson, Director, Kansas City Office, Economic Regulatory Administration, 324 East 11th Street, Kansas City, Missouri 64106–2466.

FOR FURTHER INFORMATION CONTACT: David H. Jackson, Director, Kansas City Office, Economic Regulatory Administration, 324 East 11th Street, Kansas City, Missouri 64106–2466; telephone number (816) 374–2092. Copies of the Consent Order may be obtained free of charge by writing or calling this office.

SUPPLEMENTARY INFORMATION: On February 14, 1983, the ERA executed a proposed Consent Order with Lakeside Refining Company and Crystal Refining Company of Southfield, Michigan. Under 10 CFR 205.199J(b), a proposed Consent Order which involves the sum of

$500,000 or more, excluding interest and penalties, becomes effective no sooner than thirty days after publication of a notice in the **Federal Register** requesting comments concerning the proposed Consent Order. Although the DOE has signed and tentatively accepted the proposed Consent Order, the DOE may, after consideration of the comments it receives, withdraw its acceptance and, if appropriate, attempt to negotiate a modification of the Consent Order or issue the Consent Order as signed.

I. The Consent Order

Lakeside Refining Company and Crystal Refining Company and all entities under common control is a firm, with its home office located in Southfield, Michigan and is engaged in the refining and marketing of crude oil and refined petroleum products and was subject to the Mandatory Petroleum Allocation and Price Regulations at 10 CFR Parts 210, 211, 212 during the period covered by the Consent Order. To resolve certain potential civil liability arising out of the Mandatory Petroleum Allocation and Price Regulations and related regulations, 10 CFR Parts 205, 210, 211, 212 in connection with Lakeside/Crystal's transactions involving petroleum products during the period August 19, 1973 through January 27, 1981, the DOE and Lakeside/Crystal enter into a Consent Order, the significant terms of which are as follows.

A. The Consent Order encompasses all matters relating to Lakeside/Crystal's compliance with the federal petroleum price and allocation regulations administered by DOE and its predecessor agencies during the period from August 19, 1973 through January 27, 1981.

B. As a result of its audit, ERA raised certain issues with respect to Lakeside/Crystal's compliance with the federal petroleum price and allocation regulations. Lakeside/Crystal disputes ERA's allegations and maintains that it has correctly construed, and operated in accordance with, the regulations.

C. Execution of the Consent Order constitutes neither an admission by Lakeside/Crystal nor a finding by DOE of any violations by Lakeside/Crystal of any statute or regulation.

II. Refunds

To resolve the issues raised by ERA's audit of Lakeside/Crystal and to remedy any violations that may have occurred during the audit period, Lakeside/Crystal has agreed to remedies, described more fully below, totaling $675,000.

The $675,000 in remedies represent payment of $475,000 in full settlement of all DOE challenges to Lakeside/Crystal's prices to purchasers of refined petroleum products and payment of $200,000 in full settlement of all DOE challenges to the amount of Lakeside/Crystal's purchases and sales of crude oil entitlements. The $475,000 is to be refunded to purchasers identified in the Consent Order by credit memoranda and cash payment over three years, commencing within 30 days of the effective date of the Consent Order. The $200,000, plus installment interest, is to be paid in three annual installments to the DOE for deposit in a suitable account in order that the funds may be distributed by the DOE in a just and equitable manner in accordance with applicable laws and regulations.

III. Submission of Written Comments

Interested persons are invited to submit written comments concerning the terms and conditions of this Consent Order to the address given above.

Comments should be identified on the outside of the envelope and on the document submitted with the designation "Comment on Lakeside/Crystal Refining Company Consent Order." The DOE will consider all comments it receives by 4:30 p.m., local time, on March 31, 1983. Any information or data considered confidential by the person submitting it must be identified as such in accordance with the procedure in 10 CFR 205.9(f).

Issued in Kansas City, on the 14th day of February, 1983.

David H. Jackson,

Director, Kansas City Office, Economic Regulatory Administration.

[FR Doc. 83-5146 Filed 2-28-83; 8:45 am]

BILLING CODE 6450-01-M

NRG Oil Co.; Proposed Remedial Order

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy (DOE) hereby gives Notice of a Proposed Remedial Order which was issued to NRG Oil Company, Sam R. Brock, and C. Kevin Moore, 450 East North Belt, Suite 222, Houston, Texas 77060. This Proposed Remedial Order alleges violations in the pricing of crude oil of 10 CFR 212.186, 210.62(c), and 205.202. The principal amount of the alleged violations for the period June through December 1980 is $1,019,022.92.

A copy of the Proposed Remedial Order, with confidential information deleted, may be obtained from: U.S. Department of Energy, Economic Regulatory Administration, Attn: Sandra K. Webb, Director, One Allen Center, Suite 610, 500 Dallas Street, Houston, Texas 77002.

Within fifteen (15) days of publication of this Notice any aggrieved person may file a Notice of Objection with the Office of Hearings and Appeals, U.S. Department of Energy, Room 3304, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C. 20461, in accordance with 10 CFR 205.193.

Issued in Houston, Texas on the 10th day of February, 1983.

Sandra K. Webb,

Director, Houston Office, Economic Regulatory Administration.

[FR Doc. 83-5146 Filed 2-28-83; 8:45 am]

BILLING CODE 6450-01-M

RFB Petroleum, Inc.; Proposed Remedial Order

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice of a Proposed Remedial Order which was issued to RFB Petroleum, Inc. at One Northpark East, Room 200, Dallas, Texas. This Proposed Remedial Order alleges pricing violations in the amount of $3,450,436.25 plus interest in connection with the resale of crude oil at prices in excess of those permitted by 10 CFR Part 212, Subparts F and L during the time period June 1977 through December 1978.

A copy of the Proposed Remedial Order, with confidential information deleted, may be obtained from James F. Murphy, Manager, Crude Reseller Program, Economic Regulatory Administration, Department of Energy, P.O. Box 35228, Dallas, Texas 75235, or by calling (214) 767-7432. Within fifteen (15) days of publication of this notice, any aggrieved person may file a Notice of Objection with the Office of Hearings and Appeals, Federal Building, Room 3304, 12th & Pennsylvania Ave., NW., Washington, D.C. 20461, in accordance with 10 CFR 205.193.

Issued in Dallas, Texas, on the 9th day of February, 1983.

Ben L. Lemos,

Director, Dallas Office, Economic Regulatory Administration.

[FR Doc. 83-5145 Filed 2-28-83; 8:45 am]

BILLING CODE 6450-01-M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: February 23, 1983.

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
TEXAS RAILROAD COMMISSION									
-ADJ CO				RECEIVED:	01/27/83	JA: TX			
8319865	F-02-062832	4202500000		108		JOHN SHAW #8-1	SAN DOMINGO S (FRIO L	21.0	HOUSTON PIPE LINE
-AEC OIL & GAS				RECEIVED:	01/27/83	JA: TX			
8319617	F-7B-062264	4242933318		102-2		F T C LAKE #2 RRCLS #18898	REID-MCLENNAN	300.0	PETROLEUM CORP OF
-AMERICAN PETROFINA COMPANY OF TEXAS				RECEIVED:	01/27/83	JA: TX			
8319866	F-02-062834	4217500000		108		D M REED #2	CABEZA CREEK S (SLICK	10.0	UNITED GAS PIPE L
-AMERIND OIL CO				RECEIVED:	01/27/83	JA: TX			
8319846	F-08-062746	4200333334		103		UNIVERSITY #1	GOLDSMITH N (SILURIAN	20.0	PHILLIPS PETROLEU
-AMIGO PETROLEUM INC				RECEIVED:	01/27/83	JA: TX			
8319740	F-08-062504	4230130290		103		LINDLEY #1	TUNSTILL EAST (DELAWA	24.0	PHILLIPS PETROLEU
-AMOCO PRODUCTION CO				RECEIVED:	01/27/83	JA: TX			
8319607	F-08-062170	4213533981		103		FRANK COWDEN R/A "K" #21	COWDEN N (STRAWN)	1.3	WESTAR TRANSMISSI
8319660	F-8A-062354	4221933609		103		LEVELLAND UNIT #763	LEVELLAND	0.5	AMOCO PRODUCTION
8319661	F-8A-062356	4221933610		103		LEVELLAND UNIT #764	LEVELLAND	0.5	AMOCO PRODUCTION
8319667	F-08-062357	4200333315		103		MIDLAND FARMS UNIT #552	MIDLAND FARMS	0.1	AMOCO PRODUCTION
8319663	F-8A-062358	4250132289		103		WASSON D D C UNIT #533	WASSON	0.4	SHELL OIL CO
-ARCO OIL AND GAS COMPANY				RECEIVED:	01/27/83	JA: TX			
8319653	F-8A-062345	4210730724		103		GUY PRICE TR "A" #10	FORBES (GLORIETA)	7.0	
8319651	F-8A-062343	4210730725		103		GUY PRICE TR "A" #8	FORBES (GLORIETA)	8.7	
8319652	F-8A-062344	4210730721		103		GUY PRICE TR "B" #3	FORBES (GLORIETA)	5.5	
8319605	F-04-062150	4213135768		107-TF		HAZELWOOD GAS UNIT #1	SEVEN SISTERS E (HOWE	1800.0	TEXAS EASTERN TRA
-ASTIN CORP				RECEIVED:	01/27/83	JA: TX			
8319901	F-7B-062908	4225332261		103		DEAVERS #1 (18942)	NOODLEKIRK (ELLENBURG	37.0	TEXAS UTILITIES F
-B & B FARM INDUSTRIES INC				RECEIVED:	01/27/83	JA: TX			
8319599	F-10-062104	4248330936		102-4		JOHNNIE REED #2-2 (098730)	ALLISON-BRITT (12350)	300.0	WESTAR TRANSMISSI
-BEN J TAYLOR				RECEIVED:	01/27/83	JA: TX			
8319800	F-7B-062624	4236732361		103		LYNCH #3 RRC ID 102407	TOTO (BEND CONG'L LOW	75.0	
-BILL J GRAHAM				RECEIVED:	01/27/83	JA: TX			
8319670	F-08-062379	4247500000		103		ROACH #1	WARD SOUTH	12.7	WESTAR TRANSMISSI
8319671	F-08-062380	4247500000		103		ROACH #2	WARD SOUTH	10.9	WESTAR TRANSMISSI
8319669	F-08-062378	4247500000		103		ROACH #3	WARD SOUTH	10.9	WESTAR TRANSMISSI
-BIRD PRODUCTION CO				RECEIVED:	01/27/83	JA: TX			
8319681	F-7B-062405	4244700000		102-4		BIRD #1-B	HUSTON (CADDO)	12.0	HST GATHERING CO
-BISON PETROLEUM CORP				RECEIVED:	01/27/83	JA: TX			
8319761	F-10-062536	4219530618		103		JACKSON EVANS #1 RRC #04321	HANSFORD (HEPLER)	32.0	PHILLIPS PETROLEU
-BJB EXPLORATION CO				RECEIVED:	01/27/83	JA: TX			
8319837	F-02-062710	4246900000		103		C REEVES #A-1	COLOGNE (2800)	130.0	
-BLUE RIDGE OIL & GAS EXPLOR INC				RECEIVED:	01/27/83	JA: TX			
8319709	F-7C-062446	4210533558		103	107-TF	ADAMS #18	ADAMS-BAGGETT RANCH (	22.8	DETROIT-TEXAS GAS
8319708	F-7C-062445	4210533865		103	107-TF	ADAMS #19	ADAMS-BAGGETT RANCH (	4.1	DETROIT-TEXAS GAS
8319707	F-7C-062444	4210533555		103	107-TF	ADAMS #20	ADAMS-BAGGETT RANCH (	27.6	DETROIT-TEXAS GAS

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8319706	F-7C-062443	4210533866		103	107-TF	ADAMS #21	ADAMS-BAGGETT RANCH (	3.8	DETROIT-TEXAS GAS
8319711	F-7C-062448	4210533556		103	107-TF	ADAMS #22	ADAMS-BAGGETT RANCH (	36.0	DETROIT-TEXAS GAS
8319710	F-7C-062447	4210533557		103	107-TF	ADAMS #24	ADAMS-BAGGETT RANCH (	50.4	DETROIT-TEXAS GAS
8319712	F-7C-062449	4210533428		103	107-TF	BAGGETT #2	ADAMS-BAGGETT RANCH (	33.6	DETROIT-TEXAS GAS
-BURK ROYALTY CO				RECEIVED:	01/27/83	JA: TX			
8319592	F-09-062051	4248731583		103		DOCKERY #2	WILBARGER COUNTY REGU	0.4	KIBO COMPRESSOR C
8319591	F-09-062050	4248731305		103		DOCKERY A #1	WILBARGER COUNTY REGU	0.4	KIBO COMPRESSOR C
8319590	F-09-062049	4248731577		103		DOCKERY B #1	WILBARGER COUNTY REGU	23.7	KIBO COMPRESSOR C
8319589	F-09-062048	4248731244		103		DOCKERY WHITE UNIT	WILBARGER COUNTY REGU	0.4	KIBO COMPRESSOR C
8319588	F-09-062047	4248731247		103		DUFFIE DOCKERY UNIT #1	WILBARGER COUNTY REGU	43.0	KIBO COMPRESSOR C
8319587	F-09-062046	4248731535		103		DUFFIE ESTATE #1	WILBARGER COUNTY REGU	36.5	KIBO COMPRESSOR C
8319586	F-09-062044	4248731598		103		HALL DUFFIE UNIT #2	WILBARGER COUNTY REGU	0.4	KIBO COMPRESSOR C
8319584	F-09-062040	4248731576		103		LANCASTER #1	WILBARGER COUNTY REGU	0.4	KIBO COMPRESSOR C
8319582	F-09-062038	4248731286		103		MCCRARY-JUDD #2	WILBARGER COUNTY REGU	0.4	KIBO COMPRESSOR C
8319583	F-09-062039	4248731230		103		MCCRARY-JUDD UNIT #1	WILBARGER COUNTY REGU	0.4	KIBO COMPRESSOR C
8319581	F-09-062036	4248731343		103		PEARSON #2	WILBARGER COUNTY REGU	0.4	KIBO COMPRESSOR C
8319585	F-09-062041	4248731420		103		SAM JUDD #2	WILBARGER COUNTY REGU	0.4	KIBO COMPRESSOR C
8319580	F-09-062035	4248731578		103		SCHOPPA #1	WILBARGER COUNTY REGU	13.0	KIBO COMPRESSOR C
-BURNETT OIL CO INC				RECEIVED:	01/27/83	JA: TX			
8319554	F-01-061887	4231131705		102-4	103	E LANGE #1	A W P (OLMOS)	94.0	HPI TRANSMISSION
8319556	F-01-061889	4231131672		102-4	103	FELIX H MORALES #1	A W P (OLMOS)	197.0	HPI TRANSMISSION
8319555	F-01-061888	4231131745		102-4	103	FELIX H MORALES #2	A W P (OLMOS)	61.0	HPI TRANSMISSION
8319551	F-01-061884	4231131546		102-4	103	R E ELIOTT #1	A W P (OLMOS)	64.0	HPI TRANSMISSION
8319552	F-01-061885	4231131710		102-4	103	R E ELIOTT #2	A W P (OLMOS)	25.0	HPI TRANSMISSION
8319557	F-01-061890	4231131675		102-4	103	R P HORTON #1	A W P (OLMOS)	81.0	HPI TRANSMISSION
8319558	F-01-061891	4231131714		102-4	103	R P HORTON #2	A W P (OLMOS)	50.0	HPI TRANSMISSION
8319559	F-01-061892	4231131730		102-4	103	R P HORTON #3	A W P (OLMOS)	83.0	HPI TRANSMISSION
8319560	F-01-061893	4231131724		102-4	103	R P HORTON #4	A W P (OLMOS)	43.0	HPI TRANSMISSION
8319553	F-01-061886	4231131676		102-4	103	W C RUTHERFORD EST #1	A W P (OLMOS)	110.0	HPI TRANSMISSION
-BURNS PETROLEUM				RECEIVED:	01/27/83	JA: TX			
8319577	F-09-061994	4223734670		102-4		ALLAR UNIT #1	CRUM (MARBLE FALLS)	70.0	SOUTHWESTERN GAS
-C F LAWRENCE & ASSOC INC				RECEIVED:	01/27/83	JA: TX			
8319601	F-7C-062110	4210500000		102-4		HALFF 62 #2	HAFLAW (QUEEN)	500.0	APACHE GAS CORP
-CENTRAL PRODUCERS INC				RECEIVED:	01/27/83	JA: TX			
8319703	F-04-062435	4224900000		108		BANKER'S MORTGAGE #5	TOM GRAHAM (4700')	2.0	VALERO TRANSMISSI
-CHASE PRODUCTION CO				RECEIVED:	01/27/83	JA: TX			
8319850	F-10-062757	4217900000		103		RILEY A #6 RRC-00561	PANHANDLE	35.0	PHILLIPS PETROLEU
8319849	F-10-062756	4217900000		103		RILEY A #7 RRC-00561	PANHANDLE	180.0	PHILLIPS PETROLEU
-CHEVRON U S A INC				RECEIVED:	01/27/83	JA: TX			
8319844	F-8A-062744	4241532260		103		SACROC UNIT #15-12	KELLY - SNYDER	5.0	EL PASO NATURAL G
8319843	F-8A-062743	4241532281		103		SACROC UNIT #180-5	KELLY - SNYDER	29.0	EL PASO NATURAL G
8319845	F-8A-062745	4241532270		103		SACROC UNIT #49-12	KELLY - SNYDER	85.0	EL PASO NATURAL G
8319842	F-8A-062742	4241532272		103		SACROC UNIT NO 138-12	KELLY - SNYDER	38.0	EL PASO NATURAL G
-CITIES SERVICE COMPANY				RECEIVED:	01/27/83	JA: TX			
8319598	F-8A-062102	4216532405		103		WEST SEMINOLE SAN ANDRES UNIT #323	SEMINOLE WEST	204.0	CITIES SERVICE CO
-COASTAL OIL & GAS CORP				RECEIVED:	01/27/83	JA: TX			
8319809	F-10-062644	4234130757		103		THOMPSON 2019J	PANHANDLE (RED CAVE)	16.0	COLORADO INTERSTA
8319546	F-10-061831	4234130889		103		THOMPSON 2019J	PANHANDLE (RED CAVE)	6.0	COLORADO INTERSTA
-CONOCO INC				RECEIVED:	01/27/83	JA: TX			
8319890	F-8A-062867	4207930319		108		CONOCO DEAN UNIT #92 ID #60106	SLAUGHTER	0.4	AMOCO PRODUCTION
8319665	F-7B-062361	4243331103		108		F E SCOGGINS #6 ID #04185	ASPERMONT LAKE	0.4	CITIES SERVICE CO
8319884	F-08-062861	4238900000		108		FORD GERALDINE UNIT #203 ID #21021	GERALDINE FORD	0.2	EL PASO NATURAL G
8319882	F-08-062858	4210930827		108		FORD GERALDINE UNIT #302 ID #21021	GERALDINE FORD	0.4	EL PASO NATURAL G

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8319887	F-08-062864	4238900000		108		FORD-GERALDINE #176 ID #21021	GERALDINE FORD	1.0	EL PASO NATURAL G
8319888	F-08-062865	4238900000		108		FORD-GERALDINE UNIT #258 ID #21021	GERALDINE FORD	0.6	EL PASO NATURAL G
8319885	F-08-062862	4238900000		108		FORD-GERALDINE UNIT #259 ID #21021	GERALDINE FORD	0.5	EL PASO NATURAL G
8319886	F-08-062863	4238900000		108		FORD-GERALDINE UNIT #300 ID #21021	GERALDINE FORD	2.6	EL PASO NATURAL G
8319883	F-08-062860	4238900000		108		FORD-GERALDINE UNIT #40 ID #21021	GERALDINE FORD	0.1	EL PASO NATURAL G
8319895	F-08-062872	4222700000		108		G O CHALK -B- #3 ID #18988	HOWARD-GLASSCOCK/GLOR	0.1	PHILLIPS PETROLEU
8319894	F-08-062871	4222732190		108		G O CHALK -D- #20 ID #18990	HOWARD-GLASSCOCK/GLOR	0.4	PHILLIPS PETROLEU
8319893	F-08-062870	4231731283		108		GRISHAM & GREEMAN #34 ID #22261	SPRABERRY/TREND AREA	0.9	ADOBE OIL CO
8319897	F-08-062874	4222700000		108		H R CLAY -A- #15 ID #18992	HOWARD-GLASSCOCK/GLOR	0.0	PHILLIPS PETROLEU
8319892	F-08-062869	4222730176		108		H R CLAY #23 ID #02690	HOWARD-GLASSCOCK	0.8	PHILLIPS PETROLEU
8319835	F-08-062694	4210931646		103		RAMSEY -44- #3 ID #27636	GERALDINE (DELAWARE 3	4.7	EL PASO NATURAL G
8319891	F-7C-062868	4238330681		108		UNIVERSITY #88 ID #00229	BIG LAKE	0.2	DORCHESTER GAS PR
8319898	F-08-062875	4200300000		108		W H BONER -A- #13 ID #01663	FUHRMAN MASCHO	0.7	PHILLIPS PETROLEU
8319896	F-08-062873	4200331767		108		W T FORD #54 ID #01665	FUHRMAN-MASCHO	2.2	PHILLIPS PETROLEU
8319889	F-08-062866	4200300000		108		WEST FUHRMAN MASCHO UT #87 #21220	FUHRMAN MASCHO	0.7	PHILLIPS PETROLEU
-COPET INC				RECEIVED:	01/27/83	JA: TX			
8319735	F-78-062492	4204933032		108		O STEEL-JENNY B FISHER A-2(098119)	BROWN COUNTY REGULAR	6.6	LONE STAR GAS CO
-CROMERA OIL & GAS CO				RECEIVED:	01/27/83	JA: TX			
8319672	F-78-062381	4241734771		102-4		JOHN SEDWICK #7	CROMERA (MORAN)	1.4	WARREN PETROLEUM
-D & D DRILLING CO				RECEIVED:	01/27/83	JA: TX			
8319542	F-78-061798	4242933439		103		TRAMMELL-CROW #19000	STEPHENS COUNTY REGUL	55.0	WARREN PETROLEUM
-D & G GAS & OIL CO				RECEIVED:	01/27/83	JA: TX			
8319738	F-04-062500	4235531865		103		MCIVER FURMAN #1	ROBSTOWN E (6700 FRIO	169.0	PAISANO TRANSMISS
-DALLAS SUNBELT OIL & GAS INC				RECEIVED:	01/27/83	JA: TX			
8319638	F-78-062320	4213332766		102-4		CARVER -A- #2	SNOW (DUFFER)	24.0	LONE STAR GAS CO
-DAMERON PETROLEUM CORP				RECEIVED:	01/27/83	JA: TX			
8319549	F-7C-061875	4210532722		102-4	107-TF	W P HOOVER - SEC 13 BLK 1	AMERICAN (CANYON)	30.0	EL PASO NATURAL G
-DAVID M FENDER				RECEIVED:	01/27/83	JA: TX			
8319666	F-06-062373	4240131060		102-4		J H SILVEY ESTATE #1	OVERTON NE	45.0	TEJAS GAS CORP
-DELTA OIL & GAS CO				RECEIVED:	01/27/83	JA: TX			
8319768	F-78-062545	4242900000		108		COODY-THOMPSON RRC #097523	STEPHENS COUNTY REGUL	6.0	LONE STAR GAS CO
8319568	F-78-061941	4242900000		108		JUDITH WINSTON KIGHT "A" RRC #07824	TULLOS (CADDO)	0.0	LONE STAR GAS CO
-DYNAMIC PRODUCTION INC				RECEIVED:	01/27/83	JA: TX			
8319775	F-03-062574	4205100000		102-4		JACKSON UNIT #1	STONE CITY (AUSTIN CH	0.0	FERGUSON CROSSING
-EL PASO NATURAL GAS COMPANY				RECEIVED:	01/27/83	JA: TX			
8319840	F-7C-062723	4243530702		108		DEBERRY A #8	SONORA (CANYON UPPER)	15.0	EL PASO NATURAL G
-ENERGY RESERVES GROUP INC				RECEIVED:	01/27/83	JA: TX			
8319737	F-7C-062495	4208100000		108		J E CHAPPELL #1	JAMESON	2.8	UNION TEXAS PETRO
8319732	F-03-062486	4247100000		107-TF		MOSSY GROVE UNIT #3	MOSSY GROVE	24.3	LONE STAR GAS CO
8319736	F-7C-062494	4243500000		108		W A MIERS "A" #7	SONORA	20.2	EL PASO NATURAL G
-ENSERCH EXPLORATION INC				RECEIVED:	01/27/83	JA: TX			
8319628	F-7C-062298	4243500000		108		E E SAWYER 113 #2	SAWYER	15.0	LONE STAR GAS CO
8319626	F-7C-062296	4243500000		108		E E SAWYER 129 #1	SAWYER	15.0	LONE STAR GAS CO
8319627	F-7C-062297	4243500000		108		E E SAWYER 146 #1	SAWYER	5.0	INTER NORTH INC
8319625	F-7C-062295	4243500000		108		E E SAWYER 167 #1	SAWYER	11.0	LONE STAR GAS CO
8319623	F-7C-062293	4243500000		108		E E SAWYER 167 #2	SAWYER	9.0	LONE STAR GAS CO
8319624	F-7C-062294	4243500000		108		E E SAWYER 170 #1	SAWYER	8.0	LONE STAR GAS CO
-ERSO INC				RECEIVED:	01/27/83	JA: TX			
8319790	F-06-062599	4236500000		103	107-TF	CARTHAGE GAS UNIT #39	CARTHAGE (COTTON VALL	0.0	TENNESSEE GAS PIP
-EXXON CORPORATION				RECEIVED:	01/27/83	JA: TX			
8319543	F-8A-061806	4211531685		103		BILL WEAVER #2	HUNGERVILLE E (CANYON	4.0	
8319594	F-08-062070	4247532692		103		G Q AVARY JR -B- #3	RHODA WALKER (CANYON	10.0	INTRATEX GAS CO
8319680	F-06-062402	4236531378		103	107-TF	J D WOOLWORTH #3	CARTHAGE (COTTON VALL	300.0	TEJAS GAS CORP

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8319811	F-04-062648	4226130628		102-4		J G KENEDY JR "G" 3 (102382)	PASADIZO (0-53)	110.0	ARMCO STEEL CORP
8319817	F-04-062654	4204730874		102-4		JAMES H DAWSON 3 (101763)	MARIPOSA (K-1)	800.0	ARMCO STEEL CORP
8319814	F-04-062651	4227331280		102-4		K R ALAZAN 312-F (102377)	HINOJOSA NORTH (E-95	815.0	ARMCO STEEL CORP
8319813	F-04-062650	4226130692		103		K R TIO MOYA 10 (102277)	CALANDRIA (H-59)	730.0	ARMCO STEEL CORP
8319816	F-04-062653	4226130720		102-4		K R TIO MOYA 12 (102276)	CALANDRIA (E-96 W)	420.0	ARMCO STEEL CORP
8319733	F-04-062487	4226130751		103		K R TIO MOYA 13 (102278)	CALANDRIA (H-59)	730.0	ARMCO STEEL CORP
8319839	F-04-062720	4204700000		108		KELSEY UNIT M-388-F (078282)	KELSEY DEEP (18-BEC N	11.0	TRUNKLINE GAS CO
8319847	F-7C-062747	4243131161		103		LOU E JOHNSON ESTATE A/C 1 #34	JAMESON (STRAWN)	88.0	KOCH HYDROCARBON
8319532	F-06-061642	4236531314		103	107-TF	M J COLEMAN (CFEC 559) #3	CARTHAGE (COTTON VALL	420.0	TEJAS GAS CORP
8319838	F-04-062718	4204700000		108		MCGILL BROS 391-F (056063)	KELSEY DEEP (18-D)	20.0	TRUNKLINE GAS CO
8319815	F-04-062652	4204731196		102-4		RJK JR TR QUITERIA PAST 102 (08922)	VIBORAS (8500 SOUTH)	151.0	ARMCO STEEL CORP
8319544	F-8A-061807	4216532312		103		ROBERTSON CLEARFORK UNIT #9801	ROBERTSON N (CLEAR FO	15.0	PHILLIPS PETROLEU
8319545	F-8A-061808	4216532314		103		ROBERTSON CLEARFORK UNIT #9903	ROBERTSON N (CLEAR FO	15.0	PHILLIPS PETROLEU
8319868	F-08-062837	4222732794		102-4		S WALDRON #6	MOORE (DEEP FSLM)	27.0	
8319812	F-04-062649	4204731198		103		VFGU #1 V-103-F (102250)	VIBORAS (MASSIVE FIRS	182.0	ARMCO STEEL CORP
-F W BURGER INC				RECEIVED:		01/27/83 JA: TX			
8319635	F-7B-062314	4208331544		103		J SANSOM #2 (13601)	TEMPLETON NORTH (GRAY	110.0	EL PASO HYDROCARB
8319636	F-7B-062315	4208331300		103		J SANSOM "A" #1 (14222)	TEMPLETON NORTH (GRAY	7.0	EL PASO HYDROCARB
-FRED M NEWMAN INC				RECEIVED:		01/27/83 JA: TX			
8319769	F-08-062546	4237100000		103		UNIVERSITY 3 C #2 25754	CARDINAL (QUEEN W)	36.0	INTERNORTH INC
-GERALD STEINBERGER				RECEIVED:		01/27/83 JA: TX			
8319799	F-09-062623	4207700000		102-4		BURNS-TALLY #1	TALLY CONGLOMERATE	18.0	CITIES SERVICE CO
8319798	F-09-062622	4207732751		102-4		M WILSON #2	DEER CREEK (ISRAEL 50	18.0	FAGADAU ENERGY CO
-GETTY OIL COMPANY				RECEIVED:		01/27/83 JA: TX			
8319604	F-7C-062128	4223500000		108		J M WINTERBOTHAM #1	DOVE CREEK (CANYON B)	7.0	FARMLAND INDUSTRI
8319673	F-08-062391	4249531516		103		S M HALLEY #261	WEINER (COLBY SAND)	140.0	CABOT CORP
8319674	F-08-062392	4249531515		103		S M HALLEY #262	WEINER (COLBY SAND)	152.0	CABOT CORP
-GRACE PETROLEUM CORPORATION				RECEIVED:		01/27/83 JA: TX			
8319862	F-09-062805	4249731370		103		H J PRICE #1	PARK SPRINGS	0.0	TEXAS UTILITIES F
-GROTHE BROTHERS				RECEIVED:		01/27/83 JA: TX			
8319777	F-7B-062582	4241734817		102-4		W C ALLEN #1 (19063)	BIRTHDAY (MORAN)	29.0	LONE STAR GAS CO
-GULF OIL CORPORATION				RECEIVED:		01/27/83 JA: TX			
8319773	F-10-062564	4229531170		103		CLEO BARTON #3-502	BRADFORD (TONKAWA)	28.0	DIAMOND SHAMROCK
8319767	F-03-062543	4204130543		103		COTTON UNIT II #1	KURTEN (WOODBINE)	11.4	PRODUCERS GAS CO
8319766	F-03-062542	4204130541		103		DAVIDSON UNIT #1	KURTEN (WOODBINE)	18.0	PRODUCERS GAS CO
8319765	F-03-062541	4215731017		103		F I BOOTH ETAL "A" #48	THOMPSON	15.0	UNITED TEXAS TRAN
8319729	F-09-062479	4249732461		103		I G YATES #17	BOONSVILLE (CADDO CON	10.5	NATURAL GAS PIPEL
8319730	F-09-062480	4223734673		103		I G YATES #18	BOONSVILLE (CADDO CON	60.0	NATURAL GAS PIPEL
8319727	F-09-062477	4223734676		103		I G YATES WELL #15	BOONSVILLE (CADDO CON	34.0	NATURAL GAS PIPEL
8319728	F-09-062478	4223734675		103		I G YATES WELL #16	BOONSVILLE (CADDO CON	48.0	NATURAL GAS PIPEL
8319573	F-08-061949	4237133625		107-OP		MARGARET COLLINS "B" #1	ROJO CABALLOS W (ATOK	696.0	
8319541	F-08-061766	4238931286		103		RAPE J M #3	WAHA WEST (DELAWARE)	2.0	TRANSWESTERN PIPE
8319731	F-7C-062482	4210534178		103		STATE "WP" #3	AMIGO (SAN ANDRES)	33.0	INTER NORTH INC
8319717	F-08-062461	4210332230		108		W N WADDELL #1146	SAND HILLS (JUDKINS)	7.3	H & T GATHERING
8319716	F-08-062460	4210332229		108		W N WADDELL #1147	SAND HILLS (JUDKINS)	7.2	H & T GATHERING
8319724	F-08-062468	4210332996		103		W N WADDELL #1170	WADDELL	3.4	
8319719	F-08-062463	4210302292		108		W N WADDELL #380	RUNNING W (TUBB)	2.3	H & T GATHERING
8319721	F-08-062465	4210302348		108		W N WADDELL #54	SAND HILLS WEST (WOLF	18.4	H & T GATHERING
8319722	F-08-062466	4210302303		108		W N WADDELL #8	SAND HILLS WEST (WOLF	8.0	H & T GATHERING
-HANVEY PRODUCTION CO				RECEIVED:		01/27/83 JA: TX			
8319739	F-7B-062501	4213333693		102-4		CLOWER-STEPHENSON UNIT #1 (102444)	ADRIENNE (DUFFER)	107.0	EL PASO HYDROCARB
8319637	F-7B-062318	4213333937		102-4		J B BOGGS #2 (18763)	HANVEY (CONGL)	42.0	EL PASO HYDROCARB
-HEXAGON OIL & GAS INC				RECEIVED:		01/27/83 JA: TX			

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME
8319639	F-78-062323	4214330772		102-4	103	FEARS #2
-HILLIN PRODUCTION CO				RECEIVED:		01/27/83 JA: TX
8319640	F-08-062326	4200333264		103		FUHRMAN-MASCHO "27" #2
8319668	F-08-062377	4200332850		103		FURHMAN-MASCHO "27" #1
-HMH OPERATORS				RECEIVED:		01/27/83 JA: TX
8319871	F-78-062844	4215131521		103		DUKE #1
-HORIZON OIL & GAS CO OF TEXAS				RECEIVED:		01/27/83 JA: TX
8319539	F-10-061732	4219530862		103		MCCLELLAN #5-12
-HUNT OIL COMPANY				RECEIVED:		01/27/83 JA: TX
8319615	F-7C-062210	4246131836		102-4		V T AMACKER 63 #3
-INDIAN WELLS OIL CO				RECEIVED:		01/27/83 JA: TX
8319578	F-7C-061999	4223531658		102-2		RICHEY 54 #3
-INTERNORTH INC				RECEIVED:		01/27/83 JA: TX
8319855	F-7C-062774	4244330308		102-4		GARNER "1" #1
-JAY-DEE PRODUCING CO				RECEIVED:		01/27/83 JA: TX
8319853	F-10-062764	4206500000		103		SHARON #3
-JONES CO				RECEIVED:		01/27/83 JA: TX
8319778	F-78-062583	4205933852		102-4		RAY GREEN "2978" #1 (101832)
8319679	F-78-062400	4241734737		102-4		SANDERS "1564" #2 (18965)
8319678	F-78-062399	4241734822		102-4		SANDERS "1564" #4 (18965)
-K & S LAND CO INC				RECEIVED:		01/27/83 JA: TX
8319810	F-713-062645	4215131528		103		J P MABERRY "58" #2
-KAMLOK INC				RECEIVED:		01/27/83 JA: TX
8319629	F-03-062301	4248100000		102-4		C K DUSON #1
-KEY PRODUCTION COMPANY				RECEIVED:		01/27/83 JA: TX
8319603	F-06-062112	4241930396		103		ED CHILDRESS #1
-L M YOUNG				RECEIVED:		01/27/83 JA: TX
8319600	F-78-062109	4204932828		102-4		R J GOODALL "K" #7
-L TEXAS PETROLEUM INC				RECEIVED:		01/27/83 JA: TX
8319734	F-04-062488	4204700000		103		MESTENA OIL & GAS CO #4-B
-LADD PETROLEUM CORPORATION				RECEIVED:		01/27/83 JA: TX
8319566	F-01-061932	4212732069		107-TF		FITZSIMONS RANCH #1-42C
8319565	F-01-061931	4212732112		107-TF		FITZSIMONS RANCH #2-45
-LARIO OIL & GAS COMPANY				RECEIVED:		01/27/83 JA: TX
8319534	F-08-061657	4237133975		103		STATE BREEN #4
8319533	F-08-061656	4237134000		103		STATE BREEN #5
-LAYTON ENTERPRISES INC				RECEIVED:		01/27/83 JA: TX
8319872	F-8A-062847	4207931474		103		REED WRIGHT #A-7
8319873	F-8A-062848	4207931598		103		REED WRIGHT #C-11
8319874	F-8A-062849	4207931601		103		REED WRIGHT #D-10
-LYONS PETROLEUM INC				RECEIVED:		01/27/83 JA: TX
8319538	F-03-061695	4204130813		102-2	103	LYONS FEE UNIT III #1
-MAGUIRE OIL COMPANY				RECEIVED:		01/27/83 JA: TX
8319857	F-8A-062778	4231732554		103		LANGHAM "C" #1
-MARATHON OIL COMPANY				RECEIVED:		01/27/83 JA: TX
8319902	F-03-062909	4232131237		103		OHIO-SUN UNIT #17-F
8319903	F-03-062919	4232131241		103		OHIO-SUN UNIT #26-J
-MARIANAS OPERATING CO INC				RECEIVED:		01/27/83 JA: TX
8319571	F-78-061946	4208300000		102-4		G ED RAGSDALE #1
8319572	F-78-061947	4208332486		102-4		PAXTON #1 (18832)
-MARSHALL R YOUNG OIL CO				RECEIVED:		01/27/83 JA: TX
8319611	F-78-062200	4244733272		102-4		R A BROWN
-MCZ INC				RECEIVED:		01/27/83 JA: TX

FIELD NAME	PROD	PURCHASER
LIBERTY OAK (BIG SALI	165.0	INTRASTATE GATHER
FUHRMAN MASCHO	5.0	PHILLIPS PETROLEU
FURHMAN MASCHO	5.0	PHILLIPS PETROLEU
DIXON-LAWLIS (CANYON)	15.0	TEXAS UTILITIES F
GRUVER N W (MORROW UP	440.0	PHILLIPS PETROLEU
AMACKER TIPPETT SW (W	31.0	EL PASO NATURAL G
PROBANDT (CANYON)	0.0	INTER NORTH INC
SHEFFIELD SE	140.0	
PANHANDLE	7.3	PHILLIPS PETROLEU
MASK (CADDO)	690.0	DELHI GAS PIPELIN
CROMERA (MORAN)	1.0	WARREN PETROLEUM
CROMERA (MORAN)	15.0	WARREN PETROLEUM
SYLVESTOR GOEN	150.0	PALO DURO PIPELIN
CULLEN (MIOCENE 2200'	180.0	UNITED TEXAS TRAN
JOAQUIN (TRAVIS PEAK)	700.0	SOUTHERN NATURAL
DALE (CADDO)	22.0	EL PASO HYDROCARB
SCOTT & HOPPER (6900)	0.0	VALERO INTERSTATE
HUGH FITZSIMONS (OLMO	136.9	VALERO TRANSMISSI
HUGH FITZSIMONS (OLMO	95.8	VALERO TRANSMISSI
PECOS VALLEY (LOW GRA	12.8	DELHI GAS PIPELIN
PECOS VALLEY (LOW GRA	12.6	DELHI GAS PIPELIN
LEVELLAND	8.9	CITIES SERVICE CO
LEVELLAND	8.9	CITIES SERVICE CO
LEVELLAND	8.9	CITIES SERVICE CO
BRYAN (WOODBINE)	98.0	FERGUSON CROSSING
ACKERLY	0.2	GETTY OIL CO
NORTH MARKHAM-NORTH B	16.4	TRANSCONTINENTAL
NORTH MARKHAM-NORTH B	62.8	TRANSCONTINENTAL
LONE OAK (FRY)	60.0	EL PASO HYDROCARB
TRIPLE - H - (HOME CR	55.0	EL PASO HYDROCARB
NORTH ELM CREEK STRAW	10.9	THROCKMORTON GAS

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8319818	F-03-062664	4204130818		102-2		CHATHAM UNIT NO 1-U	BRYAN (WOODBINE)	120.0	FERGUSON CROSSING
8319836	F-03-062706	4204130765		102-2		COCKRELL OIL UNIT I #2	KURTEN (BUDA)	36.0	FERGUSON CROSSING
-MERCURY EXPLORATION CO				RECEIVED:	01/27/83	JA: TX			
8319610	F-78-062195	4205933389		102-4		COOPER-LAVELLE #8-1	HOORAY (GREY SAND)	20.0	LONE STAR GAS CO
8319608	F-78-062191	4235330712		102-4		FRANK ANTILLEY #1-A	JACKIE GRIMM (GARDNER	20.0	VALERO TRANSMISSI
8319609	F-78-062192	4235330901		102-4		FRANK ANTILLEY #1-B	JACKIE GRIMM (GARDNER	20.0	VALERO TRANSMISSI
-MICHAEL J THOMAS INTERESTS INC				RECEIVED:	01/27/83	JA: TX			
8319781	F-08-062586	4247532637		103		BENTLEY M-1	WARD SOUTH	6.0	WARREN PETROLEUM
8319786	F-08-062591	4247500000		103		HARDAGE & WILSON M-10	WARD SOUTH	6.0	WARREN PETROLEUM
8319782	F-08-062587	4247532640		103		HARDAGE AND WILSON M-2	WARD SOUTH	6.0	WARREN PETROLEUM
8319783	F-08-062588	4247532622		103		HARDAGE AND WILSON M-3	WARD SOUTH	6.0	WARREN PETROLEUM
8319784	F-08-062589	4247532643		103		KOLP STEWART M-6	WARD SOUTH	6.0	WARREN PETROLEUM
8319785	F-08-062590	4247532725		103		KOLP STEWART M-9	WARD SOUTH	6.0	WARREN PETROLEUM
-MID-AMERICA PETROLEUM INC				RECEIVED:	01/27/83	JA: TX			
8319741	F-7C-062506	4238332159		103		UNIVERSITY "20" #5	SPRABERRY (TREND AREA	9.0	INTER NORTH INC
8319803	F-7C-062634	4238332158		103		UNIVERSITY "20" #6	SPRABERRY (TREND AREA	10.0	INTERNORTH INC
8319802	F-7C-062631	4238332157		103		UNIVERSITY "20" #7	SPRABERRY (TREND AREA	9.0	INTERNORTH INC
8319854	F-7C-062769	4238332156		103		UNIVERSITY "20" #8	SPRABERRY (TREND AREA	12.0	INTERNORTH INC
-MILES PRODUCTION CO				RECEIVED:	01/27/83	JA: TX			
8319593	F-78-062064	4208332951		102-2		MILLER RANCH ONE "8" #4 102158	COLEMAN COUNTY REGULA	70.0	STRIGINE GAS CO
8319537	F-09-061690	4223734474		102-2		TICK HILL #1 ID# PENDING	JACK COUNTY REGULAR	15.0	LONE STAR GAS CO
-MITCHELL ENERGY CORPORATION				RECEIVED:	01/27/83	JA: TX			
8319806	F-09-062639	4249700000		108		ARIZONA BURNS #2 #080084	BOONSVILLE/BEND CONGL	0.0	NATURAL GAS PIPEL
8319904	F-09-061655	4243734677		102-4	103	ERNEST RHODES #1	HENDERSON RANCH (MARB	1892.0	SOUTHWESTERN GAS
8319805	F-78-062636	4236700000		108		HELEN G POWELL #2 #096467	WHITT (BIG SALINE)	11.0	SOUTHWESTERN GAS
8319804	F-78-062635	4236300000		108		R H GAULDIN #7 #073818	GRAFORD WEST (CADDO C	11.2	SOUTHWESTERN GAS
8319808	F-09-062641	4249700000		108		SAM KAKER B #1 C-#036083 M-#014350-	C-BOONSVILLE (BEND CO	10.8	NATURAL GAS PIPEL
8319807	F-09-062640	4249700000		108		TARRANT CO WATER BOARD #24 #14955	BOONSVILLE/BASAL ATOK	0.0	NATURAL GAS PIPEL
-MOBIL PRDG TEXAS & NEW MEXICO INC				RECEIVED:	01/27/83	JA: TX			
8319860	F-04-062798	4224931241		103		LA GLORIA GAS UNIT #102	LA GLORIA (ARGUELLEZ)	115.3	TRANSCONTINENTAL
8319801	F-08-062625	4200333236		103		SHAFTER LAKE SAN ANDRES UNIT #299	SHAFTER LAKE (SAN AND	32.8	PHILLIPS PETROLEU
8319760	F-08-062535	4200333229		103		SHAFTER LAKE SAN ANDRES UNIT #302	SHAFTER LAKE (SAN AND	0.4	PHILLIPS PETROLEU
8319759	F-08-062534	4200333233		103		SHAFTER LAKE SAN ANDRES UNIT #304	SHAFTER LAKE (SAN AND	10.2	PHILLIPS PETROLEU
8319758	F-08-062533	4200333238		103		SHAFTER LAKE SAN ANDRES UNIT #305	SHAFTER LAKE (SAN AND	0.4	PHILLIPS PETROLEU
8319757	F-08-062532	4200333228		103		SHAFTER LAKE SAN ANDRES UNIT #309	SHAFTER LAKE (SAN AND	0.4	PHILLIPS PETROLEU
8319756	F-08-062531	4200333242		103		SHAFTER LAKE SAN ANDRES UNIT #310	SHAFTER LAKE (SAN AND	0.4	PHILLIPS PETROLEU
8319861	F-08-062801	4200332221		103		SHAFTER LAKE SAN ANDRES UNIT #315	SHAFTER LAKE (SAN AND	0.4	PHILLIPS PETROLEU
8319619	F-04-062280	4270230121		102-4		TEXAS GULF 76518 (TRACT 881-L) #1	MUSTANG ISLAND BLK 88	2258.2	VALLEY PIPELINES
-N S MARROW				RECEIVED:	01/27/83	JA: TX			
8319705	F-09-062442	4223733922		103		F M BRANSFORD "C" #1	JACK COUNTY REGULAR	67.0	LONE STAR GAS CO
-NOEL PAUTSKY				RECEIVED:	01/27/83	JA: TX			
8319567	F-78-061933	4244700000		103		TURNER "D" #1 (RRC #14725)	OVERCASH (CADDO)	0.0	H S T GATHERING C
8319606	F-78-062151	4244700000		103		TURNER "E" #1	OVERCASH (CONGL)	54.0	HST GATHERING CO
-NORD PETROLEUM CORP				RECEIVED:	01/27/83	JA: TX			
8319574	F-78-061952	4214300000		102-4		ATOR #1	SAP OAK N E (DUFFER)	5.0	NORTHERN NATURAL
-NORTH RIDGE CORP				RECEIVED:	01/27/83	JA: TX			
8319547	F-78-061845	4213334258		102-4	103	A HISE #2	RANGER (BLACK LIME WE	0.0	PRISM ENTERPRISES
-OILWELL OPERATORS INC				RECEIVED:	01/27/83	JA: TX			
8319851	F-10-062759	4217900000		108		J STEPHENS #1 (03496)	PANHANDLE-GRAY	2.0	PHILLIPS PETROLEU
-OMEGA MINERALS INC				RECEIVED:	01/27/83	JA: TX			
8319848	F-04-062754	4224930838		108		BLASCHKE -A- WELL #2-A	ORANGE GROVE (2200)	17.9	UNITED GAS PIPELI
-OXOCO-TEXAS INC				RECEIVED:	01/27/83	JA: TX			
8319762	F-04-062537	4240900000		108		KIRK GAS UNIT 3L	WHITE POINT EAST (300	17.0	FLORIDA GAS TRANS

JO NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-PARKER & PARSLEY INC				RECEIVED:	01/27/83	JA: TX			
8319795	F-08-062618	4232900000		103		COLLINS #1	SPRABERRY (TREND AREA	15.0	PHILLIPS PETROLEU
8319576	F-08-061983	4231700000		103		WOLCOTT #4	SPRABERRY (TREND AREA	15.0	PHILLIPS PETROLEU
8319796	F-08-062619	4231700000		103		WOLCOTT #5	SPRABERRY (TREND AREA	15.0	PHILLIPS PETROLEU
-PETRO-LEWIS CORPORATION				RECEIVED:	01/27/83	JA: TX			
8319531	F-03-061639	4205100000		102-2		BENTON-SCHMIDT #2	GIDDINGS	0.4	CLAJON GAS CO
-PHILLIPS PETROLEUM COMPANY				RECEIVED:	01/27/83	JA: TX			
8319870	F-08-062843	4213508209		108		(09681) MOORS #1-C	GOLDSMITH (5600')	9.0	EL PASO NATURAL G
8319826	F-10-062684	4217900000		108		ANNIE #16	PANHANDLE GRAY	0.0	
8319825	F-10-062683	4217900000		108		ANNIE #17	PANHANDLE GRAY COUNTY	0.0	
8319700	F-10-062428	4223300000		108		COCKRELL RANCH #42	PANHANDLE - HUTCHINSO	0.0	GETTY OIL CO
8319824	F-10-062682	4217900000		108		DAN JOE #5	PANHANDLE GRAY	0.0	
8319827	F-10-062686	4217900000		108		DESON #9	PANHANDLE WHEELER	0.0	
8319822	F-10-062680	4217900000		108		DOSS #5	PANHANDLE GRAY	0.0	
8319699	F-10-062427	4206500000		108		GORENFLO #1	PANHANDLE WEST	0.0	GETTY OIL CO
8319823	F-10-062681	4217900000		108		JOHNSON AA #5	PANHANDLE GRAY	0.0	
8319831	F-10-062690	4217900000		108		JOHNSON BB #1	PANHANDLE GRAY	0.0	
8319833	F-10-062692	4217900000		108		JOHNSON BB #16	PANHANDLE GRAY	0.0	
8319832	F-10-062691	4217900000		108		JOHNSON BB #3	PANHANDLE GRAY	0.0	
8319701	F-10-062429	4217900000		108		JOHNSON Y #1	PANHANDLE WEST	0.0	
8319697	F-10-062425	4217900000		108		JOHNSON Z #10	PANHANDLE GRAY	0.0	
8319698	F-10-062426	4206500000		108		JORDAN D #9	PANHANDLE - HUTCHINSO	0.0	GETTY OIL CO
8319858	F-10-062785	4235700000		108		MCLAIN B #1	ELLIS RANCH - KEYES	0.0	TRANSWESTERN PIPE
8319702	F-10-062430	4223300000		108		TURNER SMITH D #9	PANHANDLE - HUTCHINSO	0.0	EL PASO NATURAL G
8319830	F-10-062689	4217900000		108		WHEAT #6	PANHANDLE GRAY	0.0	
8319829	F-10-062688	4217900000		108		WHEAT #7	PANHANDLE GRAY	0.0	
8319828	F-10-062687	4217900000		108		WHEAT #9	PANHANDLE GRAY	0.0	
-QUANAH PETROLEUM INC				RECEIVED:	01/27/83	JA: TX			
8319684	F-08-062411	4243131132		102-4		BASSHAM #2	ROSE CREEK N (WOLFCAM	11.0	SUN EXPLORATION &
8319685	F-08-062412	4243131144		102-4		BASSHAM #3	ROSE CREEK N (WOLFCAM	11.0	SUN EXPLORATION &
8319693	F-08-062420	4243131107		102-4		CHAPPELL #1	ROSE CREEK N (WOLFCAM	11.0	SUN EXPLORATION &
8319692	F-08-062419	4243131114		102-4		CHAPPELL #2	ROSE CREEK N (WOLFCAM	11.0	SUN EXPLORATION &
8319691	F-08-062418	4243133120		102-4		CHAPPELL #3	ROSE CREEK N (WOLFCAM	11.0	SUN EXPLORATION &
8319690	F-08-062417	4243131119		102-4		CHAPPELL #4	ROSE CREEK N (WOLFCAM	11.0	SUN EXPLORATION &
8319689	F-08-062416	4243131131		102-4		CHAPPELL #5	ROSE CREEK N (WOLFCAM	11.0	SUN EXPLORATION &
8319687	F-08-062414	4243131155		102-4		CHAPPELL #6	ROSE CREEK N (WOLFCAM	11.0	SUN EXPLORATION &
8319688	F-08-062415	4243131164		102-4		CHAPPELL #7	ROSE CREEK N (WOLFCAM	11.0	SUN EXPLORATION &
8319686	F-08-062413	4243131145		102-4		ERWIN #1	ROSE CREEK N (WOLFCAM	11.0	SUN EXPLORATION &
8319696	F-08-062423	4243131022		102-4		FOSTER #1	ROSE CREEK N (WOLFCAM	11.0	SUN EXPLORATION &
8319695	F-08-062422	4243131103		102-4		FOSTER #2	ROSE CREEK N (WOLFCAM	11.0	SUN EXPLORATION &
8319694	F-08-062421	4243131146		102-4		FOSTER #4	ROSE CREEK N (WOLFCAM	11.0	SUN EXPLORATION &
8319683	F-08-062410	4243131133		102-4		ISAAC #1	ROSE CREEK N (WOLFCAM	11.0	SUN EXPLORATION &
8319682	F-08-062409	4243131153		102-4		TOWLE #1-R	ROSE CREEK N (WOLFCAM	11.0	SUN EXPLORATION &
-RAY HERRING				RECEIVED:	01/27/83	JA: TX			
8319794	F-09-062617	4250336189		102-4		LOFTIN #1	SENKEL (CADDO 4600)	40.0	SOUTHWESTERN GAS
-REYNOLDS DRILLING CO INC				RECEIVED:	01/27/83	JA: TX			
8319564	F-06-061924	4236530940		103	107-TF	J A EDGE "A" #1 088513	CARTHAGE (COTTON VALL	8.6	SOUTHWESTERN ELEC
-ROGER KLINGBERG				RECEIVED:	01/27/83	JA: TX			
8319677	F-78-062398	4205900000		108		CHARLES H FOSTER #1 (095590)	FREDDA (DUFFER LIME)	1.0	EL PASO HYDROCARB
-RYDER SCOTT OIL CO				RECEIVED:	01/27/83	JA: TX			
8319772	F-09-062559	4223734747		102-4		CAMPSEY #2	COOPER (CONGLOMERATE)	92.0	TEXAS UTILITIES F
-SAGE ENERGY CO				RECEIVED:	01/27/83	JA: TX			
8319900	F-7C-062879	4238332343		103		UNIVERSITY 16 #3 RRC #07556	FARMER (SAN ANDRES)	1.6	INTERNORTH INC

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8319899	F-7C-062878	4238300000		103		UNIVERSITY 7-G #3 RRC #08830	FARMER (SAN ANDRES)	2.2	INTERNORTH INC
-SAMEDAN OIL CORPORATION				RECEIVED:		01/27/83 JA: TX			
8319774	F-8A-062565	4216532420		103		SOUTH CENTRAL ROBERTSON UNIT #49	ROBERTSON NORTH/CLEAR	18.0	PHILLIPS PETROLEU
8319820	F-8A-062678	4216532416		103		SOUTH CENTRAL ROBERTSON UNIT #53	ROBERTSON NORTH CLEAR	16.0	PHILLIPS PETROLEU
8319821	F-8A-062679	4216532327		103		SOUTH CENTRAL ROBERTSON UNIT #64	ROBERTSON NORTH/ CLEA	28.0	PHILLIPS PETROLEU
-SAMSON RESOURCES COMPANY				RECEIVED:		01/27/83 JA: TX			
8319856	F-7C-062776	4243500000		108		GERALD NICKS #2	DENISON-STRAWN	17.4	INTER NORTH INC
-SANTA FE-ANDOVER OIL CO				RECEIVED:		01/27/83 JA: TX			
8319715	F-06-062459	4220330798		103		107-TF SAM B HALL GAS UNIT #2 WELL #1	WOODLAWN SW (COTTON V	180.0	INTRASTATE GAS CO
-SANTA FE-WINDSOR PRODUCING CO				RECEIVED:		01/27/83 JA: TX			
8319763	F-03-062539	4228730583		103		MANTZEL #1	GIDDINGS (AUSTIN CHAL	109.5	PGP GAS PRODUCTS
8319764	F-03-062540	4228700000		103		MATTHIJETZ #1	GIDDINGS (AUSTIN CHAL	36.0	PGP GAS PRODUCTS
-SCANDRILL INC				RECEIVED:		01/27/83 JA: TX			
8319704	F-09-062439	4223734647		103		ED SEWELL #2	JACK COUNTY REGULAR	54.8	
-SEAGULL INTERNATIONAL EXPLORATION			I	RECEIVED:		01/27/83 JA: TX			
8319819	F-06-062668	4236531076		102-4		BOX-GRUBENMAN UNIT #1 WELL	PINEHILL SE (PETTIT L	29.0	UNITED GAS PIPE L
-SHELL OIL CO				RECEIVED:		01/27/83 JA: TX			
8319863	F-01-062814	4231131768		102-4		BRACKEN #4	A W P (OLMOS)	100.0	
8319771	F-04-062552	4221531182		102-4		HAMMAN RANCH #11	MONTE CHRISTO (VICKSB	700.0	VALERO TRANSMISSI
8319770	F-04-062551	4221531155		107-TF		HAMMAN RANCH #8	MONTE CHRISTO (VKSBG-	600.0	VALERO TRANSMISSI
8319597	F-09-062099	4231131762		102-4		L S MC CLAUGHERTY "A" #3	A W P (OLMOS)	50.0	
-SOUTHEASTERN RESOURCES CORP				RECEIVED:		01/27/83 JA: TX			
8319780	F-7B-062585	4213300000		102-4		M K COURTNEY "A" #2 (18887)	JMJ (MARBLE FALLS)	0.0	EL PASO HYDROCARB
8319675	F-7B-062395	4213334225		102-4		M K COURTNEY "A" #6 (18887)	JMJ (MARBLE FALLS)	37.0	EL PASO HYDROCARB
-SOUTHLAND ROYALTY CO				RECEIVED:		01/27/83 JA: TX			
8319867	F-8A-062836	4211530367		108		LEE HANSON ET AL #2	ACKERLY DEAN SAND	5.8	GETTY OIL CO
-SPOOL OIL CO				RECEIVED:		01/27/83 JA: TX			
8319530	F-10-061630	4223300000		108		TARBOX #3	PANHANDLE HUTCHINSON	0.4	PHILLIPS PETROLEU
8319529	F-10-061627	4223300000		108		TARBOX #7	PANHANDLE HUTCHINSON	0.2	PHILLIPS PETROLEU
-SUN EXPLORATION & PRODUCTION CO				RECEIVED:		01/27/83 JA: TX			
8319787	F-03-062592	4207130882		103		ARCHIE MIDDLETON #12	OYSTER BAYOU	102.0	UNTIED TEXAS TRAN
8319789	F-08-062595	4233532071		103		B ANDERSON "A" #9	JAMESON N (ODOM)	80.0	LONE STAR GAS CO
8319749	F-8A-062517	4250131817		103		BENNETT RANCH UNIT #321	WASSON	12.0	SHELL OIL CO
8319748	F-8A-062516	4250132298		103		BENNETT RANCH UNIT #86-A	WASSON	9.0	SHELL OIL CO
8319743	F-7C-062511	4235331076		103		BLOODWORTH NE CANYON UNIT #8-12	BLOODWORTH NE (5750 C	10.0	EL PASO NATURAL G
8319641	F-04-062332	4242700000		108		C M HALL #10	RINCON NORTH (DX)	13.0	
8319745	F-8A-062513	4221933563		103		CENTRAL LEVELLAND UNIT #52-A	LEVELLAND	40.0	AMOCO PRODUCTION
8319620	F-7C-062288	4208130949		103		CENTRAL NATIONAL BANK #19	LYGAY	39.0	LONE STAR GAS CO
8319751	F-7C-062519	4208131071		103		CENTRAL NATIONAL BANK #23	LYGAY	85.0	LONE STAR GAS CO
8319649	F-7C-062341	4208100000		108		CENTRAL NATIONAL BANK #5	LYGAY	8.0	LONE STAR GAS CO
8319714	F-03-062451	4220131376		103		E A METZLER #9	TOMBALL (SCHULTZ S E)	7.0	EXXON CO USA
8319664	F-04-062360	4242700000		108		FRANCISCO G DE PEREZ #6	SUN	9.0	TRANSCONTINENTAL
8319645	F-08-062336	4200300000		108		HOLT O B -GRBG- #1-7	COWDEN NORTH	1.0	AMOCO PRODUCTION
8319647	F-08-062338	4249500000		108		HOWE J F -A- #1	KERMIT	0.9	CABOT CORP
8319646	F-08-062337	4249500000		108		HOWE J F -A- #11	KERMIT	1.0	CABOT CORP
8319648	F-08-062339	4249500000		108		HOWE J F -A- #3	KERMIT	0.8	CABOT CORP
8319753	F-08-062521	4233531909		103		J F MCCABE "A" #10	JAMESON N (ELLEN)	17.0	LONE STAR GAS CO
8319752	F-08-062520	4233532016		103		J F MCCABE "A" #11	JAMESON N (ELLEN)	34.0	LONE STAR GAS CO
8319755	F-08-062523	4233532015		103		J F MCCABE "B" #2	JAMESON N (ELLEN)	12.0	LONE STAR GAS CO
8319750	F-08-062518	4233532360		103		J F MCCABE "C" #1	JAMESON N (ELLEN)	30.0	LONE STAR GAS CO
8319643	F-02-062334	4239100000		108		J M O'BRIEN #5-2	GRETA (L-13)	12.0	UNITED TEXAS TRAN
8319622	F-7C-062290	4208130989		103		JAMESON REEF UNIT #11-61	JAMESON	140.0	LONE STAR GAS CO
8319788	F-7C-062594	4208130989		103		JAMESON REEF UNIT #14-10	JAMESON	96.0	LONE STAR GAS CO

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8319864	F-8A-062823	4207931569		103		LEAGUE 91 PROJECT #109A	SLAUGHTER	5.0	AMOCO PRODUCTION
8319650	F-7C-062342	4246100000		108		MCCLURE W W AC1 #7	KING MOUNTAIN-STRAWN	5.0	PHILLIPS PETROLEU
8319642	F-03-062333	4207100000		108		MECKELBURG #1	FIG RIDGE	13.0	UNITED TEXAS TRAN
8319859	F-06-062796	4240131487		103		R J HENDON #26	REDWINE (TRAVIS PEAK	20.0	ARCO OIL & GAS CO
8319744	F-8A-062512	4221933215		103		SOUTHEAST LEVELLAND UNIT #260	LEVELLAND	106.0	AMOCO PRODUCTION
8319742	F-8A-062510	4221933505		103		SOUTHEAST LEVELLAND UNIT #278	LEVELLAND	5.0	AMOCO PRODUCTION
8319746	F-8A-062514	4221933503		103		SOUTHEAST LEVELLAND UNIT #280	LEVELLAND	7.0	AMOCO PRODUCTION
8319747	F-8A-062515	4221933499		103		SOUTHEAST LEVELLAND UNIT #290	LEVELLAND	2.0	AMOCO PRODUCTION
8319644	F-08-062335	4200300000		108		UNIVERSITY -P- #4	EMBAR (5600)	11.0	PHILLIPS PETROLEU
8319621	F-08-062289	4233531879		102-4		V T MCCABE #26	JAMESON N	74.0	LONE STAR GAS CO
8319754	F-8A-062522	4250132250		103		WASSON NORTH CLEARFORK UNIT #92	WASSON NE (CLEARFORK)	11.0	SHELL OIL CO
-SUN-KEY OIL CO INC				RECEIVED:	01/27/83	JA: TX			
8319676	F-7B-062397	4214300000		108		D P SWANNER "B" #1 (100653)	DIAZ (STRAWN)	3.0	SOUTHWESTERN GAS
-TAUBERT & STEED				RECEIVED:	01/27/83	JA: TX			
8319852	F-06-062760	4249931102		102-4		W N VICKERY #2	NEUHOFF (WOODBINE)	605.9	UNITED GAS PIPELI
-TENNECO OIL COMPANY				RECEIVED:	01/27/83	JA: TX			
8319869	F-8A-062841	4244531063		103		PRENTICE CLEARFORK UNIT #904	PRENTICE (6700 CLEARF	0.0	AMOCO PRODUCTION
-TEPCO ENGINEERING INC				RECEIVED:	01/27/83	JA: TX			
8319536	F-02-061670	4202531932		102-4	103	WM SMITH #1	SMITH RANCH (3850) FI	182.0	SOUTHERN GAS PIPE
-TEX-STAR PETROLEUM				RECEIVED:	01/27/83	JA: TX			
8319602	F-7C-062111	4239931694		103		FULLER #2	HENSON (MORRIS)	44.0	UNION TEXAS PETRO
-TEXACO INC				RECEIVED:	01/27/83	JA: TX			
8319548	F-8A-061862	4221933322		103		IRA P DELOACHE #53	LEVELLAND	4.4	AMOCO PRODUCTION
8319616	F-10-062248	4206500000		108		J C MCCONNELL "A" #10	PANHANDLE CARSON COUN	1.0	GETTY OIL CO
8319659	F-10-062352	4206500000		108		J K QUINN #15	PANHANDLE CARSON COUN	0.5	GETTY OIL CO
8319655	F-10-062348	4217900000		108		J M PATTON #10	PANHANDLE GRAY COUNTY	0.7	PHILLIPS PETROLEU
8319654	F-10-062347	4217900000		108		J M PATTON #11	PANHANDLE GRAY COUNTY	1.1	PHILLIPS PETROLEU
8319658	F-10-062351	4217900000		108		J M PATTON #7	PANHANDLE GRAY COUNTY	1.5	PHILLIPS PETROLEU
8319657	F-10-062350	4217900000		108		J M PATTON #8	PANHANDLE GRAY COUNTY	1.0	PHILLIPS PETROLEU
8319656	F-10-062349	4217900000		108		J M PATTON #9	PANHANDLE GRAY COUNTY	1.0	PHILLIPS PETROLEU
8319776	F-8A-062576	4250132275		103		ROBERTS UNIT #3202	WASSON	0.0	SHELL OIL CO
-TEXAS CRUDE INC				RECEIVED:	01/27/83	JA: TX			
8319550	F-8A-061879	4211500000		102-4		MULLINS 107 #1	LAMESA FARMS (MISS)	5.5	
-THE MAURICE L BROWN COMPANY				RECEIVED:	01/27/83	JA: TX			
8319667	F-06-062376	4220300000		108		BARKER-LENTZ #6	BETHANY	18.0	UNITED GAS PIPE L
-THOMAS-POWELL ROYALTY INC				RECEIVED:	01/27/83	JA: TX			
8319570	F-7C-061945	4239932565		102-4		MIKESKA #4 (08628)	WINGATE NW (GRAY)	223.0	UNION TEXAS PETRO
-TOM MCGEE CORP				RECEIVED:	01/27/83	JA: TX			
8319575	F-10-061974	4229530942		103		KIM "B" #1 (04838)	KIOWA CREEK N E (TONK	300.0	INTER NORTH INC
-TRUMTER PETROLEUM CORP				RECEIVED:	01/27/83	JA: TX			
8319834	F-7B-062693	4213333722		102-4		C T SMITH #1 (102692)	RANGER (3216 CONGL)	113.9	LONE STAR GAS CO
-TUMBLEWEED PRODUCTION CO				RECEIVED:	01/27/83	JA: TX			
8319612	F-10-062207	4206500000		103		HAIDUK #1	PANHANDLE	93.4	GETTY OIL CO
-TURTLE PRODUCTION CO INC				RECEIVED:	01/27/83	JA: TX			
8319779	F-7B-062584	4205933089		102-4		HAL MCGLOTHLIN #5	LAJET (FLIPPEN)	4.0	LONE STAR GAS CO
-TXO PRODUCTION CORP				RECEIVED:	01/27/83	JA: TX			
8319535	F-10-061660	4229531219		102-4		BOOKERTOWNSITE #2	BOOKER N (MORROW UPPE	180.0	DELHI GAS PIPELIN
8319618	F-8A-062271	4216532288		103		BURKE "D" #1	HANFORD (SAN ANDRES)	14.6	PHILLIPS PETROLEU
8319569	F-05-061943	4216130755		102-4		COATES "A" #1	INGRAM TRINITY (RODES	139.0	DELHI GAS PIPELIN
8319540	F-06-061734	4220330579		103		SANDERS "A" #1	WASKOM (PETTIT LOWER)	392.0	ARKANSAS-LOUISIAN
-VINSON EXPLORATION				RECEIVED:	01/27/83	JA: TX			
8319793	F-7C-062608	4210500000		102-4		UNIV "14-30" #1	INGHAM (QUEEN)	36.0	SOUTHWESTERN GAS
8319792	F-7C-062607	4210500000		102-4		UNIV "33-H" #1	INGHAM (QUEEN)	82.0	SOUTHWESTERN GAS

JO NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8319791	F-7C-062603	4210500000		102-4		UNIV "33-H" #2	INGHAM (QUEEN)	73.0	SOUTHWESTERN GAS
8319797	F-7C-062621	4210500000		102-4		UNIV "35-29" #1	INGHAM (QUEEN)	54.0	SOUTHWESTERN GAS
-W J WHITT				RECEIVED:	01/27/83	JA: TX			
8319633	F-78-062312	4204933179		102-4		4-W RANCH -A- #12 (18645)	DUDLEY (CADDO)	31.0	EL PASO HYDROCARB
8319632	F-78-062311	4204933302		102-4		4-W RANCH -A- #13 (18645)	DUDLEY (CADDO)	30.0	EL PASO HYDROCARB
8319631	F-78-062310	4204933303		102-4		4-W RANCH -A- #14 (18645)	DUDLEY (CADDO)	33.0	EL PASO HYDROCARB
8319634	F-78-062313	4204933095		102-4		4-W RANCH -A- #5 (18645)	DUDLEY (CADDO)	28.0	EL PASO HYDROCARB
-WAGNER & BROWN				RECEIVED:	01/27/83	JA: TX			
8319630	F-08-062303	4243131216		103		FLINT "B" #11-26	CONGER (PENN)	240.0	TEXAS UTILITIES F
-WALSH AND WATTS INC				RECEIVED:	01/27/83	JA: TX			
8319713	F-7B-062450	4215131592		103		YORK #8 (15270)	JUDY GAIL (CANYON SAN	4.0	LONE STAR GAS CO
-WARREN PETR CO A DIV OF GULF OIL CO				RECEIVED:	01/27/83	JA: TX			
8319875	F-08-062851	4210332960		103		P J LEA #137	LEA (SAN ANDRES)	8.1	EL PASO NATURAL G
8319725	F-08-062469	4210332882		103		STATE "ED" #14	DUNE	0.6	EL PASO NATURAL G
8319876	F-08-062852	4210332866		103		STATE "EG" #27	DUNE	4.3	EL PASO NATURAL G
8319726	F-08-062470	4210332928		103		W A ESTES #115	SAND HILLS WEST	1.2	EL PASO NATURAL G
8319723	F-08-062467	4247530749		108		W A ESTES #97	SAND HILLS WEST (DEVO	17.8	VALERO TRANSMISSI
8319877	F-08-062853	4210332765		103		W N WADDELL #1126	UNIVERSITY WADDELL (D	86.9	EL PASO NATURAL G
8319879	F-08-062855	4210332775		103		W N WADDELL #1160	DUNE	3.4	EL PASO NATURAL G
8319878	F-08-062854	4210332988		103		W N WADDELL #1171	WADDELL	4.7	EL PASO NATURAL G
8319880	F-08-062856	4210332990		103		W N WADDELL #1172	WADDELL	9.3	EL PASO NATURAL G
8319881	F-08-062857	4210332987		103		W N WADDELL #1173	WADDELL	4.7	EL PASO NATURAL G
8319720	F-08-062464	4210302293		108		W N WADDELL #379	SAND HILLS (MCKNIGHT)	17.3	EL PASO NATURAL G
8319718	F-08-062462	4210310420		108		W N WADDELL #886	SAND HILLS (JUDKINS)	14.1	EL PASO NATURAL G
-WCS PETROLEUM INC				RECEIVED:	01/27/83	JA: TX			
8319579	F-03-062029	4205132285		102-2		HEINE #1	GIDDINGS (AUSTIN CHAL	0.0	FERGUSON CROSSING
8319841	F-03-062732	4205132318		102-2		WILMA #1	GIDDINGS (AUSTIN CHAL	0.0	FERGUSON CROSSING
-WESTERN CHIEF OIL & GAS CO				RECEIVED:	01/27/83	JA: TX			
8319561	F-09-061895	4223734712		102-4		DUNLAP PEACH ORCHARD PERMIT #171539	TJN (STRAWN)	1812.0	SOUTHWESTERN GAS
-WILLIAM C DOENGES				RECEIVED:	01/27/83	JA: TX			
8319613	F-10-062208	4234100000		108		SNEED CL 24617	PANHANDLE WEST	19.4	PHILLIPS PETROLEU
8319614	F-10-062209	4234100000		108		TERRY B-1 24619	PANHANDLE WEST	15.4	PHILLIPS PETROLEU
-WINN EXPLORATION/DULCE CO				RECEIVED:	01/27/83	JA: TX			
8319596	F-01-062678	4250731629		102-4		PRYOR RANCH	WINN-DULCE	0.0	INTER NORTH INC
8319562	F-01-061915	4250731552		102-4		PRYOR RANCH #79-C	WINN-DULCE	0.0	INTERNORTH INC
8319563	F-01-061916	4250731552		102-4		PRYOR RANCH #79-T	WINN-DULCE	0.0	INTERNORTH INC
-XB ENERGY SERVICES INC				RECEIVED:	01/27/83	JA: TX			
8319595	F-03-062074	4232131139		102-4		P P TERRY #1	DUNCAN SLOUGH W (LOWE	1200.0	INTERSTATE GATHER

SOURCE DATA FOR THIS NOTICE IS AVAILABLE ON MAGNETIC TAPE FROM THE NATIONAL TECHNICAL INFORMATION SERVICE (NTIS). FOR INFORMATION, CONTACT STUART WEISMAN (NTIS) AT (703) 487-4808, 5285 PORT ROYAL RD, SPRINGFIELD, VA 22161, OR SANDRA SPEAR (FERC) (202) 357-8681.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-8xxx Filed 3-26-83; 8:45 am]

BILLING CODE 6717-01-C

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: February 23, 1983.

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
MICHIGAN DEPARTMENT OF NATURAL RESOURCES									
-TRAVERSE OIL CO				RECEIVED:	01/31/83	JA: MI			
8319947		2105534849		102-4		ELHART #2-3	UNION 3-A	155.0	CONSUMERS POWER C
8319948		2101350080		102-4		ST MAPLE GROVE #3-1	MAPLE GROVE 1-A	145.0	CONSUMERS POWER C
MONTANA BOARD OF OIL & GAS CONSERVATION									
-AMINOIL USA INC				RECEIVED:	01/31/83	JA: MT			
8319916	1-82-13	2509121412		102-2		CONRADSON #1	WILDCAT	21.0	PHILLIPS PETROLEU
8319913	1-82-13A	2509121412		103		CONRADSON #1	WILDCAT	21.0	PHILLIPS PETROLEU
-CHAMPLIN PETROLEUM COMPANY				RECEIVED:	01/31/83	JA: MT			
8319911	2-82-37	2508321490		102-2		COLWELL 13E-11 #2	CULBERTSON AREA	40.0	PHILLIPS PETROLEU
-DIAMOND SHAMROCK CORPORATION				RECEIVED:	01/31/83	JA: MT			
8319914	1-82-12	2508521315		102-2		CRUSCH FEE 42-13	ANVIL	25.0	
-MERLAND OIL & GAS INC				RECEIVED:	01/31/83	JA: MT			
8319917	1-82-11	2508521222		103		PICARD 1-11	N BAINVILLE NESE SEC	9.0	DOME PETROLEUM CO
8319918	1-82-10	2508521325		103		PICARD 5-11	NORTH BAINVILLE	9.0	DOME PETROLEUM CO
-SANTA FE ENERGY COMPANY				RECEIVED:	01/31/83	JA: MT			
8319915	4-81-59	2509121308		102-4		STATE 16 #11	RAYMOND	2.1	PHILLIPS PETROLEU
-WEST GAS INC				RECEIVED:	01/31/83	JA: MT			
8319912	1-82-14	2509521148		103		LEUTHOLD 7-24	LAKE BASIN	20.0	MONTANA DAKOTA UT
NEW MEXICO DEPARTMENT OF ENERGY & MINERALS									
-HNG OIL COMPANY				RECEIVED:	01/31/83	JA: NM			
8319943		3002527888		103		LOVINGTON PLAINS "2" STATE #1	WILDCAT MORROW	75.0	WARREN PETROLEUM
-MERRION OIL & GAS CORP				RECEIVED:	01/31/83	JA: NM			
8319942		3004500000		108		CARNAHAN COM #1	FLORA VISTA MESA VERD	15.0	EL PASO NATURAL G
-MESA PETROLEUM CO				RECEIVED:	01/31/83	JA: NM			
8319946		3000561691		102-2	107-TF	HALEY COM #1	UNDESIGNATED PECOS SL	470.0	
8319945		3000561733		102-2	107-TF	IRIS STATE #3	UNDESIGNATED ABO	470.0	
-THRESHOLD DEVELOPMENT CO				RECEIVED:	01/31/83	JA: NM			
8319944		3001524157		103		CONOCO "7" STATE #11	E MILLMAN QUEEN GRAYB	14.0	CONOCO INC
OHIO DEPARTMENT OF NATURAL RESOURCES									
-ALTEX INC				RECEIVED:	01/31/83	JA: OH			
8319949		3408924499		103		FELUMLEE #1	MADISON TOWNSHIP	5.0	NATIONAL GAS & OI
-AMAC INC				RECEIVED:	01/31/83	JA: OH			
8319950		3403124911		103	107-TF	CATHERINE BESST # 1	CLARK	20.0	COLUMBIA GAS TRAN
-AMERICAN STATES O & G PRODUCING CO				RECEIVED:	01/31/83	JA: OH			
8319951		3410322887		107-TF		KRUEGER #3	GRANGE	4.0	COLUMBIA GAS TRAN

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JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8319952		3410323173		107-TF		PRAISLER #1	MEDINA	4.0	COLUMBIA GAS OF O
-BAY STATE EXPLORATION CO				RECEIVED:	01/31/83	JA: OH			
8319953		3416320631		103		L C FOUT #1	VINTON	18.3	COLUMBIA GAS TRAN
-BERRESFORD ENTERPRISES INC				RECEIVED:	01/31/83	JA: OH			
8319955		3416725984		108		RICHARD MCNABB #1		1.6	
-BILL BLAIR INCORPORATED				RECEIVED:	01/31/83	JA: OH			
8319956		3402920896		103	107-TF	HANSEN #1	HANOVERTON	14.0	EAST OHIO GAS CO
8319957		3402920897		103	107-TF	HANSEN #2	HANOVERTON	14.0	EAST OHIO GAS CO
-BLAUSER WELL SERVICE INC				RECEIVED:	01/31/83	JA: OH			
8319958		3410522153		103		ARTHUR D HEINEY #1-104	OLIVE	12.8	COLUMBIA GAS TRAN
8319959		3410522251		103		ARTHUR D HEINEY #2-104	OLIVE	14.6	COLUMBIA GAS TRAN
-BUCKEYE OIL PRODUCING CO				RECEIVED:	01/31/83	JA: OH			
8319962		3416922185		107-RT		DELMAR C FALB #1	PAINT	8.0	COLUMBIA GAS TRAN
8319961		3407522960		103	107-TF	ELI AMMON RABER #1	CREEK	16.0	COLUMBIA GAS TRAN
-CALLANDER & KIMBREL INC				RECEIVED:	01/31/83	JA: OH			
8319963		3411122851		103		KAHRIG #1	MALAGA	21.0	
-CARLTON OIL CORP				RECEIVED:	01/31/83	JA: OH			
8319966		3416726153		103		BUTLER #2	GRANDVIEW	50.0	RIVER GAS CO
8319964		3416726154		103		HARTLINE #1	GRANDVIEW	50.0	RIVER GAS CO
8319965		3416726152		103		PRYOR #1	GRANDVIEW	50.0	RIVER GAS CO
-CLINTON OIL CO				RECEIVED:	01/31/83	JA: OH			
8319967		3408924348		103		J LONG #1-654	FALLSBURY	10.0	
-DAVIS FRAC TANKS & SUPPLY				RECEIVED:	01/31/83	JA: OH			
8319968		3405921554		108		PERRY C BEAL #1		0.0	EAST OHIO GAS CO
-DUSTY DRILLING COMPANY INC				RECEIVED:	01/31/83	JA: OH			
8319969		3411522102		107-TF		SIDWELL #1	DEERFIELD	0.9	COLUMBIA GAS TRAN
-EDCO DRILLING & PRODUCING INC				RECEIVED:	01/31/83	JA: OH			
8319970		3408322833		108		KB-3B GREEN		18.0	COLUMBIA GAS TRAN
8319971		3408322834		108		KB-4B GREEN		18.0	COLUMBIA GAS TRAN
-EDWARD H EVERETT CO				RECEIVED:	01/31/83	JA: OH			
8319984		3408924580		103		R D CANNON R CANNON H HOLBERT #1	MADISON	18.2	NATIONAL GAS & OI
-ELKHEAD GAS & OIL COMPANY				RECEIVED:	01/31/83	JA: OH			
8319972		3407332746		103		STRAIT #6	HOCKING	50.0	COLUMBIA GAS TRAN
-ENERGY DEVELOPMENT CORP				RECEIVED:	01/31/83	JA: OH			
8319973		3400720098		103	107-RT	CLARK #1	WINDSOR	18.0	COLUMBIA GAS TRAN
8319974		3400720703		103	107-RT	HERING #1	WINDSOR	19.0	COLUMBIA GAS TRAN
8319979		3405520200		103	107-RT	KAUFFMAN WELL #2	HUNTSBURG	20.0	COLUMBIA GAS TRAN
8319975		3400720704		103	107-RT	NOVAK #1	WINDSOR	19.0	COLUMBIA GAS TRAN
8319976		3400720705		103	107-RT	SOLOWEYKO #1	WINDSOR	19.0	COLUMBIA GAS TRAN
8319977		3405520186		103	107-RT	TROYER #2	MIDDLEFIELD	18.0	COLUMBIA GAS TRAN
8319978		3405520194		103	107-RT	WEAVER #1	MIDDLEFIELD	17.0	COLUMBIA GAS TRAN
-ENTERPRISE ENERGY CORP				RECEIVED:	01/31/83	JA: OH			
8319982		3411522941		103	107-TF	DYE #3	MANCHESTER	36.5	TEXAS EASTERN TRA
8319980		3401921588		103	107-TF	KLOTZ #3	BROWN	27.3	M B OPERATING CO
8319981		3411522812		103	107-TF	RODEBACK #2	MANCHESTER	36.5	TEXAS EASTERN TRA
-ENVIROGAS INC				RECEIVED:	01/31/83	JA: OH			
8319983		3400922661		103	107-TF	DRYDOCK COAL #19 TR	TRIMBLE	18.2	COLUMBIA GAS TRAN
-GEO ENERGY INC				RECEIVED:	01/31/83	JA: OH			
8319986		3409321181		107-TF		PLATA & RUBESNE #70-4	COLUMBIA	15.0	COLUMBIA GAS TRAN
-GREEN GAS COMPANY				RECEIVED:	01/31/83	JA: OH			
8319987		3405921037		108		LESTER ELLWOOD #1		0.0	EAST OHIO GAS CO
8319988		3405921361		108		RALPH E MCKIM #1		0.0	EAST OHIO GAS CO
8319989		3415722451		108		W & B GIBBS #1		0.0	EAST OHIO GAS CO

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-GREENWOOD OIL RFD				RECEIVED:	01/31/83	JA: OH			
8319990		3403124829		103		FRANK MEISER #1	JEFFERSON	12.0	NATIONAL GAS & OI
-GWF CORP				RECEIVED:	01/31/83	JA: OH			
8319985		3412724585		103		SPICER #1	PIKE	5.0	
-H & K ENERGY CORP				RECEIVED:	01/31/83	JA: OH			
8319991		3412725746		103		BOWERS #1	PIKE	1.0	
-H & S DRILLING CO INC				RECEIVED:	01/31/83	JA: OH			
8319992		3411926331		107-TF		BAGLEY #2	BRUSH CREEK	8.0	NATIONAL GAS & OI
-HOPCO RESOURCES INC				RECEIVED:	01/31/83	JA: OH			
83199948		3403124926	D	107-TF		PEW #5	KEENE	12.0	COLUMBIA GAS TRAN
8319994A		3403124926		103		PEW #5	KEENE	12.0	COLUMBIA GAS TRAN
-HOPEWELL OIL AND GAS DEVELOPMENT CO				RECEIVED:	01/31/83	JA: OH			
8319995		3408924393		103		RALPH & ANNA WOOD #2	WASHINGTON	10.0	COLUMBIA GAS TRAN
-IRON RIDGE PRODUCTION CO				RECEIVED:	01/31/83	JA: OH			
8319996		3416727377		103		MIDDLESWART #2	WARREN TWP-BEREA GRIT	8.0	RIVER GAS CO
-JADOIL INC				RECEIVED:	01/31/83	JA: OH			
8319997		3411925346		107-TF		EPHRAIM F & DELORES A HEIL #1	SALEM	60.0	EAST OHIO GAS CO
-JAMES R BERNHARDT				RECEIVED:	01/31/83	JA: OH			
8319954		3410322672		103	107-TF	BARENS WELL #1	GRANGER	0.0	COLUMBIA GAS TRAN
-JERRY MOORE INC				RECEIVED:	01/31/83	JA: OH			
8320030		3400522972	D	103		ANDY SCHLABACH #11406	SULLIVAN	2.0	COLUMBIA GAS TRAN
8320032		3403123299		103		IRWIN D FRYE #5	WEST LAFAYETTE	1.0	COLUMBIA GAS TRAN
8320031		3400523013	D	103		RICHARD FARKAS #20096	WILD CAT	1.0	COLUMBIA GAS TRAN
-KING DRILLING CO				RECEIVED:	01/31/83	JA: OH			
8319998		3410323258		107-TF		RALPH LANDIS #1	GUILFORD	10.0	COLUMBIA GAS TRAN
-LANDPROVEST INC				RECEIVED:	01/31/83	JA: OH			
8319999		3411926471		107-TF		R SMITH #3	NASHPORT	10.0	NATIONAL GAS CORP
-LANGASCO DRILLING CO				RECEIVED:	01/31/83	JA: OH			
8320000		3402920890		107-TF		GEORGE LEE #1	LICKING	45.0	COLUMBIA GAS TRAN
8320001		3402920921		107-TF		MARY SNYDER #1	KNOX	46.0	COLUMBIA GAS TRAN
-LEONARD C COMAN				RECEIVED:	01/31/83	JA: OH			
8320002		3400721534		107-TF		C & J RHOADS #2	CONNEAUT	17.0	EAST OHIO GAS CO
-LOMAK PETROLEUM INC				RECEIVED:	01/31/83	JA: OH			
8320026		3415521070		108		A WICKLEY #1		3.6	EAST OHIO GAS CO
8320027		3415521071		108		A WICKLEY #2		2.1	EAST OHIO GAS CO
8320015		3415520219		108		B BUNDY #1		1.8	EAST OHIO GAS CO
8320025		3415520726		108		C TROYER #3		3.2	EAST OHIO GAS CO
8320005		3405520270		108		D DURKEE #1		3.7	EAST OHIO GAS CO
8320012		341152286 2		107-TF		E FERRELL #1-B	YORK	12.0	COLUMBIA GAS TRAN
8320004		3405520269		108		E GINGERICH #1		6.3	EAST OHIO GAS CO
8320010		3420990945		108		F DOLENCE - L WHITE #1		2.5	EAST OHIO GAS CO
8320013		3411926420		107-TF		FLICKINGER UNIT #1-MD	HARRISON	12.0	COLUMBIA GAS TRAN
8320014		3413322905		107-TF		G LEJSEK #3	FREEDOM	12.0	COLUMBIA GAS TRAN
8320020		3415520533		108		GROVER #2		1.2	EAST OHIO GAS CO
8320017		3415520222		108		J NOSSE #1		5.4	EAST OHIO GAS CO
8320021		3415520534		108		J NOSSE #3		2.2	EAST OHIO GAS CO
8320028		3415521075		108		J PAVLIC #1		4.0	EAST OHIO GAS CO
8320009		3409920943		108		JOHNSON-DEWEY #1		5.4	EAST OHIO GAS CO
8320011		3409920960		108		JOHNSON-NYE-VONA #1		2.0	EAST OHIO GAS CO
8320008		3409920802		108		MYERS #2		0.5	EAST OHIO GAS CO
8320007		3409920795		108		MYERS #3		2.2	EAST OHIO GAS CO
8320018		3415520244		108		P MILLER #1		2.1	EAST OHIO GAS CO
8320016		3415520220		108		R BEAN #1		4.8	EAST OHIO GAS CO

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JO NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8320019		3415520368		108		R SILVERNAIL #1		2.2	EAST OHIO GAS CO
8320023		3415520536		108		S CRISPO #1		4.3	EAST OHIO GAS CO
8320022		3415520535		108		S WEAVER #1		2.2	EAST OHIO GAS CO
8320006		3405520274		108		V ZBIKOWSKI #1		12.0	EAST OHIO GAS CO
8320003		3405520268		108		W GINGERICH/J SZABO #1		0.5	EAST OHIO GAS CO
8320024		3415520542		108		W MARKS #2		6.5	EAST OHIO GAS CO
-NATIONAL PRODUCTION CORPORATION				RECEIVED:	01/31/83	JA: OH			
8320033		3411926339		107-TF		TYSINGER #2	BLUE ROCK	10.0	NATIONAL GAS & OI
-NEW FRONTIER EXPLORATION INC				RECEIVED:	01/31/83	JA: OH			
8320035		3412122909		103	107-TF	CHARLES BRADEN #1	OLIVE	22.0	YANKEE RESOURCES
8320034		3411522957		103	107-TF	GLENN FOX #2	BLOOM	18.0	YANKEE RESOURCES
-NOBLE OIL CORP				RECEIVED:	01/31/83	JA: OH			
8320038		3413322958		107-TF		LOCKNEY #1	PALMYRA	20.0	GENERAL ELECTRIC
8320040		3413322962		107-TF		LOCKNEY #2	PALMYRA	20.0	GENERAL ELECTRIC
8320036		3413322838		107-TF		MCKENZIE #1	PALMYRA	20.0	GENERAL ELECTRIC
8320039		3413322960		107-TF		NOVAK #1	PALMYRA	20.0	GENERAL ELECTRIC
8320037		3413322880		107-TF		WOODALL #1	PALMYRA	20.0	GENERAL ELECTRIC
-O S WITTMER				RECEIVED:	01/31/83	JA: OH			
8320107		3411522711		107-TF		PLEASANT VALLEY #1	DEERFIELD	9.0	COLUMBIA GAS & TR
-OAK DALE DRILLING CO				RECEIVED:	01/31/83	JA: OH			
8320041		3412725734		103		EUNICE GIBBS #1	COAL	10.0	COLUMBIA GAS TRAN
-OHIO OIL & GAS CO				RECEIVED:	01/31/83	JA: OH			
8320042		3415522216		107-TF		CONSUMER #6	FOWLER	20.0	COLUMBIA GAS TRAN
8320043		3415522217		107-TF		CONSUMER 7	HARTFORD	20.0	COLUMBIA GAS TRAN
-OHIO PRODUCERS SERVICES INC				RECEIVED:	01/31/83	JA: OH			
8320044		3412725759		103		RUTH GOWER #1	HOPEWELL	5.0	NATIONAL GAS & OI
-ONEAL PETROLEUM INC				RECEIVED:	01/31/83	JA: OH			
8320045		3411522585		107-TF		B SHRIVER #5	MALTA	300.0	COLUMBIA GAS TRAN
8320046		3411522927		107-TF		BARNETT UNIT #3	MEIGSVILLE	200.0	COLUMBIA GAS TRAN
-ORION ENERGY CORP				RECEIVED:	01/31/83	JA: OH			
8320052		3415723663		107-TF		MCFADDEN #2	FRANKLIN	30.0	EAST OHIO GAS CO
8320051		3415723593		107-TF		MCFADDEN UNIT #1	FRANKLIN	10.0	EAST OHIO GAS CO
8320050		3415723592		107-TF		NORTH AMERICAN REFRACTORIES CO #2	FRANKLIN	0.0	EAST OHIO GAS CO
8320048		3413322753		107-TF		SCHULTZ LAKE UNIT #2	ATWATER	20.0	EAST OHIO GAS CO
8320049		3415123530		107-TF		SPEICHER #2	TUSCARAWAS	15.0	EAST OHIO GAS CO
8320053		3415723676		107-TF		STANSBURY UNIT #1	GOSHEN	30.0	EAST OHIO GAS CO
8320047		3413322526		107-TF		TIMBERLAKE UNIT #2	ATWATER	15.0	EAST OHIO GAS CO
8320054		3416923203		107-TF		WIANDT #1	CHESTER	15.0	COLUMBIA GAS TRAN
-PENN-OHIO ENERGY CORP				RECEIVED:	01/31/83	JA: OH			
8320057		3405520380		107-TF		DEL BALSO FIRST UNIT #1 GC-304	CLARIDON TOWNSHIP	23.4	EAST OHIO GAS CO
8320056		3405520356		107-TF		EDMUND BUEHNER #1 GC-308	CLARIDON TOWNSHIP	27.3	EAST OHIO GAS CO
8320055		3405520331		107-TF		H STARR #1 GC-112	CLARIDON TOWNSHIP	36.9	EAST OHIO GAS CO
8320058		3405520394		107-TF		POLLOCK UNIT #1 GC-402	CLARIDON TOWNSHIP	36.0	EAST OHIO GAS CO
8320059		3405520407		107-TF		WILSON-TIBER UNIT #1 GC-403	CLARIDON TOWNSHIP	37.0	EAST OHIO GAS CO
-POMINEX INC				RECEIVED:	01/31/83	JA: OH			
8320065		3413322922		103	107-TF	KORAN #1	FREEDOM	18.0	
8320062		3413322923		103	107-TF	KORAN #2	FREEDOM	18.0	
8320063		3413322966		103	107-TF	PAUL #1	WINDHAM	18.0	
8320061		3409921540		103	107-TF	S & E BALOGH #1	CLAIRIDON	18.0	
8320060		3409921539		103	107-TF	SCHEMETTI #1	CLARIDON	18.0	
8320064		3413322968		103	107-TF	SCHWAN UNIT #1	FREEDOM	18.0	
-PONDEROSA OIL COMPANY				RECEIVED:	01/31/83	JA: OH			
8320066		3407523908		107-TF		EARL CRILOW #2	PRAIRIE	10.0	COLUMBIA GAS TRAN

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-QUALITY OIL & GAS CORP				RECEIVED:	01/31/83	JA: OH			
8320068		3402920811		107-TF		HOFER #1	KNOX	45.0	COLUMBIA GAS TRAN
8320070		3409921311		107-TF		INGRAHAM-LILLY #1	SMITH	0.0	EAST OHIO GAS CO
8320067		3402920613		107-TF		KANDEL #1	KNOX	45.0	COLUMBIA GAS TRAN
8320069		3402920816		107-TF		SANOR #1	KNOX	45.0	COLUMBIA GAS TRAN
-R GENE BRASEL DBA BRASEL & BRASEL				RECEIVED:	01/31/83	JA: OH			
8319960		3410521703		108		NELSON-KITCHEN #1		2.0	COLUMBIA GAS TRAN
-RESERVE EXPLORATION CO				RECEIVED:	01/31/83	JA: OH			
8320071		3412127510		103		PARKS #1	JEFFERSON	300.0	FREDERICK PETROLE
-ROVI RESOURCES CORP				RECEIVED:	01/31/83	JA: OH			
8320072		3411522900		107-TF		FORRESTAL #1	BLOOM	11.0	COLUMBIA GAS TRAN
8320073		3411522934		107-TF		FORRESTAL #3	BLOOM	11.0	COLUMBIA GAS TRAN
8320074		3411522935		107-TF		FORRESTAL #4	BLOOM	11.0	COLUMBIA GAS TRAN
-SANDHILL ENERGY INC (OH)				RECEIVED:	01/31/83	JA: OH			
8320075		3416726805		103		MOTZ #1	GRANDVIEW	91.3	
-STOCKER&SITLER INC				RECEIVED:	01/31/83	JA: OH			
8320076		3416320618		107-TF		A WILBUR #1	CLINTON	320.0	COLUMBIA GAS TRAN
8320077		3416320752		107-TF		D J LEACH #1	WILKESVILLE	33.0	COLUMBIA GAS TRAN
-STRATA CORP				RECEIVED:	01/31/83	JA: OH			
8320078		3412725520		107-TF		H MILLER #1	BEARFIELD	20.0	
8320079		3412725714		107-TF		HASSINGER #1	PLEASANT	15.0	
-TOWNER PETROLEUM CO				RECEIVED:	01/31/83	JA: OH			
8320090		3412122886		103	107-TF	BEHM A & C #2	WAYNE	27.0	TENNESSEE GAS PIP
8320089		3405923392		103	107-TF	BETTS #2	OXFORD	27.0	TENNESSEE GAS PIP
8320086		3405923062		103	107-TF	HARBAUGH B #1	RICHLAND	27.0	TENNESSEE GAS PIP
8320088		3405923386		103	107-TF	LAKE H #1	LONDONDERRY	27.0	TENNESSEE GAS PIP
8320087		3405923332		103	107-TF	MCVICKERS R #1	OXFORD	27.0	TENNESSEE GAS PIP
8320091		3412122907		103	107-TF	RICH H #2	WAYNE	27.0	TENNESSEE GAS PIP
-TRI-STATE DRILLING				RECEIVED:	01/31/83	JA: OH			
8320092		3407523538		103		GIBSON #1	RICHLAND	12.0	POI ENERGY INC
8320098		3407523884		103		GIBSON #2	RICHLAND	0.0	POI ENERGY INC
8320097		3407523879		103		GIBSON #3	RICHLAND	12.0	POI ENERGY INC
8320093		3407523727		103		MURRAY #1	RICHLAND	12.0	POI ENERGY INC
8320095		3407523805		103		MURRAY #2	RICHLAND	12.0	POI ENERGY INC
8320094		3407523804		103		MURRAY #3	RICHLAND	12.0	POI ENERGY INC
8320096		3407523817		103		MURRAY #4	RICHLAND	12.0	POI ENERGY INC
-TWINOAKS OIL & GAS				RECEIVED:	01/31/83	JA: OH			
8320099		3408323225		103		E LANG - K LOVE #1	BUTLER	6.0	COLUMBIA GAS TRAN
-VICTOR MCKENZIE				RECEIVED:	01/31/83	JA: OH			
8320102		3411926462		103	107-TF	CLARENCE F WALLER #1	PERRY	12.0	COLUMBIA GAS TRAN
-VICTOR PETROLEUM CORP				RECEIVED:	01/31/83	JA: OH			
8320104		3407523963		103	107-TF	AB D TROYER #3	CLARK	5.0	COLUMBIA GAS TRAN
8320103		3407523931		103	107-TF	ATLEE YODER #1	CLARK	7.0	COLUMBIA GAS TRAN
-VIKING RESOURCES CORP				RECEIVED:	01/31/83	JA: OH			
8320100		3408520335		103	107-TF	LAKE COUNTY NURSERY #2	PERRY	30.0	
8320101		3409921527		103	107-TF	RAKESTRAW UNIT #3	BERLIN	30.0	
-W J LYDIC INC				RECEIVED:	01/31/83	JA: OH			
8320029		3411122320		103		HAYS-LANCASTER #5	JACKSON	35.0	COLUMBIA GAS TRAN
-WENNER PETROLEUM CORPORATION				RECEIVED:	01/31/83	JA: OH			
8320105		3416923205		107-TF		ROBERT E HART #5	MILTON-WAYNE POOL	36.5	COLUMBIA GAS TRAN
-WHITNAM OIL & GAS CORP				RECEIVED:	01/31/83	JA: OH			
8320106		3416726557		103		GEORGE & BETTY POLAND #1	DECATUR	15.0	COLUMBIA GAS TRAN
-WILLIAM F HILL				RECEIVED:	01/31/83	JA: OH			

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8319993		3407523918		103		ORCHARD #1	MONROE	7.0	
-WILLIAM N TIPKA				RECEIVED:	01/31/83	JA: OH			
8320081		3415520107	D	107-TF		BLACKSON #1	LORDSTOWN	10.0	COLUMBIA GAS TRAN
8320084		3416921672	D	107-TF		E SWARTZENTRUBER #1	PAINT	13.0	COLUMBIA GAS TRAN
8320085		3416918150	D	107-TF		J SWARTZENTRUBER #1	PAINT	3.0	COLUMBIA GAS TRAN
8320083		3415723198	D	107-TF		MOZENA #1	OXFORD	6.0	COLUMBIA GAS TRAN
8320082		3415723197	D	107-TF		MOZENA #2	OXFORD	6.0	COLUMBIA GAS TRAN
8320080		3415321062		107-TF		SAWAN-PRICE #1	COPLEY	10.0	BARTLO OIL & GAS
**********									
UTAH DIVISION OF OIL,GAS, & MINING									
**********									
-AMOCO PRODUCTION CO				RECEIVED:	01/31/83	JA: UT			
8319905	K-121-15	4304330078		102-2		AMOCO CHAMPLIN FAWCETT & SONS #1	WILDCAT PHOSPHORIA	912.5	
-LOMAX EXPLORATION COMPANY				RECEIVED:	01/31/83	JA: UT			
8319906	K-152-1	4301330599		102-2		STATE #1-32	MONUMENT BUTTE	27.4	MOUNTAIN FUEL SUP
8319909	K-152-1	4301330685		102-2		STATE #11-32	MONUMENT BUTTE	36.5	MOUNTAIN FUEL SUP
8319907	K-152-1	4301330604		102-2		STATE #2-32	MONUMENT BUTTE	27.4	MOUNTAIN FUEL SUP
8319910	K-152-1	4301330624		102-2		STATE #5-36	MONUMENT BUTTE	54.8	MOUNTAIN FUEL SUP
8319908	K 152-1	4301330658		102-2		STATE #7-32	MONUMENT BUTTE	109.5	MOUNTAIN FUEL SUP
**********									
** DEPARTMENT OF THE INTERIOR, MINERALS MANAGEMENT SERVICE, METAIRIE,LA									
**********									
-AMOCO PRODUCTION CO				RECEIVED:	01/31/83	JA: LA 3			
8319922	G2-2857	1771940195		102-5		OCS-G-1085 B-17	WEST DELTA	600.0	SOUTHERN NATURAL
8319941	G2-2856	1771940195		102-5		OCS-G-1085 WELL B-17	WEST DELTA	1000.0	SOUTHERN NATURAL
-CHEVRON U S A INC				RECEIVED:	01/31/83	JA: LA 3			
8319920	G2-2862	1770240422		102-5		OCS-G-2014 #5	WEST CAMERON	2100.0	NATURAL GAS PIPEL
-CONOCO INC				RECEIVED:	01/31/83	JA: LA 3			
8319937	G2-3351	1770840491		102-1		SOUTH MARSH ISLAND 106 A-8	SOUTH MARSH ISLAND	266.0	TENNESSEE GAS PIP
8319938	G2-3352	1770840498		102-1		SOUTH MARSH ISLAND 106 A-9	SOUTH MARSH ISLAND	277.0	TENNESSEE GAS PIP
-EXXON CORPORATION				RECEIVED:	01/31/83	JA: LA 3			
8319923	G2-3332	1770840552		102-1		OCS-G 4109 # A-12	SOUTH MARSH ISLAND	200.0	COLUMBIA GAS TRAN
-KERR-MCGEE CORPORATION				RECEIVED:	01/31/83	JA: LA 3			
8319935	G2-3073	1771140644		107-DP		OCS 0347 #5	SHIP SHOAL	0.0	TRANSCONTINENTAL
8319940	G2-3072	1771140644		107-DP		OCS 0347 #5 A	SHIP SHOAL	0.0	TRANSCONTINENTAL
-ODECO OIL & GAS CO				RECEIVED:	01/31/83	JA: LA 3			
8319929	G2-2617	1770540484		102-5		OCS-3393 NO 58	VERMILION	900.0	TRANSCONTINENTAL
-SUPERIOR OIL CO				RECEIVED:	01/31/83	JA: LA 3			
8319934	G2-3317	1770040540		107-DP		OCS 0247 #17	WEST CAMERON	1000.0	TEXAS EASTERN TRA
8319936	G2-3097	1773140050		102-1		WELL #8-1	SABINE PASS	0.0	NATURAL GAS PIPEL
-ARCO OIL AND GAS COMPANY				RECEIVED:	01/31/83	JA: TX 3			
8319928	G2-2830	4270940419		102-5		OCS G-2688 HIGH ISL BLK A-467 #A-10	HIGH ISLAND BLOCK A-1	908.0	TRANSCO GAS SUPPL
8319931	G2-2841	4270940444		102-5		OCS G-2688 HIGH ISL BLK A-467 #A-2	HIGH ISLAND BLOCK A-2	681.0	TRANSCO GAS SUPPL
8319927	G2-2831	4270940470		102-5		OCS G-2688 HIGH ISL BLK A-467 #A-3	HIGH ISLAND BLOCK A-3	220.0	TRANSCO GAS SUPPL
8319932	G2-2843	4270940540		102-5		OCS G-2688 HIGH ISL BLK A-467 #A-7D	HIGH ISLAND BLOCK A-7	681.0	TRANSCO GAS SUPPL
8319921	G2-2834	4270940547		102-5		OCS G-2688 HIGH ISL BLK A-467 #A-8	HIGH ISLAND BLOCK A-8	681.0	TRANSCO GAS SUPPL
8319930	G2-2835	4270940547		102-5		OCS G-2688 HIGH ISL BLK A-467 #A-8D	HIGH ISLAND BLOCK A-8	681.0	TRANSCO GAS SUPPL
8319939	G2-2844	4270940559		102-5		OCS G-2688 HIGH ISL BLK A-467 #A-9	HIGH ISLAND BLOCK A-9	908.0	TRANSCO GAS SUPPL
8319925	G2-2832	4270940495		102-5		OCS G-2688 HIGH ISL BLK A-467 #A-4	HIGH ISLAND BLOCK A-4	681.0	TRANSCO GAS SUPPL
8319919	G2-2833	4270940517		102-5		OCS G-2688 HIGH ISL BLK A-467 #A-6	HIGH ISLAND BLOCK A-6	220.0	TRANSCO GAS SUPPL
8319924	G2-3333	4270440029		102-1		OCS G-3935 BRAZOS BLK 451 #A-1	BRAZOS	319.0	MICHIGAN WISCONSI
8319926	G2-3334	4270440029		102-1		OCS G-3935 BRAZOS BLK 451 #A-1D	BRAZOS	319.0	MICHIGAN WISCONSI
-TENNECO OIL COMPANY				RECEIVED:	01/31/83	JA: TX 3			
8319933	G2-3314	4271540011		102-1		SABINE PASS 18 #A-4	SABINE PASS	5200.0	TENNESSEE GAS PIP

SOURCE DATA FOR THIS NOTICE IS AVAILABLE ON MAGNETIC TAPE FROM THE NATIONAL TECHNICAL INFORMATION SERVICE (NTIS). FOR INFORMATION, CONTACT STUART WEISMAN (NTIS) AT (703) 487-4808, 5285 PORT ROYAL RD, SPRINGFIELD, VA 22161, OR SANDRA SPEAR (FERC) (202) 357-8681.

BILLING CODE 6717-01-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 10 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of this notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission within fifteen days after publication of notice in the **Federal Register.**

Categories within each NGPA section are indicated by the following codes:

Section 102–1: New OCS lease
102–2: New well (2.5 mile rule)
102–3: New well (1,000 ft rule)
102–4: New onshore reservoir
102–5: New reservoir on old OCS lease
Section 107–DP: 15,000 feet or deeper
107–GB: Geopressured brine
107–CS: Coal seams
107–DV: Devonian shale
107–PE: Production enhancement
107–TF: New right formation
107–RT: Recompletion tight formation
Section 108: Stripper well
108–SA: Seasonally affected
108–ER: Enhanced recovery
108–PB: Pressure buildup

Kenneth F. Plumb,

Secretary.

[FR Doc. 83–5081 Filed 2–28–83; 8:45 am]

BILLING CODE 6717–01–M

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
LOUISIANA OFFICE OF CONSERVATION									
-ALLIANCE EXPLORATION CORPORATION			RECEIVED:	02/01/83		JA: LA			
8320221	82-2620	1705721591	102-4			GAUDET #1 162546	ROUSSEAU	750.0	TEXAS GAS TRANSMI
-AMERADA HESS CORPORATION			RECEIVED:	02/01/83		JA: LA			
8320206	82-2660	1705700975	108			J P MOORE #5 RL F RA SU	RACELAND	7.4	TRANSCONTINENTAL
-AMINOIL USA INC			RECEIVED:	02/01/83		JA: LA			
8320220	82-3141	1707522954	102-4	103		SL 2028 #22	LAKE WASHINGTON	550.0	SOUTHERN NATURAL
-AMOCO PRODUCTION CO			RECEIVED:	02/01/83		JA: LA			
8320323	82-2258	1702321749	103			STATE LEASE 42 #172	WEST HACKBERRY	50.0	VALLEY GAS TRANSM
-ARCO OIL AND GAS COMPANY			RECEIVED:	02/01/83		JA: LA			
8320228	82-2342	1710121105	102-4			ADELINE SUGAR FACTORY CO #29	JEANERETTE	365.0	MICHIGAN WISCONSI
-BARNETT DRILLING & PRODUCTION			RECEIVED:	02/01/83		JA: LA			
8320226	82-3739	1705120598	102-4			BARNETT DRILLING STATE LEASE 6361 #	SATURDAY ISLAND	210.0	SOUTHERN NATURAL
-BLUEBIRD OIL & GAS PROD CO			RECEIVED:	02/01/83		JA: LA			
8320272	82-2753	1707321868	108			LIEBER ESTATE #1	MONROE	8.4	CUSTER K PRIMOS
8320301	82-2752	1707321869	108			LIEBER ESTATE #2	MONROE	8.4	CUSTER K PRIMOS
-BROCK PETROLEUM CORP			RECEIVED:	02/01/83		JA: LA			
8320235	82-3383	1710922531	102-4			CONTINENTAL LAND & FUR A #1	SOUTH HUMPHREYS	550.0	
-C F BRAUN & CO			RECEIVED:	02/01/83		JA: LA			
8320229	82-2328	1704720737	102-4			BAIST COOPERAGE #3	FROG LAKE	1133.0	DOW CHEMICAL U S
-CHEVRON U S A INC			RECEIVED:	02/01/83		JA: LA			
8320230	82-2320	1771420077	102-4			S L 1368 #23	BAY MARCHAND BLOCK 2	52.0	TENNESSEE GAS PIP
8320199	82-815	1771420077	102-4			S L 1368 #23	BAY MARCHAND BLOCK #2	365.0	TENNESSEE GAS PIP
-CRYSTAL OIL AND LAND COMPANY			RECEIVED:	02/01/83		JA: LA			
8320232	81-2867	1701521681	102-4	107-TF		W T DAVIS "C" #1 HAY RA SUJ	ARKANA	79.6	ARKANSAS LOUISIAN
8320233	81-2878	1701521631	102-4	107-TF		WILLAMETTE "A" #1 HAY RA SUV	ARKANA	136.9	ARKANSAS LOUISIAN
-CUSTER K PRIMOS			RECEIVED:	02/01/83		JA: LA			
8320319	82-2711	1707321870	108			LIEBER ESTATE #2	MONROE	15.1	MID-LOUISIANA GAS
-D-RAM CONSTRUCTION CO			RECEIVED:	02/01/83		JA: LA			
8320270	82-2773	1707321839	103	108		KING #1	MONROE GAS	0.0	IMC EXPLORATION C
-EXXON CORPORATION			RECEIVED:	02/01/83		JA: LA			
8320258	82-3469	1705120619	103			LLEE F #37 LL TP-2 RB NV-U	LITTLE LAKE	150.0	TENNESSEE GAS PIP
8320185	82-3470	1705120619	103			LLEE F #37-D LL TP-1 R2 NVU	LITTLE LAKE	600.0	TENNESSEE GAS PIP
8320172	82-991	1704520709	102-4			PETIT ANSE CO B #66	AVERY ISLAND	100.0	COLUMBIA GAS TRAN
8320201	82-989	1704520718	102-4			PETIT ANSE CO B #67	AVERY ISLAND	300.0	COLUMBIA GAS TRAN
8320173	82-990	1704520718	102-4			PETIT ANSE CO B #67-D	AVERY ISLAND	100.0	COLUMBIA GAS TRAN
-FRANKS PETROLEUM INC ETAL			RECEIVED:	02/01/83		JA: LA			
8320234	82-0253	1701320466	103			J R GOFF ETAL #1	WEST BRYCELAND	300.0	UNITED GAS PIPELI
-GAS RESOURCES INC			RECEIVED:	02/01/83		JA: LA			
8320278	82-2757	1711120306	108			BILL G HALLEY #1	MONROE GAS	10.0	MID-LOUISIANA GAS
8320277	82-2758	1711120307	108			BILL G HALLEY #2	MONROE GAS	13.5	MID-LOUISIANA GAS
8320274	82-2777	1711123413	108			MEEKS #1	MONROE GAS	12.0	MID-LOUISIANA GAS

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8320268	82-2776	1711123415		108		MEEKS #2	MONROE GAS	11.0	MID-LOUISIANA GAS
8320269	82-2775	1711123416		108		MEEKS #3	MONROE GAS	16.0	MID-LOUISIANA GAS
-GATOR HAWK GAS CO				RECEIVED:	02/01/83	JA: LA			
8320271	82-2772	1707321857		108		C L HART #1	MONROE	2.7	IMC PIPELINE CO I
8320276	82-2759	1707321817		108		HEMPHILL #3	MONROE	0.0	IMC PIPELINE CO I
8320249	82-2760	1707321853		108		HEMPHILL #7	MONROE	0.0	IMC PIPELINE CO I
-GEMINI EXPLORATIONS INC				RECEIVED:	02/01/83	JA: LA			
8320194	82-2663	1707320361		108		PENNZOIL UNITED #1	MONROE	9.0	UNITED GAS PIPE L
-GETTY OIL COMPANY				RECEIVED:	02/01/83	JA: LA			
8320256	82-3319	1706900000		102-4		B E CHRISTMAS #1	WILDCAT	0.0	
8320253	82-2384	1709920907		102-4		LEVERT ST JOHN #1	ST MARTINVILLE	0.0	DOW CHEMICAL CO
8320215	82-1242	1709920744		102-4		SMEDES BROTHERS #19	ST MARTINVILLE	146.0	UNITED GAS PIPELI
-GUERNSEY PETROLEUM CORPORATION				RECEIVED:	02/01/83	JA: LA			
8320254	82-3437	1703121793		103		FINCHER #1	BRUSHY BAYOU	144.0	TENNESSEE GAS PIP
8320183	82-3438	1703121861		103		SMITH ETAL "A" #1	CHEMARD LAKE	72.0	TENNESSEE GAS PIP
-H L MCKEE & J P MCKEE				RECEIVED:	02/01/83	JA: LA			
8320248	82-2744	1711101802		108		BERRY #1	MONROE	0.9	IMC PIPELINE CO I
8320286	82-2745	1711101795		108		J A PEEK EST #2	MONROE	7.0	IMC PIPELINE CO I
8320298	82-2743	1711101807		108		PEEK #1	MONROE	3.0	IMC PIPELINE CO I
8320299	82-2746	1711101806		108		PEEK #2	MONROE	3.0	IMC PIPELINE CO I
-HADDOX PETROLEUM CORP				RECEIVED:	02/01/83	JA: LA			
8320175	82-2692	1707321840		108		INABNET C #1	MONROE	3.8	MID-LOUISIANA GAS
8320313	82-2693	1707321841		108		INABNET C #2	MONROE	3.8	MID-LOUISIANA GAS
8320321	82-2696	1711123556		108		MANVILLE 808 #1	MONROE	14.6	MID-LOUISIANA GAS
8320209	82-2657	1711123887		103		MOBIL-IP #9	MONROE	18.3	MID-LOUISIANA GAS
8320312	82-2694	1711123462		108		PEEK ESTATE #1	MONROE	5.1	MID-LOUISIANA GAS
8320336	82-2695	1711123463		108		PEEK ESTATE #2	MONROE	5.1	MID-LOUISIANA GAS
-HOUSTON OIL & MINERALS CORPORATION				RECEIVED:	02/01/83	JA: LA			
8320204	82-2319	1773120010		102-4		STATE LEASE 8156 #1	WEST CAMERON BLK 49	0.0	
8320205	82-2318	1770020179		102-4		STATE LEASE 8629 #1	WEST CAMERON BLK 49	0.0	
-IMC EXPLORATION COMPANY				RECEIVED:	02/01/83	JA: LA			
8320247	82-2761	1711122902		108		RABUN #29	MONROE	17.0	PETRO-LEWIS FUNDS
-INEXCO OIL COMPANY				RECEIVED:	02/01/83	JA: LA			
8320288	82-3200	1702321405		103		MIAMI CORP #1	LAKE MISERE	657.0	LOUISIANA RESOURC
-J P OWEN				RECEIVED:	02/01/83	JA: LA			
8320219	82-2144	1702321703		102-4		VUA MATILDA GRAY STREAM LEASE 5556#	JOHNSON BAYOU	241.0	LOUISIANA INTRAST
-LAMSON/ONSHORE PETROLEUM CORP				RECEIVED:	02/01/83	JA: LA			
8320237	82-2388	1701921085		102-4		RELEY D FONTENOT #1	SOUTH BELL CITY	548.0	TEXAS GAS TRANSMI
-LINSCO EXPLORATION CO				RECEIVED:	02/01/83	JA: LA			
8320212	82-3734	1710922494		102-4		TENNECO FEE #1	BAYOU PENCHANT	350.0	
-LYONS PETROLEUM INC				RECEIVED:	02/01/83	JA: LA			
8320322	82-2292	1709920918		102-4		DR SIDNEY FREDERICK #1	SOUTH ARNAUDVILLE	182.0	AMOCO PRODUCTION
8320202	82-921	1704520674		103		HALL-GONSOULIN #2	FAUSSE POINTE	365.0	SOUTHERN NATURAL
-MCCORMICK OPERATING CO				RECEIVED:	02/01/83	JA: LA			
8320216	82-3217	1710922505		102-4		BENNETT I JACKSON #1	E GIBSON	350.0	UNITED GAS PIPE L
-MCRAE EXPLORATION INC				RECEIVED:	02/01/83	JA: LA			
8320311	82-0420	1706120215		102-2	107-TF	HOOD ESTATE #1 GRAY RA SUMM	TERRYVILLE	0.0	LOUISIANA GAS PUR
-MICH-LA OIL & GAS EXPLORATION				RECEIVED:	02/01/83	JA: LA			
8320255	82-3332	1703121866		103		N H STEADMAN #1	GROGAN	135.0	TENNESSEE GAS PIP
-MID LOUISIANA GAS COMPANY				RECEIVED:	02/01/83	JA: LA			
8320320	82-2699	1711123065		108		MLGC FEE GAS #1019	MONROE GAS FIELD	19.2	MID-LOUISIANA GAS
8320318	82-2714	1711123069		108		MLGC FEE GAS #1021	MONROE GAS FIELD	13.7	MID-LOUISIANA GAS
8320332	82-2713	1711123084		108		MLGC FEE GAS #1030	MONROE GAS FIELD	7.2	MID-LOUISIANA GAS

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JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8320315	82-2687	1711123120		108		MLGC FEE GAS #1042	MONROE GAS FIELD	15.1	MID-LOUISIANA GAS
8320293	82-2733	1711123146		108		MLGC FEE GAS #1045	MONROE GAS FIELD	11.0	MID-LOUISIANA GAS
8320294	82-2734	1711123168		108		MLGC FEE GAS #1056	MONROE GAS FIELD	17.3	MID-LOUISIANA GAS
8320338	82-2689	1711123256		108		MLGC FEE GAS #1068	MONROE GAS FIELD	9.0	MID-LOUISIANA GAS
8320314	82-2690	1711123259		108		MLGC FEE GAS #1071	MONROE GAS FIELD	15.0	MID-LOUISIANA GAS
8320264	82-2737	1711123260		108		MLGC FEE GAS #1072	MONROE GAS FIELD	20.6	MID-LOUISIANA GAS
8320295	82-2736	1711123261		108		MLGC FEE GAS #1073	MONROE GAS FIELD	20.1	MID-LOUISIANA GAS
8320337	82-2691	1711123245		108		MLGC FEE GAS #1076	MONROE GAS FIELD	8.7	MID-LOUISIANA GAS
8320324	82-2735	1710672165		108		MLGC FEE GAS #1078	MONROE GAS FIELD	8.7	MID-LOUISIANA GAS
8320261	82-2742	1711123297		108		MLGC FEE GAS #1080	MONROE GAS FIELD	8.9	MID-LOUISIANA GAS
8320297	82-2741	1711123299		108		MLGC FEE GAS #1082	MONROE GAS FIELD	11.5	MID-LOUISIANA GAS
8320262	82-2740	1707321793		108		MLGC FEE GAS #1086	MONROE GAS FIELD	13.7	MID-LOUISIANA GAS
8320263	82-2739	1711123306		108		MLGC FEE GAS #1088	MONROE GAS FIELD	12.0	MID-LOUISIANA GAS
8320296	82-2738	1711123294		108		MLGC FEE GAS #1093	MONROE GAS FIELD	9.0	MID-LOUISIANA GAS
8320290	82-2718	1711123295		108		MLGC FEE GAS #1094	MONROE GAS FIELD	2.9	MID-LOUISIANA GAS
8320333	82-2701	1711123377		108		MLGC FEE GAS #1100	MONROE GAS FIELD	18.4	MID-LOUISIANA GAS
8320329	82-2719	1711123378		108		MLGC FEE GAS #1101	MONROE GAS FIELD	21.6	MID-LOUISIANA GAS
8320289	82-2726	1711123399		108		MLGC FEE GAS #1103	MONROE GAS FIELD	13.8	MID-LOUISIANA GAS
8320328	82-2727	1711123400		108		MLGC FEE GAS #1104	MONROE GAS FIELD	14.7	MID-LOUISIANA GAS
8320186	82-2702	1711123587		108		MLGC FEE GAS #1111	MONROE GAS FIELD	10.8	MID-LOUISIANA GAS
8320174	82-2703	1711123588		108		MLGC FEE GAS #1112	MONROE GAS FIELD	12.7	MID-LOUISIANA GAS
8320192	82-2704	1711123589		108		MLGC FEE GAS #1113	MONROE GAS FIELD	3.8	MID-LOUISIANA GAS
8320302	82-2682	1711123678		103		MLGC FEE GAS #1134	MONROE GAS FIELD	24.5	MID-LOUISIANA GAS
8320341	82-2683	1711123779		103		MLGC FEE GAS #1166	MONROE GAS FIELD	26.3	MID-LOUISIANA GAS
8320316	82-2684	1711123780		103		MLGC FEE GAS #1167	MONROE GAS FIELD	24.5	MID-LOUISIANA GAS
8320340	82-2685	1711123882		103		MLGC FEE GAS #1205	MONROE GAS FIELD	25.2	MID-LOUISIANA GAS
8320339	82-2686	1711123883		103		MLGC FEE GAS #1206	MONROE GAS FIELD	25.9	MID-LOUISIANA GAS
8320327	82-2728	1707300244		108		MLGC FEE GAS #254	MONROE GAS FIELD	6.2	MID-LOUISIANA GAS
8320283	82-2750	1711100000		108		MLGC FEE GAS #26	MONROE GAS FIELD	8.0	MID-LOUISIANA GAS
8320245	82-2763	1707300151		108		MLGC FEE GAS #262	MONROE GAS FIELD	5.9	MID-LOUISIANA GAS
8320244	82-2764	1707300179		108		MLGC FEE GAS #264	MONROE GAS FIELD	9.9	MID-LOUISIANA GAS
8320284	82-2748	1711101842		103		MLGC FEE GAS #30	MONROE GAS FIELD	1.9	MID-LOUISIANA GAS
8320242	82-2766	1707300199		108		MLGC FEE GAS #303	MONROE GAS FIELD	2.1	MID-LOUISIANA GAS
8320224	82-2675	1707300196		103		MLGC FEE GAS #327	MONROE GAS FIELD	7.1	MID-LOUISIANA GAS
8320279	82-2756	1707300197		103		MLGC FEE GAS #331	MONROE GAS FIELD	9.3	MID-LOUISIANA GAS
8320300	82-2749	1711101773		108		MLGC FEE GAS #44	MONROE GAS FIELD	4.6	MID-LOUISIANA GAS
8320285	82-2747	1711102132		103		MLGC FEE GAS #48	MONROE GAS FIELD	6.5	MID-LOUISIANA GAS
8320325	82-2732	1711100000		108		MLGC FEE GAS #59	MONROE GAS FIELD	9.6	MID-LOUISIANA GAS
8320326	82-2730	1711101635		108		MLGC FEE GAS #60	MONROE GAS FIELD	9.3	MID-LOUISIANA GAS
8320330	82-2717	1711121534		108		MLGC FEE GAS #717	MONROE GAS FIELD	21.0	MID-LOUISIANA GAS
8320177	82-2705	1711121538		108		MLGC FEE GAS #721	MONROE GAS FIELD	15.9	MID-LOUISIANA GAS
8320292	82-2731	1711101859		108		MLGC FEE GAS #78	MONROE GAS FIELD	4.5	MID-LOUISIANA GAS
8320176	82-2706	1711121862		108		MLGC FEE GAS #796	MONROE GAS FIELD	18.2	MID-LOUISIANA GAS
8320317	82-2716	1711121947		108		MLGC FEE GAS #817	MONROE GAS FIELD	18.5	MID-LOUISIANA GAS
8320181	82-2707	1711121964		108		MLGC FEE GAS #834	MONROE GAS FIELD	18.8	MID-LOUISIANA GAS
8320179	82-2709	1711122054		108		MLGC FEE GAS #856	MONROE GAS FIELD	16.5	MID-LOUISIANA GAS
8320189	82-2710	1711122060		108		MLGC FEE GAS #862	MONROE GAS FIELD	17.7	MID-LOUISIANA GAS
8320291	82-2729	1711101735		108		MLGC FEE GAS #88	MONROE GAS FIELD	3.0	MID-LOUISIANA GAS
8320282	82-2751	1711101843		108		MLGC FEE GAS #9	MONROE GAS FIELD	3.5	MID-LOUISIANA GAS
8320335	82-2697	1711122602		108		MLGC FEE GAS #936	MONROE GAS FIELD	16.7	MID-LOUISIANA GAS
8320334	82-2698	1711122603		108		MLGC FEE GAS #937	MONROE GAS FIELD	21.0	MID-LOUISIANA GAS
8320331	82-2715	1711122684		108		MLGC FEE GAS #961	MONROE GAS FIELD	21.3	MID-LOUISIANA GAS

-NOE & WOODS RECEIVED: 02/01/83 JA: LA

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME
8320243	82-2765	1711123494		108		FANNIE HAILE #2
8320281	82-2754	1711123477		103	108	FANNIE LANKFORD #2
8320275	82-2778	1711123495		103	108	FANNIE LANKFORD #3
8320280	82-2755	1711123501		103	108	PINCKARD #2
8320266	82-2811	1711123498		103	108	SCHNEIDER #2
8320267	82-2779	1711123499		103	108	SCHNEIDER #3
				RECEIVED:	02/01/83	JA: LA
-NRM PETROLEUM CORPORATION						
8320227	82-2360	1700121061		102-A		FREELAND #1
				RECEIVED:	02/01/83	JA: LA
-PAR EXPLORATION CO						
8320188	82-3281	1706721537		108		MARY MCENERY #8
				RECEIVED:	02/01/83	JA: LA
-PRIMOS PRODUCTION CO						
8320231	82-2647	1711123035		108		PETRO-LEWIS FROST LUMBER #67
				RECEIVED:	02/01/83	JA: LA
-PRIMOS-DEAN PRODUCING CO						
8320246	82-2762	1711122753		108		BIRD #3
				RECEIVED:	02/01/83	JA: LA
-RELIANCE TR-JV						
8320303	82-0458	1711123464		103	107-TF	T BAKER #3
				RECEIVED:	02/01/83	JA: LA
-RELIANCE TRUSTS						
8320342	82-0437	1711123344		103	107-TF	MANVILLE #2
8320304	82-0436	1711123343		103		MANVILLE #3
8320343	82-0435	1711123342		103	107-TF	MANVILLE #4
8320309	82-0430	1711123345		103	107-TF	MANVILLE #6
8320308	82-0431	1711123346		103	107-TF	SHACKLEFORD #3
8320307	82-0432	1711123347		103	107-TF	SHACKLEFORD #4
8320305	82-0433	1711123348		103	107-TF	SHACKLEFORD #5
8320306	82-0434	1711123349		103	107-TF	SHACKLEFORD #6
8320310	82-0429	1711123340		103	107-TF	T L JAMES #4
				RECEIVED:	02/01/83	JA: LA
-ROSS & GLENN PETROLEUM INC						
8320197	82-2512	1703120747		103		W H BAGLEY JR #1 HOSS SU-4
				RECEIVED:	02/01/83	JA: LA
-SHELL OFFSHORE INC						
8320222	82-3144	1772120342		102-A		SP 24 SL 1008 #132
				RECEIVED:	02/01/83	JA: LA
-SHELL OIL CO						
8320198	82-3128	1772120332		102-A		SP BLK 42 SL 8431 #1
8320211	82-3127	1772120348		102-A		SP 42 SL 2554 #17
8320225	82-3126	1772120353		102-A		SP 42 SL 2554 #18
8320252	82-0741	1772120327		102-A		STATE LEASE 2554 #12
				RECEIVED:	02/01/83	JA: LA
-SUN EXPLORATION & PRODUCTION CO						
8320191	82-2659	1703100426		108		S B YOUNG #1
				RECEIVED:	02/01/83	JA: LA
-SUPERIOR OIL CO						
8320259	82-2708	1710922588		107-DP		L L & E UNIT 12 #18
				RECEIVED:	02/01/83	JA: LA
-TEE OIL INC						
8320196	82-2616	1701921128		102-A		HOLLYWOOD MARINE
				RECEIVED:	02/01/83	JA: LA
-TENNECO OIL COMPANY						
8320236	82-2402	1710922538		102-A		DENNIS CENAC #14
				RECEIVED:	02/01/83	JA: LA
-TEXACO INC						
8320195	81-2622	1701724014		102-A		B H WILLIAMS JR #1
8320251	82-1341	1705120603		103		C F CO #165 LFT NVUR RIGOLETS
8320184	82-3432	1708920395		103		L B SIMONEAUX #20
8320178	82-2835	1710922457		103		LB U23 #15 VU 23
8320200	82-170	1710922292		102-A		LB U37 #26 VU 37
8320213	82-3310	1710121264		102-A		SL 340 ATCHAFALAVA BAY #40
8320257	82-3474	1770720115		103		SL 340 MOUND POINT #99
8320193	82-2654	1710121114		103		SL 341 #10-ALT A-1 RSW-18 SUA
8320208	82-2653	1710121026		103		MKL #43-D BAL 10900 RSW-18 SU

FIELD NAME	PROD	PURCHASER
MONROE GAS	16.8	DEVON CORP
MONROE GAS	18.2	DEVON CORP
MONROE GAS	12.7	DEVON CORP
MONROE GAS	21.0	DEVON CORP
MONROE GAS	20.1	DEVON CORP
MONROE GAS	20.1	DEVON CORP
ELLIS 3603	550.0	CONOCO INC
MONROE 6824	0.0	MID-LOUISIANA GAS
MONROE GAS FIELD	13.0	PETRO-LEWIS FUNDS
MONROE	30.0	IMC PIPELINE CO I
MONROE	13.0	TEXAS GAS TRANSMI
MONROE	13.0	TEXAS GAS TRANSMI
MONROE	15.0	TEXAS GAS TRANSMI
MONROE	13.0	TEXAS GAS TRANSMI
MONROE	13.0	TEXAS GAS TRANSMI
MONROE	13.0	TEXAS GAS TRANSMI
MONROE	15.0	TEXAS GAS TRANSMI
MONROE	13.0	TEXAS GAS TRANSMI
MONROE	13.0	TEXAS GAS TRANSMI
BETHANY-LONGSTREET	96.0	UNITED GAS PIPE L
SOUTH PASS BLOCK 24	330.0	TENNESSEE GAS PIP
SOUTH PASS BLOCK 42 F	250.0	LOUISIANA INTRAST
SOUTH PASS BLOCK 42 F	0.0	TENNESSEE GAS PIP
SOUTH PASS BLOCK 42 F	0.0	TENNESSEE GAS PIP
SOUTH PASS BLOCK 42 F	584.0	TENNESSEE GAS PIP
RED RIVER BULL BAYOU	16.0	J-W OPERATING CO
FOUR ISLE DOME	3000.0	UNITED GAS PIPELI
LOCKPORT	720.0	LOUISIANA GAS SYS
LAKE BARRE	300.0	
CADDO PINE ISLAND	621.0	
LAFITTE	67.0	KAISER ALUMINUM &
BOUTTE	674.0	UNITED GAS PIPE L
LAKE BARRE	312.0	KAISER ALUMINUM &
LAKE BARRE	401.0	KAISER ALUMINUM &
BELLE ISLE	1460.0	UNITED GAS PIPELI
MOUND POINT	438.0	KAISER ALUMINUM &
BATEMAN-LAKE	43.5	CITY OF MORGAN CI
BATEMAN LAKE	391.0	CITY OF MORGAN CI

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JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-TEXAS PRODUCTION CORP				RECEIVED: 02/01/83		JA: LA			
8320217	82-1317	1706120291		102-4		ALEXANDER "C" #1	CLAY	0.0	DELHI GAS PIPELIN
-THE STONE OIL CORPORATION				RECEIVED: 02/01/83		JA: LA			
8320287	82-3461	1709120014		102-4		ROBERT E RIGGS #1	GREENSBURG	62.0	
8320265	82-3460	1709120016		102-4		ROBERT E RIGGS #2	GREENSBURG	29.0	
-TRANSCONTINENTAL OIL CORPORATION				RECEIVED: 02/01/83		JA: LA			
8320180	82-3315	1711920375		103		GLEASON #1	COTTON VALLEY FIELD	121.0	UNITED GAS PIPELI
8320210	82-167	1707920297		102-4	103	JOHNCO #1	GLENMORA	110.0	TENNESSEE GAS PIP
-TRIGON EXPLORATION INC				RECEIVED: 02/01/83		JA: LA			
8320182	82-3738	1710922265		102-4		LAP 7000' RA SU KLINGMAN #1	LAPEYROUSE	42.0	UNITED GAS PIPELI
-TXO PRODUCTION CORP				RECEIVED: 02/01/83		JA: LA			
8320223	82-3398	1703121886		102-4		COLLINS "B" #1 HOSS RA SUF	GRAND CANE	438.0	DELHI GAS PIPELIN
8320214	82-1592	1706100212		102-4	103	KEEDY #1	RUSTON	388.4	ARKANSAS-LOUISIAN
-VEGA OIL AND GAS MANAGEMENT INC				RECEIVED: 02/01/83		JA: LA			
8320187	82-3095	1710720377		102-4		WEBB #1	DELTA BRIDGE	108.0	LOCUS RIDGE GAS C
-VIKING RESOURCES (LA)				RECEIVED: 02/01/83		JA: LA			
8320190	82-2661	1711122798		108		OLIN #5	MONROE	14.0	PETRO-LEWIS FUNDS
8320207	82-2662	1711122799		108		OLIN #6	MONROE	13.8	PETRO-LEWIS FUNDS
-W B MCCARTER JR				RECEIVED: 02/01/83		JA: LA			
8320171	81-2973	1705320595		102-4		R J HINE ESTATE #1	ROGERS GULLY	250.0	UNITED GAS PIPE L
-W B MCCARTER JR INC				RECEIVED: 02/01/83		JA: LA			
8320218	82-2235	1702321683		102-4		CAMERON PARISH SCHOOL BOARD #1	WEST JOHNSON BAYOU	109.0	LOUISIANA RESOURC
8320203	82-2072	1702321683		102-4		CAMERON PARISH SCHOOL BOARD #1-D	WEST JOHNSON BAYOU	180.0	LOUISIANA RESOURC
-W J WEGMAN JR				RECEIVED: 02/01/83		JA: LA			
8320241	82-2767	1707321063		108		C MCCALLUM #1	MONROE	0.9	IMC PIPELINE CO I
-WESTPORT PETROLEUM CORP				RECEIVED: 02/01/83		JA: LA			
8320238	82-2770	1707320509		108		J A & L L LASTER #1	MONROE	0.3	UNITED GAS CORP
8320239	82-2769	1707320496		108		J A & L L LASTER #2	MONROE	0.8	UNITED GAS CO
8320273	82-2774	1707320505		108		J B SALLEY #2	MONROE	12.0	UNITED GAS CORP
8320250	82-2771	1707300433		108		LUGINBILL #1	MONROE GAS	2.6	UNITED GAS CORP
8320240	82-2768	1707300000		108		MONROE GAS UNIT #1-R	MONROE GAS	1.6	UNITED GAS CORP
-WOOLF & MAGEE INC				RECEIVED: 02/01/83		JA: LA			
8320260	82-2154	1701120482		102-4		OWENS-ILLINOIS #1	LITTLE BARNES CREEK	814.0	
**********									
OKLAHOMA CORPORATION COMMISSION									
**********									
-AN-SON CORPORATION				RECEIVED: 01/31/83		JA: OK			
8320158	19268	3508720782		103		WOODS #1-23	N DIBBLE	82.4	SUN GAS CO
-ANDERSON ENERGY CORP				RECEIVED: 01/31/83		JA: OK			
8320121	19100	3500320982		103		SHEPARD #1	RINGWOOD	0.0	PANHANDLE EASTERN
-ANDOVER OIL COMPANY				RECEIVED: 01/31/83		JA: OK			
8320152	19231	3501722087		103		REUTER #35-1		60.0	PHILLIPS PETROLEU
8320153	19230	3507323115		103		SCHULZ #15-1		100.0	PHILLIPS PETROLEU
-B & H EXPLORATION CO				RECEIVED: 01/31/83		JA: OK			
8320135	15906	3513120908		108		CONSTIEN #2	UNNAMED	2.0	DIAMOND S GAS SYS
8320134	15904	3513121567		108		CONSTIEN #4	UNNAMED	2.5	DIAMOND S GAS SYS
8320132	15867	3514321341		108		GAZAWAY #1-A	UNNAMED	3.6	DIAMOND S GAS SYS
8320131	15803	3510521942		108		MARTIN #1	UNNAMED	6.0	A G SYSTEMS INC
8320133	15903	3510521873		108		MATHES #2	UNNAMED	17.0	A G SYSTEMS INC
8320130	15718	3510523333		108		SCOTT #1	UNNAMED	12.0	A G SYSTEMS INC
-BASS EXPLORATION CO				RECEIVED: 01/31/83		JA: OK			
8320145	19273	3510721354		103		DEATHERAGE #1	NORTHWEST BEARDEN	75.0	WELLHEAD ENTERPRI
-BOGERT OIL CO				RECEIVED: 01/31/83		JA: OK			

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROJ	PURCHASER
8320151	19331	3507323545		103		LUCY 1-5	SOONER TREND	30.0	EXXON CO U S A
-BRAMLETT & ASSOCIATES				RECEIVED:	01/31/83	JA: OK			
8320149	19282	3503300000		103		GUNN #1	NORTH WALTERS	100.0	LONE STAR GAS CO
-CANADIAN EXPLORATION CORP				RECEIVED:	01/31/83	JA: OK			
8320155	19237	3501722343		103		KOZAK #19-1	NORTHWEST MUSTANG	150.0	DELHI GAS PIPELIN
-CAYMAN EXPLORATION CORP				RECEIVED:	01/31/83	JA: OK			
8320117	18931	3507323516		103		WELLS TRUST #8-2	SOONER TREND	88.0	CITIES SERVICE GA
-CIMARRON MANAGEMENT CORP				RECEIVED:	01/31/83	JA: OK			
8320159	19269	3511721613		103		BORGHARDT #1	HALLETT	8.0	EMPIRE PIPELINE C
-CITIES SERVICE COMPANY				RECEIVED:	01/31/83	JA: OK			
8320156	19252	3500722156		103		BENJEGERDES B #2	SIX MILE	41.3	INTER NORTH INC
-EL DORADO DRILLING CO				RECEIVED:	01/31/83	JA: OK			
8320138	17725	3507122139		102-2	103	PEC SCHOOL LAND #1-36		36.5	SUN PRODUCTION CO
8320139	17726	3507122429		102-2	103	ROLLY SOUTH #2		14.6	SUN PRODUCTION CO
-F C D OIL CORP				RECEIVED:	01/31/83	JA: OK			
8320169	19313	3505320930		103		VIRGIL 1-28	EAST LAMONT	54.8	C R A INC
-GEORGE RODMAN INC				RECEIVED:	01/31/83	JA: OK			
8320146	19276	3508720682		103		PAUL 1-31	SW GOLDEN TREND	53.7	WARREN PETROLEUM
-GOMACO INC				RECEIVED:	01/31/83	JA: OK			
8320127	19325	3502920280		103		CRANE #1-28	UNNAMED	55.0	SWAB CORP
-GOOD EARTH ASSOCIATES				RECEIVED:	01/31/83	JA: OK			
8320148	19279	3510525500		103		MAYNARD #2	DUFFIELD-DAVIS	30.0	ENICO PIPELINE CO
8320147	19277	3510525499		103		VOSS #1-AP1-10525499	DUFFIELD DAVIS	30.0	ENICO PIPELINE CO
-HANOVER MANAGEMENT CO				RECEIVED:	01/31/83	JA: OK			
8320154	19236	3503120949		103		GUTHRIE #6	HANBURY	9.0	ARKANSAS LOUISIAN
-HARPER OIL COMPANY				RECEIVED:	01/31/83	JA: OK			
8320144	19267	3509322536		103		TRAILS END RANCH #1	NORTH LACEY	52.0	PHILLIPS PETROLEU
-HARRY H DIAMOND				RECEIVED:	01/31/83	JA: OK			
8320137	16544	3506300000		108		MEYER #1	SOUTH CARSON	23.2	OKLAHOMA GAS & EL
-HPC INC				RECEIVED:	01/31/83	JA: OK			
8320123	19184	3503920300		103		MCNEIL #2-15	THOMAS	45.0	TRANSOK PIPELINE
8320124	19185	3503920314		103		MCNEIL #3-15	SOUTH THOMAS	300.0	TRANSOK PIPELINE
-JONES & PELLOW OIL CO				RECEIVED:	01/31/83	JA: OK			
8320157	19256	3513722844		103		GLEGHORN 32-1	DOYLE	265.0	TENNESSEE GAS PIP
-JUMAS OIL PART CORP				RECEIVED:	01/31/83	JA: OK			
8320140	19261	3511100000		103		LONGSTREATH #2	HENRYETTA	18.7	PHILLIPS PETROLEU
-KAISER-FRANCIS OIL COMPANY				RECEIVED:	01/31/83	JA: OK			
8320120	19075	3504720832		108		MEIER #1-36	SPRING VALLEY	14.0	GRACE PETROLEUM C
-MACK OIL CO				RECEIVED:	01/31/83	JA: OK			
8320126	19318	3501722258		103		HRDY #2	RICHLAND	100.0	OKLAHOMA GAS & EL
8320125	19317	3501722273		103		HRDY #3	N E EL RENO	100.0	OKLAHOMA GAS & EL
-MAHAN-ROWSEY INC.				RECEIVED:	01/31/83	JA: OK			
8320118	18973	3504921869		103		SEARCY #3		160.0	WARREN PETROLEUM
-O G OIL CO				RECEIVED:	01/31/83	JA: OK			
8320161	19286	3514722514		103		GUINN # B-8	GUINN LEASE	0.7	BARTLESVILLE GATH
8320165	19291	3514722018		103		GUINN #B-1	GUINN LEASE	3.0	BARTLESVILLE GATH
8320164	19290	3514722019		103		GUINN #B-2	GUINN LEASE	3.4	BARTLESVILLE GATH
8320163	19289	3514722020		103		GUINN #B-3	GUINN LEASE	1.7	BARTLESVILLE GATH
8320162	19288	3514722022		103		GUINN #B-5	GUINN LEASE	3.4	BARTLESVILLE GATH
8320168	19294	3514722024		103		GUINN #P-1	GUINN LEASE	2.7	BARTLESVILLE GATH
8320167	19293	3514722025		103		GUINN #P-2	GUINN LEASE	2.6	BARTLESVILLE GATH
8320166	19292	3514722026		103		GUINN #P-3	GUINN LEASE	0.9	BARTLESVILLE GATH
-OLD DOMINION OIL CORP				RECEIVED:	01/31/83	JA: OK			

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JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8320143	19265	3507323206		103		CASTONGUAY #1	UNKNOWN	204.0	PHILLIPS PETROLEU
8320142	19264	3504321489		103		STATE #1-36	UNNAMED	337.6	
-P-T LTD 80				RECEIVED:	01/31/83	JA: OK			
8320110	18433	3509322039		108		CRAWFORD 13-1	SOONER TREND	115.0	WELLHEAD ENTERPRI
8320114	18441	3504721925		108		FORBIS BULLER 21-1	SOONER TREND	200.0	WELLHEAD ENTERPRI
8320111	18434	3504722396		108		HANE 14-1	SOONER TREND	2.0	WELLHEAD ENTERPRI
8320113	18440	3504722576		108		HIXON 19 2	SOONER TREND	2.0	WELLHEAD ENTERPRI
8320112	18437	3504722393		108		MILACEK 15-2	SOONER TREND	5.0	WELLHEAD ENTERPRI
8320115	18444	3504722319		108		SEMRAD 35-1	SOONER TREND	140.0	WELLHEAD ENTERPRI
-P-T LTD 81				RECEIVED:	01/31/83	JA: OK			
8320109	18426	3504722746		108		EATON 35-2	SOONER TREND	21.0	WELLHEAD ENTERPRI
-ROBERT GORDON OIL CO				RECEIVED:	01/31/83	JA: OK			
8320170	19205	3508121563		102-4	103	PHIPPS #1	WEST MOUNT VERNON	18.0	SUN EXPLORATION C
-ROYAL OIL & GAS CORPORATION				RECEIVED:	01/31/83	JA: OK			
8320116	18575	3511921074		108		MARATHON #1	PRATT NORTHEAST	9.0	ENTERPRISE DEVELO
-SABINE CORP				RECEIVED:	01/31/83	JA: OK			
8320122	19172	3503920619		103		KUSCH #2-2		0.0	TRANSOK PIPELINE
-SERVICE DRILLING CO				RECEIVED:	01/31/83	JA: OK			
8320160	19270	3508300000		103		ROBERT #1-32	EAST GUTHRIE	22.0	CITIES SERVICE GA
-SOUTHWESTERN EXPLOR CONSULTANTS INC				RECEIVED:	01/31/83	JA: OK			
8320128	19328	3510321699		103		CONGER #1	FOURDEE	0.0	AMINOIL U S A INC
8320150	19330	3510321715		103		SHIMANEK #3	POLO	0.0	ARCO OIL & GAS CO
-STANTON ENERGY INC				RECEIVED:	01/31/83	JA: OK			
8320129	14431	3514321631		103		SUTHERLAND #1		109.0	COLORADO GAS COMP
-TOWNER PETROLEUM CO				RECEIVED:	01/31/83	JA: OK			
8320108	19241	3507323310		103		YOST #28-1	SE ALPHA	0.0	
-UNIT DRILLING & EXPLORATION CO				RECEIVED:	01/31/83	JA: OK			
8320141	19262	3507920455		103		DEW #1	PANOLA	650.0	ARKANSAS LOUISIAN
-UNIVERSAL RESOURCES CORPORATION				RECEIVED:	01/31/83	JA: OK			
8320119	19023	3500920384		102-2		HALEY 1-31		0.0	EL PASO NATURAL G
-WOODS PETROLEUM CORPORATION				RECEIVED:	01/31/83	JA: OK			
8320136	16305	3504921709		103		FULLER #1-1	S W FLORENCE CHAPEL	53.0	BUCKEYE NATURAL G

SOURCE DATA FOR THIS NOTICE IS AVAILABLE ON MAGNETIC TAPE FROM THE NATIONAL TECHNICAL INFORMATION SERVICE (NTIS). FOR INFORMATION, CONTACT STUART WEISMAN (NTIS) AT (703) 487-4808, 5285 PORT ROYAL RD, SPRINGFIELD, VA 22161, OR SANDRA SPEAR (FERC) (202) 357-8681.

BILLING CODE 6717-01-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 10 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 10 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 823 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 10 CFR 275.203 and 275.204, file a protest with the Commission within fifteen days after publication of notice in the **Federal Register.**

Categories within each NGPA section are indicated by the following codes:

Section 102–1: New OCS lease
102–2: New well (2.3 mile rule)
102–3: New well (1000 ft rule)
102–4: New onshore reservoir
102–5: New reservoir on old BCS lease
Section 107–DP: 15,000 feet or deeper
107–GB: Geopressured brine
107–CS: Coal seams
107–DV: Devonian shale
107–PE: Production enhancement
107–TF: New tight formation
107–RT: Recompletion tight formation
Section 108: Stripper well
108–SA: Seasonally affected
108–ER: Enhanced recovery
108–PS: Pressure buildup

Kenneth F. Plumb,

Secretary.

[FR Doc. 83–5082 Filed 2–28–83; 8:45 am]

BILLING CODE 6717–01–M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: February 23, 1983.

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
KANSAS CORPORATION COMMISSION									
-F G HOLL				RECEIVED:	01/31/83	JA: KS			
8320344	K-82-0947	1504720184	108	-SA		MEYER #1		0.0	KANSAS NEBRASKA N
KENTUCKY DEPARTMENT OF MINES & MINERALS									
-BOB HURT DRILLING CO				RECEIVED:	02/01/83	JA: KY			
8320384	503541	1619500000	107	-DV		COWPEN #6	PIKEVILLE	0.0	COLUMBIA GAS TRAN
8320385	503542	1619500000	107	-DV		COWPEN #7	PIKEVILLE	0.0	COLUMBIA GAS TRAN
8320386	503543	1619500000	107	-DV		COWPEN #9	PIKEVILLE	0.0	COLUMBIA GAS TRAN
-BOW VALLEY PETROLEUM INC				RECEIVED:	02/01/83	JA: KY			
8320380	502415	1611900000	107	-DV		RITCHIE HEIRS #903		5.0	KENTUCKY WEST VIR
8320379	502414	1611900000	107	-DV		RITCHIE HEIRS #904		10.0	KENTUCKY WEST VIR
-LYLE V SMITH				RECEIVED:	02/01/83	JA: KY			
8320382	503539	1607100000	108			JACOB CRISP #1		9.4	COLUMBIA GAS TRAN
-SOUTHEASTERN GAS COMPANY				RECEIVED:	02/01/83	JA: KY			
8320381	502589	1607100000	108			L P MAYO #731		17.0	COLUMBIA GAS TRAN
-W O COMPTON				RECEIVED:	02/01/83	JA: KY			
8320383	503540	1615300000	108			SARAH MINIX ROWE	APPALACHIAN	11.7	INLAND GAS CO
LOUISIANA OFFICE OF CONSERVATION									
-ERGON INC				RECEIVED:	02/03/83	JA: LA			
8320462	82-0426	1711123240	103	107-TF		GENE ALLEN #1 VUEE	MONROE	10.9	TEXAS GAS TRANSMI
8320463	82-0427	1711123325	103	107-TF		J W READ ESTATE #2	MONROE	10.9	TEXAS GAS TRANSMI
8320464	82-0428	1711123336	103	107-TF		JOHN GREENE #4	MONROE	13.3	TEXAS GAS TRANSMI
-MARSHALL EXPLORATION INC				RECEIVED:	02/03/83	JA: LA			
8320451	82-3414	1703121775	103			WILSON #1	WILDCAT	180.0	ARKANSAS-LOUISIAN
-MID LOUISIANA GAS COMPANY				RECEIVED:	02/03/83	JA: LA			
8320445	82-2668	1711101692	108			MLGC FEE GAS #134	MONROE GAS FIELD	20.1	MID-LOUISIANA GAS
8320453	82-2664	1711101719	108			MLGC FEE GAS #2	MONROE GAS FIELD	1.1	MID-LOUISIANA GAS
8320446	82-2669	1711102150	108			MLGC FEE GAS #226	MONROE GAS FIELD	5.7	MID-LOUISIANA GAS
8320447	82-2670	1711101879	108			MLGC FEE GAS #241	MONROE GAS FIELD	4.4	MID-LOUISIANA GAS
8320448	82-2671	1711102499	108			MLGC FEE GAS #258	MONROE GAS FIELD	8.1	MID-LOUISIANA GAS
8320449	82-2676	1711102091	108			MLGC FEE GAS #393	MONROE GAS FIELD	6.8	MID-LOUISIANA GAS
8320456	82-2677	1711102102	108			MLGC FEE GAS #547	MONROE GAS FIELD	21.1	MID-LOUISIANA GAS
8320458	82-2678	1711101919	108			MLGC FEE GAS #566	MONROE GAS FIELD	21.2	MID-LOUISIANA GAS
8320454	82-2665	1711101733	108			MLGC FEE GAS #6	MONROE GAS FIELD	2.7	MID-LOUISIANA GAS
8320455	82-2666	1711101666	108			MLGC FEE GAS #70	MONROE GAS FIELD	2.7	MID-LOUISIANA GAS
8320457	82-2667	1711101768	108			MLGC FEE GAS #72	MONROE GAS FIELD	2.3	MID-LOUISIANA GAS
-PRIDE EXPLORATION INC				RECEIVED:	02/03/83	JA: LA			
8320460	82-3279	1701724876	103			ROLLINS A#1	GREENWOOD-WASKOM	75.0	UNITED GAS PIPE L

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-TEXACO INC				RECEIVED: 02/03/83		JA: LA			
8320450	82-3322	1710922574		103		LP U4 #18 VU D	LAKE PELTO	1303.0	KAISER ALUMINUM &
-VIKING RESOURCES (LA)				RECEIVED: 02/03/83		JA: LA			
8320461	82-2658	1711123902		103		UNION POWER C #10	MONROE	15.0	PETRO-LEWIS FUNDS
-WELLS-BATTELSTEIN OIL & GAS INC				RECEIVED: 02/03/83		JA: LA			
8320452	82-0441	1711123315		103	107-TF	MCKINNIE #1	MONROE	35.0	WEST MONROE GAS G
8320465	82-0438	1711123310		103	107-TF	RABUN #1	MONROE	60.0	WEST MONROE GAS G
8320459	82-0439	1711123313		103	107-TF	RABUN #3	MONROE	60.0	WEST MONROE GAS G
8320466	82-0440	1711123314		103	107-TF	RABUN #4	MONROE	40.0	WEST MONROE GAS G
MONTANA BOARD OF OIL & GAS CONSERVATION									
-WEST GAS INC				RECEIVED: 02/04/83		JA: MT			
8320509	1-82-15	2509521149		103		LEUTHOLD 10-24	LAKE BASIN	33.7	MONTANA DAKOTA UT
8320511	1-82-17	2509521152		103		LEUTHOLD 9-35	LAKE BASIN	25.0	MONTANA DAKOTA UT
8320510	1-82-16	2509521151		103		LOUTHOLD 13-35	LAKE BASIN	68.3	MONTANA DAKOTA UT
NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION									
-ANGELA P HOPKINS				RECEIVED: 02/02/83		JA: NY			
8320345	4846	3101316688	D	107-TF		HOPKINS CARL WELL METER 4152	LAKESHORE	0.0	NATIONAL FUEL GAS
-ANGELA P HOPKINS				RECEIVED: 02/04/83		JA: NY			
8320508	4882	3101317909	D	107-TF		HOPKINS HALL WELL	LAKESHORE	0.0	NATIONAL FUEL GAS
OKLAHOMA CORPORATION COMMISSION									
-ADAMS PETROLEUM ENTERPRISES CORP				RECEIVED: 02/02/83		JA: OK			
8320477	19531	3506321505		103		CALL YOUR BANKER #2	GREASY CREEK	35.2	TRANSOK PIPE LINE
-AGGIE OIL CO				RECEIVED: 02/02/83		JA: OK			
8320474	19479	3510321090		103		B E NELSON #1	SOUTH PERRY	12.0	AMINOIL USA INC
-ARCO OIL AND GAS COMPANY				RECEIVED: 02/02/83		JA: OK			
8320467	19469	3504900000		108		T S HOLLOWAY #1	GOLDEN TREND	15.0	WARREN PETROLEUM
-BRAMLETT & ASSOCIATES				RECEIVED: 02/02/83		JA: OK			
8320507	19281	3503320660		103		GUNN #2	N WALTERS	150.0	LONE STAR GAS CO
-CABOT PETROLEUM CORP				RECEIVED: 02/02/83		JA: OK			
8320468	19568	3505935137		108		ROY BAUMGARTNER #2	SOUTH LAVERNE MORROW	17.0	COLORADO INTERSTA
8320485	19562	3505935149		108		STATE OF OKLAHOMA "H" #1	SOUTH LAVERNE MORROW	5.0	COLORADO INTERSTA
-CITIES SERVICE COMPANY				RECEIVED: 02/02/83		JA: OK			
8320470	22715	3500920492		107-DP		WEIL A-1	EAST BERLIN	44.0	EL PASO NATURAL G
-CLARK RESOURCES INC				RECEIVED: 02/02/83		JA: OK			
8320487	19530	3507323275		103		DORIS 2-1	SOONER TREND	95.0	PANHANDLE EASTERN
-ECC OIL CO				RECEIVED: 02/02/83		JA: OK			
8320504	19110	3514721051		108		PIERCE #2A	OGLESBY GAS	219.0	OKAN GAS CO
-ENERGY RESERVES GROUP INC				RECEIVED: 02/02/83		JA: OK			
8320483	19560	3504520697		108		MARK MILLER #1	SOUTH PEAK	18.0	PANHANDLE EASTERN
-ENSERCH EXPLORATION INC				RECEIVED: 02/02/83		JA: OK			
8320479	19549	3512900000		108		D K YORK #1	CRAWFORD NORTH	3.0	DELHI GAS PIPELIN
8320482	19552	3512900000		108		D K YORK #2	CRAWFORD NORTH	6.0	DELHI GAS PIPELIN
8320480	19550	3512900000		108		D K YORK #3	CRAWFORD NORTH	4.0	DELHI GAS PIPELIN
8320481	19551	3512900000		108		J R POWELL #3	CRAWFORD N	3.0	DELHI GAS PIPELIN
-GOMACO INC				RECEIVED: 02/02/83		JA: OK			
8320491	18668	3511921207		102-4		LAWLER #1-25		47.0	COLORADO GAS COMP
8320493	18690	3511921309		102-4		LAWLER #2-25	UNNAMED	27.0	COLORADO GAS COMP

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8320492	18676	3511021275		102-4		MARTIN #1-25	UNNAMED	40.0	COLORADO GAS COMP
8320494	18691	3511921421		102-4		MARTIN #2-25	UNNAMED	10.0	COLORADO GAS COMP
-HESTON OIL CO				RECEIVED:	02/02/83	JA: OK			
8320490	18622	3507323351		103		HILL #30-1		0.0	
-JAY PETROLEUM INC				RECEIVED:	02/02/83	JA: OK			
8320495	18896	3508121560		103		NORTON #2	WEST CHANDLER	11.0	TRIOK INC
-JUMAS OIL PART CORP				RECEIVED:	02/02/83	JA: OK			
8320476	19468	3510700000		108		NEFF #2	LYONS QUINN	5.5	PHILLIPS PETROLEU
-KAISER-FRANCIS OIL COMPANY				RECEIVED:	02/02/83	JA: OK			
8320475	19460	3501720709		103		BROGDON UNIT #1	WATONGA TREND	474.0	OKLAHOMA GAS & EL
-LADD PETROLEUM CORPORATION				RECEIVED:	02/02/83	JA: OK			
8320499	18965	3504700000		108		CLICK #1	N E ENID	1.5	CITIES SERVICE GA
8320497	18963	3504721248		108		EVERETT-HAYS B #2	N E ENID	7.4	CITIES SERVICE GA
8320502	18970	3504721250		108		RANDOLPH HOPWOOD #2	N E ENID	14.2	CITIES SERVICE GA
8320503	18971	3504700000		108		ROGER HAYS #1	N E ENID	12.0	CITIES SERVICE GA
8320496	18962	3504700000		108		ROGERS UNIT #1	NE ENID	10.6	CITIES SERVICE GA
8320498	18964	3504700000		108		SEMRAD B-1	N E ENID	10.2	CITIES SERVICE GA
8320500	18967	3504700000		108		VETTE #1	N E ENID	14.3	CITIES SERVICE GA
8320501	18969	3504721793		108		WILER #2	N E ENID	9.9	CITIES SERVICE GA
-LUBELL OIL CO				RECEIVED:	02/02/83	JA: OK			
8320506	19191	3506338260		108		LUBELL #B-2 CITY OF WETUMKA	WETUMKA	10.8	PUBLIC SERVICE CO
-M M RESOURCES INC				RECEIVED:	02/02/83	JA: OK			
8320473	19338	3504722926		103		HUDSPEPH # 1		912.5	ARCO OIL & GAS CO
-MEWBOURNE OIL COMPANY				RECEIVED:	02/02/83	JA: OK			
8320505	19167	3512920855		103		STATE "20" #1 ID#129-76041	CRAWFORD (TONKAWA)	25.0	DELHI GAS PIPELIN
-MGF OIL CORP				RECEIVED:	02/02/83	JA: OK			
8320478	19542	3512920779		103		MCCOLGIN #1-12	UNDESIGNATED	22.0	
-NOBLE OPERATING INC				RECEIVED:	02/02/83	JA: OK			
8320484	19561	3509322356		103		HALDAMAN #1	NE SEILING	0.0	
-OFS-TULSA CORP				RECEIVED:	02/02/83	JA: OK			
8320486	19482	3507323481		103		JASON #2-31	SOONER TREND	113.0	CITIES SERVICE GA
-P F BEELER				RECEIVED:	02/02/83	JA: OK			
8320469	19570	3500722364		103		P F BEELER WIN #1	MOCANE-LAVERNE	365.0	PANHANDLE EASTERN
-SHOGUN PETROLEUM CO				RECEIVED:	02/02/83	JA: OK			
8320489	18419	3509300000		103		KEHNEMUND #1	SOONER TREND	100.0	PIONEER GAS PRODU
-T MAYFIELD				RECEIVED:	02/02/83	JA: OK			
8320488	15864	3503722383		103		BURGESS #1	WILDCAT	0.2	CITIES SERVICE GA
-THE GHK COMPANY				RECEIVED:	02/02/83	JA: OK			
8320471	22810	3500920482		107-DP		PAUL JONES #1-36	EAST BERLIN	2620.7	EL PASO NATURAL G
8320472	22812	3500920480		107-DP		WARREN #1-23	WEST ELK CITY	1095.0	EL PASO NATURAL G
**********									
** DEPARTMENT OF THE INTERIOR, MINERALS MANAGEMENT SERVICE, METAIRIE,LA									
**********									
-ANADARKO PRODUCTION COMPANY				RECEIVED:	02/01/83	JA: LA 3			
8320372	G2-2725	1762040068		102-5		WEST DELTA BLK 138 #A-5 S/T	WEST DELTA	25.0	INTERNORTH INC
-CONOCO INC				RECEIVED:	02/01/83	JA: LA 3			
8320357	G2-3346	1770840382		102-1		SOUTH MARSH ISLAND 106 A-1	SOUTH MARSH ISLAND	550.0	TENNESSEE GAS PIP
8320366	G2-3353	1770840513		102-1		SOUTH MARSH ISLAND 106 A-10	SOUTH MARSH ISLAND	293.0	TENNESSEE GAS PIP
8320369	G2-3354	1770840536		102-1		SOUTH MARSH ISLAND 106 A-12	SOUTH MARSH ISLAND	280.0	TENNESSEE GAS PIP
8320356	G2-3347	1770840391		102-1		SOUTH MARSH ISLAND 106 A-3	SOUTH MARSH ISLAND	730.0	TENNESSEE GAS PIP
8320362	G2-3348	1770840406		102-1		SOUTH MARSH ISLAND 106 A-4	SOUTH MARSH ISLAND	230.0	TENNESSEE GAS PIP
8320363	G2-3349	1770840484		102-1		SOUTH MARSH ISLAND 106 A-6	SOUTH MARSH ISLAND	280.0	TENNESSEE GAS PIP
8320364	G2-3350	1770840486		102-1		SOUTH MARSH ISLAND 106 A-7	SOUTH MARSH ISLAND	420.0	TENNESSEE GAS PIP

JO NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-EXXON CORPORATION				RECEIVED:	02/01/83	JA: LA 3			
8320365	G2-2925	1771540333		102-5		OCS-G 1255 #D-4	SOUTH TIMBALIER	400.0	TRUNKLINE GAS CO
8320371	G2-3131	1771540365		102-5		OCS-G 1255 #D-8	SOUTH TIMBALIER	20.0	TRUNKLINE GAS CO
-GULF OIL CORPORATION				RECEIVED:	02/01/83	JA: LA 3			
8320353	G2-3111	1771540439		102-5		OCS-G 1256 #C-2	SOUTH TIMBALIER	730.0	TEXAS EASTERN TRA
8320373	G2-3365	1772440232		102-1		OCS-G 4127 A-2-D M/P BLK 311 FIELD	MAIN PASS AREA	128.0	SOUTHERN NATURAL
-MESA PETROLEUM CO				RECEIVED:	02/01/83	JA: LA 3			
8320376	G2-3266	1770840556		102-1		SOUTH MARSH ISLAND BLK 155 #A-12	SOUTH MARSH ISLAND	584.0	
8320351	G2-3263	1770840463		102-1		SOUTH MARSH ISLAND BLK 156 #A-4 ST	SOUTH MARSH ISLAND	166.0	
8320350	G2-3264	1770840477		102-1		SOUTH MARSH ISLAND BLK 156 #A-5	SOUTH MARSH ISLAND	146.0	
8320375	G2-3265	1770840463		102-1		SOUTH MARSH ISLAND 156 #A-10	SOUTH MARSH ISLAND	169.0	
-ODECO OIL & GAS CO				RECEIVED:	02/01/83	JA: LA 3			
8320354	G2-3143	1771140437		102-5		OCS-063 # 35E	SHIP SHOAL 113 FIELD	219.0	TRANSCONTINENTAL
-PENNZOIL COMPANY				RECEIVED:	02/01/83	JA: LA 3			
8320348	G2-2767	1772240041		102-5		SOUTH PASS 78 #A-3D	SOUTH PASS	2352.0	UNITED GAS PIPE L
-QUINTANA OFFSHORE INC				RECEIVED:	02/01/83	JA: LA 3			
8320368	G2-3287	1771140648		107-DP		OCS-G-3411 #4	SHIP SHOAL	5000.0	TEXAS GAS TRANSMI
-SHELL OFFSHORE INC				RECEIVED:	02/01/83	JA: LA 3			
8320370	G2-2927	1770540446		107-DP		OCS-G 3125 JA-5 S/T #3	VERMILION	1800.0	COLUMBIA GAS TRAN
-TENNECO OIL COMPANY				RECEIVED:	02/01/83	JA: LA 3			
8320378	G2-3356	1773140032		102-1		SABINE PASS 13 B-3	SABINE PASS	1400.0	TENNESSEE GAS PIP
-TEXACO INC				RECEIVED:	02/01/83	JA: LA 3			
8320352	G2-3303	1770740380		102-1		OCS-G-4437 S MARSH ISLAND 236 #1	SOUTH MARSH ISLAND	4388.0	
8320374	G2-3366	1770740402		102-1		OCS-G-4437 S MARSH ISLAND 236 #2	SOUTH MARSH ISLAND	292.0	
-ARCO OIL AND GAS COMPANY				RECEIVED:	02/01/83	JA: TX 3			
8320347	G2-3335	4270440077		102-1		OCS G-3935 BRAZOS BLK 451 #A-2 ST/1	BRAZOS	319.0	MICHIGAN WISCONSI
8320346	G2-3336	4270440077		102-1		OCS G-3935 BRAZOS BLK 451 #A-2D ST/	BRAZOS	319.0	MICHIGAN WISCONSI
8320349	G2-3337	4270440085		102-1		OCS G-3935 BRAZOS BLK 451 #A-3	BRAZOS	319.0	MICHIGAN WISCONSI
8320367	G2-3338	4270440085		102-1		OCS G-3935 BRAZOS BLK 451 #A-3D	BRAZOS	319.0	MICHIGAN WISCONSI
8320359	G2-3339	4270440091		102-1		OCS G-3935 BRAZOS BLK 451 #A-4	BRAZOS	319.0	MICHIGAN WISCONSI
8320358	G2-3340	4270440091		102-1		OCS G-3935 BRAZOS BLK 451 #A-4D	BRAZOS	319.0	MICHIGAN WISCONSI
-GULF OIL CORPORATION				RECEIVED:	02/01/83	JA: TX 3			
8320361	G2-3304	4270940384		102-1		HIGH ISL BLK A-517 OCS-C 3481 #A-2	HIGH ISLAND	2920.0	TEXAS GAS TRANSMI
-MCMORAN OFFSHORE EXPLORATION CO				RECEIVED:	02/01/83	JA: TX 3			
8320360	G2-3040	4270940576		102-5		OCS-G 2690 #A-4A	HIGH ISLAND	1460.0	COLUMBIA GAS DEVE
8320355	G2-2872	4270940603		102-5		OCS-G 2690 #A-7A	HIGH ISLAND	3500.0	COLUMBIA GAS DEVE
-TENNECO OIL COMPANY				RECEIVED:	02/01/83	JA: TX 3			
8320377	G2-3364	4271540014		102-1		SABINE PASS 18 A-5	SABINE PASS	1750.0	TENNESSEE GAS PIP
**********									
** DEPARTMENT OF THE INTERIOR, MINERALS MANAGEMENT SERVICE, ALBUQUERQUE,NM									
**********									
-KENAI OIL AND GAS INC				RECEIVED:	02/02/83	JA: CO 4			
8320413	NM-1579-82	0511129245		102-2		FEDERAL #27-43	NAGEEZI-GALLUP	3.5	
-AMERADA HESS CORPORATION				RECEIVED:	02/02/83	JA: NM 4			
8320408	NM-1384-82	3003921373		103		J APACHE "A" #10	BASIN DAKOTA	85.0	EL PASO NATURAL G
8320409	NM-1383-82	3003921372		103		J APACHE "F" #14	BASIN DAKOTA	183.0	EL PASO NATURAL G
-AMOCO PRODUCTION CO				RECEIVED:	02/02/83	JA: NM 4			
8320396	NM 1641-82	3003922569		103		JICARILLA CONTRACT 155 #31	SOUTH BLANCO - PICTUR	15.0	NORTHWEST PIPELIN
8320402	NM 1632-82	3003922569		103		JICARILLA CONTRACT 155 #31	OTERO CHACRA	30.0	NORTHWEST PIPELIN
-BRADLEY H KEYES				RECEIVED:	02/02/83	JA: NM 4			
8320437	NM-0574-82	3004524690		103		MAXEY #1-J	FULCHER KUTZ PICTURED	0.0	EL PASO NATURAL G
-BURNETT OIL CO INC				RECEIVED:	02/02/83	JA: NM 4			
8320404	NM-1337-82	3001532807		103		JACKSON "B" #33	SQUARE LAKE-GB-SA	1.0	CONOCO INC

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JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-CONOCO INC				RECEIVED:	02/02/83	JA: NM 4			
8320419	NM-1636-82	3003905120		108		AXI APACHE A #8	AXI APACHE AREA	17.6	GAS CO OF NEW MEX
8320424	NM-1635-82	3003908083		108		AXI APACHE F #4	AXI APACHE AREA	20.1	EL PASO NATURAL G
8320423	NM-1634-82	3003900000		108		JICARILLA 20 #4	WEST LINDRITH	9.1	EL PASO NATURAL G
8320394	NM 1703-82	3001523541		103		PENNY FEDERAL COM #2	DAGGER DRAW	186.0	NATURAL GAS PIPEL
8320393	NM 1702-82	3002527544		103		WARREN UNIT #90	NMFU - BLINEBRY	2.9	GETTY OIL CO
-CURTIS J LITTLE				RECEIVED:	02/02/83	JA: NM 4			
8320388	NM-1601-82	3003922861		107-TF		SALAZAR #3	OTERO CHACRA EXT	25.0	EL PASO NATURAL G
-DEPCO INC				RECEIVED:	02/02/83	JA: NM 4			
8320405	NM 1345-82	3003922916		103		MILES FEDERAL #1A	BLANCO MV/LARGO CHACR	280.0	EL PASO NATURAL G
-DUGAN PRODUCTION CORP				RECEIVED:	02/02/83	JA: NM 4			
8320398	NM 1649-82	3004524231		103		BABY DOE #2	WAW FRUITLAND PC	15.0	EL PASO NATURAL G
8320400	NM 1403-82	3004522473		103		BLANCO WASH #1	WHITE WASH MANCOS - D	9.0	EL PASO NATURAL G
8320395	NM 1643-82	3004524557		103		DARE DEVIL #2	UNDESIGNATED FRUITLAN	12.0	EL PASO NATURAL G
-EL PASO EXPLORATION CO				RECEIVED:	02/02/83	JA: NM 4			
8320391	NM 1679-82	3003922983		103		JICARILLA 120C #22	BLANCO SOUTH PICTURED	30.0	NORTHWEST PIPELIN
-EL PASO NATURAL GAS COMPANY				RECEIVED:	02/02/83	JA: NM 4			
8320433	NM 0193-82PB	3003982393		108-PB		BJ 32-5 UNIT #3	BASIN-DAKOTA GAS	18.0	EL PASO NATURAL G
8320438	NM 0184-82PB	3004521983		108-PB		GRAMBLING C #11 J	BLANCO - PICTURED CLI	20.0	EL PASO NATURAL G
8320414	NM-1606-82	3003907009		108		RINCON UNIT #116	SOUTH BLANCO - PICTUR	14.0	EL PASO NATURAL G
8320444	NM-0181-82PB	3003906847		108-PB		SAN JUAN 27-5 UNIT #68MV & PC	BLANCO-MESA VERDE & S	17.0	EL PASO NATURAL G
8320435	NM 0196-82PB	3003920187		108-PB		SAN JUAN 28-5 UNIT #81	BASIN - DAKOTA GAS	20.0	EL PASO NATURAL G
8320436	NM-0197-82PB	3003920608		108-PB		SAN JUAN 28-6 UNIT #172	BLANCO SOUTH - PICTUR	16.0	EL PASO NATURAL G
8320418	NM-1609-82	3003920509		108		SAN JUAN 29-7 UNIT #103	BLANCO - PICTURED CLI	20.0	EL PASO NATURAL G
8320434	NM 0195-82PB	3003907555		108-PB		SAN JUAN 29-7 UNIT #40	BLANCO-MESAVERDE	15.0	EL PASO NATURAL G
8320439	NM 0185-82PB	3003920777		108-PB		SAN JUAN 30-4 UNIT #34	EAST BLANCO - PICTURE	15.0	EL PASO NATURAL G
8320429	NM-1654-82	3004509480		108		SCHUMACHER #11	BASIN DAKOTA	19.0	EL PASO NATURAL G
-EXXON CORPORATION				RECEIVED:	02/02/83	JA: NM 4			
8320389	NM 1656-82	3001524231		103		LAKEWOOD FEDERAL #1	WILDCAT	2.0	
-GETTY OIL COMPANY				RECEIVED:	02/02/83	JA: NM 4			
8320431	NM-0577-82	3003905760		108		JICARILLA "C" #15	BLANCO PICTURED CLIFF	20.0	EL PASO NATURAL G
-GOTTIEB GRAYCEB				RECEIVED:	02/02/83	JA: NM 4			
8320428	NM-1653-82	3004500000		108		GRAHAM #53-A	BLANCO MESA VERDE	9.0	EL PASO NATURAL G
-GULF OIL CORPORATION				RECEIVED:	02/02/83	JA: NM 4			
8320401	NM 1612-82	3001524153		103		WHITE CITY PENN GAS COM UNIT 1 #2	WHITE CITY PENN	0.0	TRANSWESTERN PIPE
-INTEGRATED ENERGY INC				RECEIVED:	02/02/83	JA: NM 4			
8320420	NM-1638-82	3004320398		102-2		FEDERAL 25-22-7 #1	RUSTY CHACRA	18.3	SOUTHWEST GAS COR
-M J BRANNON				RECEIVED:	02/02/83	JA: NM 4			
8320403	NM 1630-82	3004525420		103		FEDERAL 28 #2	BASIN DAKOTA	90.0	EL PASO NATURAL G
-M R SCHALK				RECEIVED:	02/02/83	JA: NM 4			
8320432	NM-0673-82	3004525247		103		FULLERTON GAS COM #1E	BASIN DAKOTA	0.0	EL PASO NATURAL G
-MERRION OIL & GAS CORP				RECEIVED:	02/02/83	JA: NM 4			
8320387	NM-0026-82ER	3004523409		108-ER		SOUTHLAND #1	WAW/FRUITLAND PICTURE	11.0	EL PASO NATURAL G
-MEWBOURNE OIL COMPANY				RECEIVED:	02/02/83	JA: NM 4			
8320397	NM 1640-82	3002527910		103		FEDERAL "H" #1	QUERECHO PLAINS - QUE	11.0	PHILLIPS PETROLEU
-NORTHWEST EXPLORATION COMPANY				RECEIVED:	02/02/83	JA: NM 4			
8320442	NM 0178-82PB	3004523094		108-PB		MIDDLE MESA #1	SO LOS PINOS FRUITLAN	0.0	NORTHWEST PIPELIN
-NORTHWEST PIPELINE CORPORATION				RECEIVED:	02/02/83	JA: NM 4			
8320443	NM 0179-82PB	3004521488		108-PB		COX CANYON UNIT #12	BLANCO PICTURED CLIFF	21.3	NORTHWEST PIPELIN
8320441	NM-0173-82PB	3003907246		108-PB		INDIAN I #1	GAVILON - BLANCO	20.8	NORTHWEST PIPELIN
-SCHALK DEVELOPMENT COMPANY				RECEIVED:	02/02/83	JA: NM 4			
8320412	NM-1508-82	3004525279		103		SCHALK 94-2A	BLANCO MESA VERDE	0.0	NORTHWEST PIPELIN
8320407	NM 1495-82	3004525183		103		SCHALK 94-4A	BLANCO MESA VERDE	0.0	NORTHWEST PIPELIN

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-SOUTHLAND ROYALTY CO				RECEIVED:	02/02/83	JA: NM 4			
8320440	NM-186-82PB	3004521800		108-P8		CAIN #21	AZTEC	19.0	SOUTHERN UNION GA
8320422	NM-1644-82	3004520479		108		CRANDELL #3	BLANCO	14.0	SOUTHERN UNION GA
8320421	NM-1627-82	3004510243		108		EAST #8	BASIN	19.0	SOUTHERN UNION GA
8320427	NM-1645-82	3004509115		108		GRENIER A #1	BLANCO	10.0	SOUTHERN UNION GA
8320415	NM-1626-82	3004511731		108		HANKS #20	BLANCO	11.0	SOUTHERN UNION GA
8320416	NM-1625-82	3004511732		108		HANKS #21	BLANCO	10.0	SOUTHERN UNION GA
8320425	NM-1647-82	3004509953		108		HOLDER A #1	BASIN	20.0	SOUTHERN UNION GA
8320430	NM-1648-82	3004507216		108		LACKEY HUBBELL #1	FULCHER KUTZ	3.6	SOUTHERN UNION GA
8320417	NM-1624-82	3004520440		108		PIERCE #3	BLANCO	12.0	SOUTHERN UNION GA
8320426	NM-1646-82	3004507573		108		REID #22	BLANCO	14.6	SOUTHERN UNION GA
-SUN EXPLORATION & PRODUCTION CO				RECEIVED:	02/02/83	JA: NM 4			
8320410	NM-1326-82	3000561506		103		CHAVES "A" FEDERAL #3L	WILDCAT/PENN	358.0	
8320411	NM-1327-82	3000561506		103		CHAVES "A" FEDERAL #3U	PECAN SLOPE ABO	55.0	
8320406	NM 1325-82	3004525330		103		NEW MEXICO FEDERAL N 5F	BASIN DAKOTA	880.0	SOUTHERN UNION GA
-TENNECO OIL COMPANY				RECEIVED:	02/02/83	JA: NM 4			
8320390	NM 1678-82	3004525285		103		HUGHES A 3E	BASIN DAKOTA	500.0	EL PASO NATURAL G
-YATES PETROLEUM CORPORATION				RECEIVED:	02/02/83	JA: NM 4			
8320392	NM 1682-82	3000520867		103		UNION "SI" FEDERAL #4	UND TOMAHAWK SA	0.0	CITIES SERVICE CO
-MTS LTD PARTNERSHIP				RECEIVED:	02/02/83	JA: OK 4			
8320399	OK 1657-82	3504321376		103		MACOSA #1-5	WILDCAT	29.0	PHILLIPS PETROLEU

SOURCE DATA FOR THIS NOTICE IS AVAILABLE ON MAGNETIC TAPE FROM THE NATIONAL TECHNICAL INFORMATION SERVICE (NTIS). FOR INFORMATION, CONTACT STUART WEISMAN (NTIS) AT (703) 487-4808, 5285 PORT ROYAL RD, SPRINGFIELD, VA 22161, OR SANDRA SPEAR (FERC) (202) 357-8681.

BILLING CODE 6717-01-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission within fifteen days after publication of notice in the **Federal Register.**

Categories within such NGPA sections are indicated by the following codes:

Section 102–1: New OCS lease
102–2: New well (2.5 mile rule)
102–3: New well (1000 ft rule)
102–4: New onshore reservoir
102–5: New reservoir on old OCS lease
Section 107–DP: 15,000 feet or deeper
107–GB: Geopressured brine
107–CS: Coal seams
107–DV: Devonian shale
107–PE: Production enhancement
107–TF: New tight formation
107–RT: Recompletion tight formation
Section 108: Stripper well
108–SA: Seasonally affected
108–ER: Enhanced recovery
108–PB: Pressure buildup

Kenneth F. Plumb,

Secretary.

[FR Doc. 83–5083 Filed 2–28–83; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP83–169–0000]

Gulf States Utilities Co.; Application

February 23, 1983.

Take notice that on January 24, 1983, Gulf States Utilities Company (Applicant), P.O. Box 2951, Beaumont, Texas 77704, filed in Docket No. CP83–169–000 an application pursuant to Section 1(c) of the Natural Gas Act for an order exempting of Applicant from the provisions of the Natural Gas Act and the regulations of the Commission thereunder, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is submitted that Applicant is a Texas corporation whose rates, facilities, and service are subject to the jurisdiction of the Louisiana Public Service Commission of the State of Louisiana. Applicant states that it distributes gas locally within East Baton Rouge Parish, Louisiana, to residential, commercial, and small industrial customers. All gas obtained by Applicant for its distribution system is sold and used in East Baton Rouge Parish, it is asserted. It is further stated that none of the gas is sold for resale or for transportation outside of Louisiana.

Applicant states that Denham Springs, Louisiana, which is a local distributor located adjacent to Applicant's service territory purchases gas from United Gas Pipe Line Company (United) and has requested Applicant to transport such gas for a period until Denham Springs can replace an 8-inch gas line which connects the Denham Springs distribution system with the city gate station through which Denham Springs receives gas from United. Applicant seeks a declaration that should it provide the requested transportation service for Denham Springs, it would continue to be exempt from the Natural Gas Act.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 18, 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. 83–5072 Filed 2–28–83; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP83–55–001]

Northern Natural Gas Co.; Amendment of Request Under Blanket Authorization

February 23, 1983

Take notice that on February 4, 1983, Northern Natural Gas Company, Division of InterNorth, Inc. (Northern), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP83–55–001, an amendment to a prior request in Docket No. CP83–55–000 pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) so as to authorize natural gas service to Pioneer Hi-Bred Int'l (Pioneer) through Iowa Power and Light Company (IP&L) in lieu of through Peoples Natural Gas Company, Division of InterNorth, Inc. (Peoples), all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

Northern filed in Docket No. CP83–55–000 a request pursuant to Section 157.205 of the Regulations proposing under authorization issued in Docket No. CP82–401–000 pursuant to Section 7(c) of the Natural Gas Act, to construct and operate 39 small volume measuring stations and to modify 2 existing delivery points to accommodate natural gas deliveries to certain utility customers. Northern states that of the 39 small volume measuring stations, the small volume measuring station for Pioneer was proposed to be served through Peoples. Northern proposes herein that the existing small volume measuring station in Polk County, Iowa, currently utilized by Peoples to provide natural gas to Pioneer, be enlarged to provide natural gas service to Pioneer through IP&L.

Northern states that the proposed peak day and annual volumes of gas to be delivered through the small volume measuring station are 196 Mcf and 9,825 Mcf, respectively. Northern states that the proposed service would be within IP&L's current level of firm entitlement.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and, pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the amendment to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83–5073 Filed 2–28–83; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP83-179-000]

Northwest Central Pipeline Corp.; Petition for a Declaratory Order

February 23, 1983.

Take notice that on January 28, 1983, Northwest Central Pipeline Corporation (Petitoner), P.O. Box 25128, Oklahoma City, Oklahoma 73125, filed in Docket No. CP83-179-000 a petition pursuant to Section 385.207 of the Commission's Rules of Practice and Procedure (18 CFR 385.207) for a summary order declaring that Petitioner's exercise of its contract right to cease takes of gas from certain high cost sources of supply is permissible within the meaning of the Natural Gas Act, all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

. Petitioner states that it has executed nineteen identical contracts under which it purchases "tight-sands" natural gas produced from the Wamsutter Area of Wyoming by the Wamsutter Limited Partnership of which Amoco Production Company (Amoco) is general partner and by Amoco individually.[1] Petitioner states that pursuant to such contracts, it has the right to disconnect certain wells and to release those wells from the applicable gas purchase contract upon Petitioner's determination that the volume deliverable from the wells in question under the conditions of the applicable gas purchase contract is not economical. Petitioner further states that the gas reserves underlying the wells in question were dedicated or committed to interstate commerce prior to the passage of the Natural Gas Policy Act of 1978, and as such the Commission has jurisdiction over the facilities and services under the provisions of the Natural Gas Act. Petitioner indicates that its proposal to disconnect certain wells and release the same from gas purchase contracts is not in violation of 7(b) of the Natural Gas Act or of the Commission's Regulations thereunder.

Petitioner contends that the proposed action does not violate the Natural Gas Act since there would not be a complete or total cessation of gas purchases from the area or a non-use of facilities and the proposed action is intended to be temporary. Additionally, Petitioner contends that the Commission has historically and uniformly permitted pipelines, consistent with their contracts, to adjust their gas supply by temporarily ceasing takes from designated sources of supply, even when this results in a temporary total cessation of service.

Petitioner explains that it urgently needs to lower its cost of purchased gas and that the decline in its sales has been precipitous. petitioner adds that while there are many reasons for this decline, increased purchased gas cost can be identified as a major factor. Petitioner asserts that at this time it is contractually obligated to take or pay for approximately 8,560,000 Mcf of gas per year produced from tight formations in the Wamsutter Area of Wyoming at prices, in January 1983, of $6.80 per Mcf. Petitioner states that its current purchased gas cost could be reduced through changes in its gas purchase patterns, but that it cannot unilaterally alter its purchase pattern by disconnecting takes of tight sands gas from the Wamsutter Area without subjecting itself to a claim that such action would constitute a violation of the Natural Gas Act. Petitioner alleges that if it receives authorization and approval from the Commission through an appropriate declaratory order to proceed with disconnection of the Wamsutter Area tight sands wells, it would be able to avoid gas costs of at least $58.2 million in 1983. Petitioner also avers that the Wamsutter Area gas is dedicated or committed to interstate commerce and that Section 7(b) of the Natural Gas Act can be asserted to preclude unilateral action by Petitioner to relieve its present situation by disconnecting certain uneconomical Wamsutter Area wells which produce high cost gas from tight formations. Accordingly, Petitioner seeks to remove uncertainty and to obtain such permission as may be necessary to allow it to act now to lower its purchased gas costs.

Therefore, Petitioner requests that the Commission issue an order declaring that Petition may, under its contracts, temporarily cease taking gas from certain uneconomical high-cost sources of supply and that such action will not violate the Natural Gas Act, nor affect the underlying dedication and commitment of the gas in question to Petitioner.

Any person desiring to be heard or to make any protest with reference to said petition should on or before March 18, 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 petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-5074 Filed 2-28-83; 8:45 am]

BILLING CODE 6717-01-M

[1] It is indicated that in 1975, a limited partnership was formed by Amoco and CSG Exploration Company, then an affiliated of the Cities Service Gas Company, for the exploration, development, production and sale of natural gas from Amoco's leases and interests in the Wamsutter Area, covering 437,000 acres of land in south central Wyoming.

[Docket No. CP83-173-000]

Tennessee Gas Pipeline Co.; Application

February 23, 1983.

Take notice that on January 31, 1983, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Applicant), P.O. Box 2511, Houston, Texas 77001, filed in Docket No. CP83-175-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas for United Gas Pipe Line Company (United), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant requests authorization to transport gas for United from a point of receipt at an interconnection between Applicant and United in East Cameron Block 97, offshore Louisiana, for delivery to United at an interconnection between the facilities of Applicant and United at Monroe, Ouachita Parish, Louisiana. Applicant states that the volumes to be transported would be 2,500 Mcf per day and would be on a best efforts basis. It is asserted that such service is pursuant to a gas transportation agreement dated August 29, 1980.

The proposed service, it is said, would provide United with a means of transporting an additional supply of natural gas without its having to construct and operate duplicative facilities.

Applciant states that United would pay a volume charge equal to the product of 18.62 cents multiplied by the total volume of gas delivered during the month. It is further stated that Applicant would retain 3.11 percent of the volume of gas received for fuel and use requirements.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 18, 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. 83-5075 Filed 2-28-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-182-000]

Washington Natural Gas Co.; Application

February 23, 1983.

Take notice that on February 4, 1983, Washington Natural Gas Company (Applicant), 815 Mercer Street, Seattle, Washington 98111, as Project Operator of the Jackson Prairie Storage Project, Lewis County, Washington (Storage Project), filed in Docket No. CP83-182-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the operation of a new Zone 9 in the Storage Project on a permanent basis and the use of a portion of the cushion gas injected in Zone 9 during its development phase as cushion gas in Zone 2 of the Storage Project during each seasonal withdrawal season, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that two storage zones have been developed in the Storage Project, Zone 2 and Zone 9. It is asserted that Zone 2 has been permanently authorized at the following levels of storage and service:

Seasonal working gas: 12,800,000 Mcf
Cushion Gas: 19,450,000 Mcf
Total storage gas: 32,250,000 Mcf
Firm daily delivery rate: 32,000 Mcf
Daily best efforts rate: 71,800 Mcf

Applicant states that pursuant to budget-type certificate authorization issued in Docket No. CP74-177 it has tested and developed Zone 9, a deeper aquifer structure within the geographic confines of the Storage Project. Applicant asserts that the testing has proven the capability of the Zone 9 structure as a storage reservoir but that the storage capacity of Zone 9 is not presently required for the Pacific Northwest markets. It is stated that 2,000,000 Mcf of natural gas has been injected in Zone 9 for testing purposes and that gas is now stored in the zone.

Applicant proposes to reduce the authorized cushion gas in Zone 2 from 19,450,000 Mcf to not less than 19,300,000 Mcf, to certificate Zone 9 as an operational reservoir with 2,000,000 Mcf of cushion gas and to transfer up to 500,000 Mcf of the Zone 9 gas to Zone 2 during each withdrawal season and return it to Zone 9 during each injection season. Applicant asserts that this procedure would maintain the deliverability of Zone 2 during the withdrawal season and allow 150,000 Mcf of currently authorized cushion gas in Zone 2 to be returned to the owners, thus reducing their overall investment in the Storage Project. Applicant states that its proposal would allow Zone 9 to be maintained on a standby basis for future use. Applicant states that under its proposal the Storage Project would be operated as follows:

Seasonal working gas: 12,800,000 Mcf
Cushion gas:
  Zone 2: 19,300,000 Mcf
  Zone 9: 2,000,000 Mcf
Total storage gas: 34,100,000 Mcf
Firm daily delivery rate: 325,000 Mcf
Daily best efforts rate: 71,800 Mcf

Any person desiring to be heard or to make any protest with reference to said application should on or before March 18, 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 herin, 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. 83-5076 Filed 2-28-83; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5453-001]

Appomattox River Water Authority; Surrender of Preliminary Permit

February 24, 1983.

Take notice that the Appomattox River Water Authority, Permittee for the proposed Genito Dam Hydropower Project No. 5453, has requested that its preliminary permit be terminated. The permit was issued on May 6, 1982, and would have expired on April 30, 1985. The project would have been located on the Appomattox River in Amelia, Powhattan, and Cumberland Counties, Virginia.

The Permittee filed its request on January 24, 1983, and the surrender of the preliminary permit for Project No.

5453 is deemed accepted as of the date of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-5177 Filed 2-28-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RA83-6-000]

Champlin Petroleum Co.; Filing of Petition for Review Under 42 U.S.C. 7194

February 24, 1983.

Take notice that Champlin Petroleum Company on February 17, 1983, filed a Petition for Review under 42 U.S.C. 7194(b) from an order of the Secretary of Energy (Secretary).

Copies of the petition for review have been served on the Secretary and all participants in prior proceedings before the Secretary.

Any person who participated in the prior proceedings before the Secretary may be a participant in the proceeding before the Commission without filing a motion to intervene. However, any such person wishing to be a participant must file a notice of participation on or before March 11, 1983, with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. Any other person who was denied the opportunity to participate in the prior proceedings before the Secretary or who is aggrieved or adversely affected by the contested order, and who wishes to be a participant in the Commission proceeding, must file a motion to intervene on or before March 11, 1983, in accordance with the Commission's Rules of Practice and Procedure [18 CFR 385.214 and 385.1005(c)].

A notice of participation or motion to intervene filed with the Commission must also be served on the parties of record in this proceeding and on the Secretary of Energy through the Office of General Counsel, the Assistant General Counsel for Regulatory Litigation, Department of Energy, Room 6H-025, 1000 Independence Avenue SW., Washington, D.C. 20585.

Copies of the petition for review are on file with the Commission and are available for public inspection at Room 1000, 825 North Capitol St., NE., Washington, D.C. 20426.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-5178 Filed 2-28-83; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5942-001]

Fairview Orchards Associates; Surrender of Preliminary Permit

February 24, 1983.

Take notice that Fairview Orchards Associates (Fairview), Permittee for the proposed Big Branch Project No. 5942, has requested that its preliminary permit be terminated. The preliminary permit was issued on June 7, 1982, and would have expired on May 31, 1984. The proposed project would have been located on the Big Branch Stream in the town of Mount Tabor, Rutland County, Vermont. Fairview states that the project is not economically feasible.

Fairview filed its request on February 1, 1983, and the surrender of its permit for Project No. 5942 has been deemed accepted as of the date of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-5179 Filed 2-28-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ES83-31-000]

Indianapolis Power & Light Co.; Application

February 24, 1983.

Notice is hereby given that on February 16, 1983, Indianapolis Power & Light Company (Applicant) filed an application with the Commission seeking authority under Section 204 of the Federal Power Act to issue, from time to time, up to $100,000,000 principal amount of unsecured short-term promissory notes and other short-term obligations with a final maturity date of not later than June 30, 1985.

Any person desiring to be heard or to make protest with reference to said application should on or before March 15, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of §§ 385.211 or 385.214, respectively, of the Commission's Rules of Practice and Procedure. The application is on file with the Commission and available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-5180 Filed 2-28-83; 8:45 am]

BILLING CODE 6717-01-M

Pacific Power & Light Co.; Application

[Docket No. ES83-32-000]

February 24, 1983.

Take notice that on February 16, 1983, Pacific Power & Light Company (Pacific) filed an application with the Federal Energy Regulatory Commission, pursuant to Section 204 of the Federal Power Act, seeking an order: Authorizing it to issue and sell not more than $100,000,000 of its First Mortgage Bonds in a negotiated public offering, and (2) exempting the issuance from competitive bidding pursuant to 18 CFR 34.2(b)(2).

Any person desiring to be heard or to make protest with reference to said application should on or before March 15, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of 18 CFR 385.211 or 385.214, respectively, of the Commission's Rules of Practice and Procedure. The application is on file with the Commission and available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-5181 Filed 2-28-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ES83-30-000]

South Carolina Public Service Authority; Application

February 24, 1983.

Take notice that on February 14, 1983, the South Carolina Public Service Authority (Applicant) filed an application seeking an order authorizing the issuance of up to $60,000,000 in Electric Revenue Notes with a 30 month maturity. The Authority asks, in the alternative, an order dismissing the application for lack of jurisdiction. The notes are to be sold by competitive bid. The proceeds will be used to retire $50,000,000 short-term notes and pay construction costs of Summer Nuclear Station.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with § 385.211 or 385.214 of the Commission's Rules of Practice and Procedure, on or before March 10, 1983. The application is on file with the Commission and is available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-5182 Filed 2-28-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. EL82-19-001]

St. Joe Minerals Corp.; Order on Rehearing

Issued: February 23, 1983.

On January 24, 1983, St. Joe Minerals Corporation (St. Joe) filed a request for rehearing of the Commission's order entered December 23, 1982 (21 FERC ¶ 61,323). In that order the Commission, *inter alia*, denied a request for disclaimer of jurisdiction, but waived certain of its regulations including those pertaining to securities issuances and assumptions of liability, provided that St. Joe provide notice to and seek approval of the Commission prior to undertaking any such actions. St. Joe requests that the Commission relieve St. Joe of the obligation to routinely make requests for approval of the issuance of securities or assumption of liabilities under section 204(a) of the Federal Power Act (FPA) and to routinely make filings of notices of short-term borrowings under section 204(e) of the FPA.

Discussion

St. Joe is a diversified natural resources company whose principal products are lead, gold, silver, zinc, iron ore, oil, gas, and coal. St. Joe owns an electric generating plant as part of its zinc smelter complex at Monaca, Pennsylvania. Due to reduced zinc processing at the smelter, electric energy from the generating plant has become available for sale. This energy from the generating plant has become available for sale. This energy is sold to Duquesne Light Company (Duquesne) and GPU Service Corporation (GPU). The arrangements with Duquesne and GPU are temporary at St. Joe expects to reduce and eventually eliminate sales from its plant as smelting operations expand. The revenues from the sales to Duquesne and GPU represent slightly more than one percent of St. Joe's total revenues.

In support of its request for rehearing, St. Joe asserts that Commission supervision of the company's securities issuances and its assumptions of liability is a pointless burden on both St. Joe and the Commission and does not serve the purposes of section 204. St. Joe indicates that because it is a diversified natural resources company, its filings would relate to the arrangements and financings for exploration, development, extraction, and processing of minerals, both in this country and abroad. Therefore, St. Joe finds it difficult to imagine how the Commission would bring to bear the expertise in financing mineral resource development required to pass on the merits of the applications. Moreover, St. Joe asserts that requiring it to make filings under section 204 does not serve any purpose under the statute. St. Joe notes that the basic concern with overseeing public utility financings is to prevent utilities from getting into financial difficulties which could impair their ability to render jurisdictional services. While St. Joe admits that this is a legitimate concern where jurisdictional electric utilities which have an obligation to serve are concerned, St. Joe asserts that it is not a concern in the case of a jurisidictional industrial company, such as itself, which merely makes temporary convenience sales to a utility.

Under these circumstances, we believe that St. Joe's ability to continue providing the current wholesale service is not the concern towards which the statute was directed. We agree with St. Joe that the purpose of section 204 is to ensure the financial viability of public utilities obligated to serve consumers of electricity.[1] There is no such continuing obligation present here. Rather, we are presented with an industrial company selling excess power as a very small portion of its business to customers who are not dependent upon that service. In addition, the arrangements with Duquesne and GPU are temporary in nature; St. Joe may withdraw its sale of capacity and associated energy to GPU upon one year's notice, and it may terminate its delivery of supplemental energy to GPU upon one year's notice, and it may terminate its delivery of supplemental energy to GPU at any time, in its sole discretion. Furthermore, it is apparent that most, if not all, of St. Joe's securities issuances or assumptions of liability will be undertaken for purposes unrelated to the nominal electric sales subject to our jurisdiction. St. Joe has indicated that the requirement to provide notice and seek Commission approval prior to any security issuance or assumption of liability is a substantial burden and may hinder its non-utility business operations. In light of the general non-utility nature of St. Joe's business and the interruptible and temporary nature of its sales, we propose to grant St. Joe a blanket approval for all future issuances of securities and assumptions of liability provided that such issuances or assumptions are for some lawful object, within the corporate purposes of the applicant, and reasonably necessary or appropriate for such purposes. However, we shall first provide the opportunity for a hearing pursuant to section 204(b) of the FPA, and we shall reserve the right to modify our approval if additional facts to come to light which would make our blanket approval inappropriate.

The Commission orders: (A) St. Joe's request for rehearing of the Commission's order of December 23, 1982, in this docket is hereby granted to the extent discussed above.

(B) Within thirty (30) days of the date of this order, any person desiring to be heard or to protest the Commission's blanket approval of St. Joe's issuances of securities and assumptions of liability 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 and 385.214).

(C) Absent a request for hearing within the period specified in paragraph (B) above, St. Joe is authorized, from the date of this order, to issue securities and assume obligations or liabilities as guarantor, indorser, surety, or otherwise in respect of any security of another person; Provided, That such issue or assumption is for some lawful object, within the corporate purposes of the applicant, and compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

(D) The Commission reserves the right to modify this order and to require a further showing that neither public nor private interests will be adversely affected by the continued Commission approval of St. Joe's issuances of securities and assumptions of liability.

(E) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,
Secretary.

[FR Doc. 83-5183 Filed 2-28-83; 8:45 am]
BILLING CODE 6717-01-M

[1] *See* S. Rep. No. 621, 74th Cong., 1st Sess. 50 (1935).

ENVIRONMENTAL PROTECTION AGENCY

[A-10-FRL 2313-6]

New Source Performance Standards; Subdelegation of Authority to an Oregon Local Agency

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA is today approving a request dated December 13, 1982 from the State of Oregon Department of Environmental Quality for subdelegation to enforce a New Source Performance Standard to the Lange Regional Air Pollution Authority (LRAPA). This subdelegation will amend a April 23, 1982 delegation to LRAPA.

DATE: February 10, 1983.

ADDRESSES: The related material in support of this subdelegation may be examined during normal business hours at the following locations:

Central Docket Section (10A–82–21), West Tower Lobby, Gallery I, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

Air Programs Branch, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101.

State of Oregon, Department of Environmental Quality, 522 S.W. Fifth Avenue, Portland, Oregon 97207.

FOR FURTHER INFORMATION CONTACT: Mark H. Hooper, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101, Telephone: 206/442–1949, FTS: 399–1949.

SUPPLEMENTARY INFORMATION: Pursuant to Section 111(c)(1) of the Clean Air Act, as amended, the Regional Administrator of Region 10, Environmental Protection Agency (EPA), delegated to the State of Oregon Department of Environmental Quality (DEQ) on November 10, 1975 the authority to implement and enforce the program for New Source Performance Standards (NSPS). The delegation was announced in the **Federal Register** on February 20, 1976 (41 FR 7749).

On April 23, 1982, the Regional Administrator concurred in a subdelegation by DEQ to the Lane Regional Air Pollution Authority (LRAPA) for certain subcategories of the NSPS program. On December 13, 1982, DEQ requested approval of an additional subdelegation to LRAPA for Kraft Pulp Mills (section 020(11)) and on February 10, 1983, the Regional Administrator concurred in the following letter:

William H. Young, Director,
Department of Environmental Quality,
P. O. Box 1760,
Portland, Oregon 97504.

Dear Mr. Young: On December 13, 1982 a request to subdelegate enforcement of a New Source Performance Standard (NSPS) to the Lane Regional Air Pollution Control Authority (LRAPA) was received. We have reviewed that request and hereby grant the subdelegation to the LRAPA with the authority to enforce the source category listed in Section 37–020 item 11 (Kraft Pulp Mills).

This delegation is subject to the conditions outlined in the original letter of delegation dated November 10, 1975 and published in the **Federal Register** (40 FR 7749). A Notice announcing this subdelegation will be published in the **Federal Register** in the future.

The Notice will state, among other things, that effective immediately, all reports required pursuant to the Federal NSPS from sources located in the State which were previously to be sent to the Director, State of Oregon Department of Environmental Quality will now be sent to the Director, Lane Regional Air Pollution Authority. However, reports required pursuant to 40 CFR 50.7(c) [excess emissions and malfunctions] will be submitted to the State agency only.

Since this delegation is effective immediately, there is no requirement that the State or local agency notify EPA of its acceptance. Unless EPA receives from the State or local agency written notice of objections within 10 days of the date of receipt of this letter, the State or local agency will be deemed to have accepted all the terms of the subdelegation.

An advance copy of the **Federal Register** is enclosed for your information.

Sincerely,

John R. Spencer,
Regional Administrator.

Enclosure.

P. Wilhite, LRAPA.

J. Herlihy, EPA.

This notice is effective immediately and issued to notify the public that a subdelgation has taken place.

(Sec. 111(c)(1) of the Clean Air Act, as amended (42 US..C. 1857c–7).)

Dated: February 10, 1983.

John R. Spencer,
Regional Administrator.

[FR Doc. 83-5141 Filed 2-28-83; 8:45 am]

BILLING CODE 6560-50-M

[OPTS–53045; BH–FRL 2312–5]

Premanufacture Notices; Monthly Status Report for January 1983

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(d)(3) of the Toxic Substances Control Act (TSCA) requires EPA to issue a list in the **Federal Register** at the beginning of each month reporting the premanufacture notices (PMNs) pending before the Agency and the PMNs for which the review period has expired since publication of the last monthly summary. This is the report for January 1983.

DATE: Written comments are due no later than 30 days before the applicable notice review period ends on the specific chemical substance. Nonconfidential portions of the PMNs may be seen in Rm. E–106 at the address below between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding legal holidays.

ADDRESS: Written comments are to be identified with the document control number "[OPTS–53046]" and the specific PMN number should be sent to: Document Control Officer (TS–793), Management Support Division, Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E–409, 401 M Street SW., Washington, DC 20460, (202–382–3532).

FOR FURTHER INFORMATION CONTACT: Kirk Maconaughey, Chemical Control Division (TS–794), Office of Toxic Substances, Environmental Protection Agency, Rm. E–208, 401 M Street SW., Washington, DC 20460, (202–382–3746).

SUPPLEMENTARY INFORMATION: The monthly status report published in the **Federal Register** as required under section 5(d)(3) of TSCA (90 Stat. 2012 (15 U.S.C. 2504)), will identify: (a) PMNs received during January; (b) PMNs received previously and still under review at the end of January; (c) PMNs for which the notice review period has ended during January; (d) chemical substances for which EPA has received a notice of commencement to manufacture during January; and (e) PMNs for which the review period has been suspended. Therefore, the January 1983 PMN Status Report is being published.

Dated: February 22, 1983.

Woodson W. Bercaw,
Acting Director, Management Support Division.

Premanufacture Notices Monthly Status Report, January 1983

I. 84 Premanufacture Notices Received During the Month

PMN No.	Identity and generic name	FR citation	Expiration date
83-356	Generic name: Substituted 1-aminoanthraquinone-2-sulfonic acid alkali metal salt	48 FR 1820 (1/14/83)	Apr. 2, 1983.
83-357	Generic name: Isocyanate functional polyurethane derived from reaction of diisocyanate, polymeric ether glycols, polymeric aliphatic polyester glycols.	48 FR 1820 (1/14/83)	Do.
83-358	Generic name: Alkoxy amine salt	48 FR 1820 (1/14/83)	Do.
83-359	Generic name: Polyurethane resin	48 FR 1820 (1/14/83)	Do.
83-360	Generic name: Polyester of aliphatic polyols, vegetable oil, and aromatic dibasic acid	48 FR 1820 (1/14/83)	Do.
83-361	Generic name: Fatty acid, phthalic, polyol polymer	48 FR 1820 (1/14/83)	Do.
83-362	Generic name: Vinyl acrylic copolymer	48 FR 1820 (1/14/83)	Do.
83-363	Generic name: Acrylic grafted copolymer	48 FR 1820 (1/14/83)	Do.
83-364	Polymer of 1,1'-methylene-bis(4-isocyanatobenzene); 1,9-nonanedioic acid (azelaic), and 1,4-butanediol.	48 FR 1820 (1/14/83)	Apr. 3, 1983.
83-365	Generic name: Aromatic methylurea	48 FR 3045 (1/24/83)	Apr. 6, 1983.
83-366	An aqueous solution of ammonium acrylate	48 FR 3045 (1/24/83)	Do.
83-367	Generic name: Metal complex substituted aromatic salt	48 FR 3045 (1/24/83)	Apr. 9, 1983.
83-368	Generic name: Disubstituted benzenesulfonic acid alkali metal salt	48 FR 3045 (1/24/83)	Do.
83-369	Generic name: Methyl-methyleneimidazole derivative of methyl-pyrazoloquinazolonazomethylphenylbenzothiazole.	48 FR 3045 (1/24/83)	Do.
83-370	8-acetyl-3-dodecyl-7,7,9,9-tetramethyl-1,3,8-triazaspiro [4,5]decane-2,4-dione	48 FR 3045 (1/24/83)	Do.
83-371	Polymer of: neopentyl glycol, 1,6 hexanediol, trimethylol propane, dimethyl 1,4 cyclohexane dicarboxylate, azelaic acid, isophthalic acid.	48 FR 3045 (1/24/83)	Do.
83-372	Generic name: Metal complexed, substituted aromatic compound	48 FR 3045 (1/24/83)	Do.
83-373	Generic name: Substituted polyurea	48 FR 3046 (1/24/83)	Apr. 10, 1983
83-374	Generic name: Metal complexed substituted aromatic salt	48 FR 3046 (1/24/83)	Do.
83-375	Generic name: Substituted benzene	48 FR 3046 (1/24/83)	Do.
83-376	Spiro[2H-1-benzopyran-2,2'-[2H]]indole, 1',3'-dihydro-1',3',3'-trimethyl-6,8-dinitro	48 FR 3046 (1/24/83)	Do.
83-377	Generic name: Substituted benzene	48 FR 3046 (1/24/83)	Apr. 11, 1983.
83-378	Generic name: Methyl-methyleneimidazole derivative of copper phthalocyanine, compound with acetic acid.	48 FR 3046 (1/24/83)	Do.
83-379	Generic name: Methyl-methyleneimidazole derivative of copper phthalocyanine, compound with methoxy-acetic acid.	48 FR 3046 (1/24/83)	Do.
83-380	Void		
83-381	Void		
83-382	Refer to PMN 83-292		
83-383	Refer to PMN 83-292		
83-384	Refer to PMN 83-292		
83-385	Refer to PMN 83-292		
83-386	Generic name: Disubstituted 4-amino-5-hydroxy-2,7-naphthalenedisulfonic acid, alkali metal salt	48 FR 3046 (1/24/83)	Apr. 12, 1983.
83-387	Isophthalic-phthalic-adipic-benzoic acid-trimethylol propane-neopentyl glycol resin	48 FR 3046 (1/24/83)	Do.
83-388	Tallow-ethylene glycol-pentaerythritol-phthalic-benzoic acid resin	48 FR 3046 (1/24/83)	Do.
83-389	Generic name: ((Substituted heterocycle)azo) substituted aniline, acid salts	48 FR 3046 (1/24/83)	Do.
83-390	Generic name: Polyester-imide resin	48 FR 3047 (1/24/83)	Do.
83-391	Generic name: Disubstituted bis(phenylazo) 4-amino-5-hydroxy-2,7-naphthalenedisulfonic acid, alkali metal salt.	48 FR 3047 (1/24/83)	Do.
83-392	3,5-dinitrosalicyaldehyde	48 FR 3047 (1/24/83)	Do.
83-393	Generic name: Aromatic amine-epoxy resin adduct	48 FR 5304 (2/4/83)	Apr. 16, 1983.
83-394	Generic name: Polyglycidyl amine	48 FR 5304 (2/4/83)	Do.
83-395	Generic name: Modified alkyd polymer from a vegetable oil, carbomonocyclic anhydride, carbomonocyclic acid, a substituted alkane triol, and a substituted alkanoic ester.	48 FR 5304 (2/4/83)	Do.
83-396	Generic name: Methoxy dicyclopentadiene carboxyaldehyde	48 FR 5304 (2/4/83)	Do.
83-397	Generic name: Amine salt of a phosphonic acid	48 FR 5304 (2/4/83)	Do.
83-398	Generic name: Substituted 1,3,4-thiadiazole	48 FR 5304 (2/4/83)	Apr. 17, 1983.
83-399	Polymer of dimethyl ester of 4,4'-(hydroxy-methylene)bis-1,2-benzenedicarboxylic acid with 4,4'-oxydianiline.	48 FR 5304 (2/4/83)	Do.
83-400	Generic name: Copolymer of acrylic and methacrylic monomers	48 FR 5304 (2/4/83)	Do.
83-401	Generic name: Naphthalenetrisulfonic acid, chlorortriazinylamino-methoxymethylphenylazo	48 FR 5304 (2/4/83)	Do.
83-402	Generic name: Poly alkylene oxide-aromatic diisocyanate prepolymer	48 FR 5305 (2/4/83)	Do.
83-403	Generic name: Disazo aromatic compound	48 FR 5305 (2/4/83)	Do.
83-404	Generic name: Unsaturated amide quaternary ammonium polymer	48 FR 5305 (2/4/83)	Apr. 18, 1983.
83-405	Generic name: Polymer of a methacrylate ester, an unsaturated alcohol ester and a maleated diester.	48 FR 5305 (2/4/83)	Do.
83-406	Generic name: Benzenesulfonic acid, aminochlorotriazinyl-aminocarboxychlorophenylpyrazo-lonylazo.	48 FR 5305 (2/4/83)	Do.
83-407	Generic name: Unsaturated ester of a substituted aryl ether polymer	48 FR 5305 (2/4/83)	Do.
83-408	Generic name: Triazine trisisocyanate	48 FR 5305 (2/4/83)	Do.
83-409	Generic name: N,N'-alkylene bis(di-2-ethylhexyl-prosphorodithioyl) alkanamide	48 FR 5305 (2/4/83)	Do.
83-410	Generic name: N,N'-dimethyl alkyl amine salts of mono-and di-2-ethylhexyl hydrogen phosphates	48 FR 5305 (2/4/83)	Do.
83-411	Generic name: C_{12}–C_{14} t-alkylamine salts of alkyl acid phosphates	48 FR 5305 (2/4/83)	Do.
83-412	Generic name: Substituted pyridinium, chloride	48 FR 5305 (2/4/83)	Do.
83-413	Generic name: Modified epoxy polymethacrylate resin	48 FR 5305 (2/4/83)	Do.
83-414	Generic name: Disazo substituted aromatic compound	48 FR 5305 (2/4/83)	Apr. 19, 1983.
83-415	Generic name: Aromatic disazo compound	48 FR 5306 (2/4/83)	Do.
83-416	Generic name: Disazo substituted aromatic compound	48 FR 5306 (2/4/83)	Do.
83-417	Generic name: Alkyldiamine	48 FR 5306 (2/4/83)	Do.
83-418	Generic name: Benzenedisulfonic acid, chlorotriazinyl-amino-dimethylphenylazo-sulfonaphthalene-azo.	48 FR 5036 (2/4/83)	Do.
83-419	Generic name: Naphtholdisulfonic acid, chlorotriazinylamino-sulfophenylazo	48 FR 5306 (2/4/83)	Do.
83-420	Generic name: Acrylic-styrene oligomer	48 FR 5306 (2/4/83)	Do.
83-421	Generic name: Acrylic-styrene oligomer	48 FR 5306 (2/4/83)	Do.
83-422	Generic name: Aromatic polyamic acid	48 FR 5306 (2/4/83)	Do.
83-423	Generic name: Acrylic terpolymer	48 FR 6396 (2/11/83)	Apr. 20, 1983.
83-424	Generic name: Primary hydrogenated alkyl amine and silicone polymer	48 FR 6396 (2/11/83)	Do.
83-425	Polymer of diglycidyl ether cyclohexane, dimethanol, bisphenol A	48 FR 6396 (2/11/83)	Apr. 23, 1983.
83-426	Generic name: Epoxy resin ester	48 FR 6396 (2/11/83)	Do.
83-427	Generic name: Alkyl amino metal carboxylates	48 FR 6396 (2/11/83)	Do.
83-428	Generic name: Bis alkoxy aluminum acetoacetic ester complex	48 FR 6396 (2/11/83)	Apr. 24, 1983.
83-429	Generic name: Thiacarbocyanine hydroxide, anhydrodisulfoalkyl trialkyl compound with trialkyl amine (1:1).	48 FR 6396 (2/11/83)	Do.
83-430	Generic name: Polyester of aliphatic polyols, vegetable oil, and aromatic dibasic acids	48 FR 6396 (2/11/83)	Do.
83-431	Generic name: Polyester of aliphatic polyols, vegetable oil, and aromatic dibasic acids	48 FR 6396 (2/11/83)	Do.

I. 84 PREMANUFACTURE NOTICES RECEIVED DURING THE MONTH—Continued

PMN No.	Identity and generic name	FR citation	Expiration date
83-432	Generic name: Disazo aromatic compound	48 FR 6397 (2/11/83)	Do.
83-433	Generic name: Mono azo aromatic compound	48 FR 6397 (2/11/83)	Do.
83-434	Generic name: Unsaturated aliphatic diether	48 FR 6397 (2/11/83)	Do.
83-435	Generic name: Acrylate of polybutadiene	48 FR 6397 (2/11/83)	Do.
83-436	Generic name: Chloroaromatic compound	48 FR 6397 (2/11/83)	Apr. 25, 1983.
83-437	Generic name: Reaction product of a polyhalogenated anhydride, maleic anhydride, alkylene glycols and amino alcohol.	48 FR 6397 (2/11/83)	Do.
83-438	Generic name: Disubstituted 3-phenylazo-4-amino-5-hydroxy-2,7-naphthalenedisulfonic acid, alkali metal salt.	48 FR 6397 (2/11/83)	Do.
83-439	2,2-dimethyl-1,3-propanediol, polymer with 2,2'-oxybis (ethanol), 2-ethyl-2-hydroxy-methyl-1,3-propanediol and 1,3-isobenzofurandione.	48 FR 6397 (2/11/83)	Apr. 26, 1983.
83-440	Generic name: Methacrylate of polybutadiene	48 FR 6397 (2/11/83)	Apr. 24, 1983.
83-441	Generic name: Methyl acrylate, ethyl acrylate, acrylamide	48 FR 6397 (2/11/83)	Apr. 26, 1983.
83-442	Generic name: Vegetable fatty acids; benzene carboxylic acid; hydroxymethyl alkanepolyol polymer.	48 FR 6588 (2/14/83)	Apr. 27, 1983.
83-443	Generic name: Alkanediol dimethylalkanediol; alkanedioic acid; substituted alkanoic acid; benzenedicarboxylic acid polymer.	48 FR 6588 (2/14/83)	Do.
83-444	Generic name: Alkanediol dimethylalkanediol; alkanedioic acid; substituted alkanoic acid; benzenedicarboxylic acid polymer.	48 FR 6588 (2/14/83)	Do.
83-445	Generic name: Modified sodium polyacrylate	48 FR 6588 (2/14/83)	Apr. 30, 1983.

II. 92 Premanufacture Notices Received Previously and Still Under Review at the end of the Month.

PMN No.	Identity/generic name	FR citation	Expiration date
83-264	Condensaion polymer of ethyl acrylate and ethanol amine	47 FR 55423 (12/9/82)	Mar. 1, 1983.
83-265	Generic name: Substituted alkly polyalkylene oxy quasternary ammonium chloride compound	47 FR 55423 (12/9/82)	Do.
83-266	Generic name: Poly(oxyalkyl disubstituted silane) alkyl, alkoxy-terminated, polymer with titanium alkoxide.	47 FR 57333 (12/23/82)	Mar. 2, 1983.
83-267	Generic name: Polyester from carbomonocyclic anhydrides and substituted alkanediols	47 FR 57333 (12/23/82)	Do.
83-268	Generic name: Azobis-(nitrosulfophenyl-alkyl-sulfobenzene) compound with oxyalkylamine	47 FR 57333 (12/23/82)	Do.
83-269	Generic name: Substituted naphthalenylazo naphthalenedisulfonic acid salt	47 FR 57333 (12/23/82)	Do.
83-270	Generic name: Tetra(substituted sulfonic acid) derivative of transition metal—arylcyanine complex	47 FR 57333 (12/23/82)	Do.
83-271	Generic name: Hydrocarbon complex with platinum halide	47 FR 57333 (12/23/82)	Do.
83-272	Generic name: Substituted pyridine	47 FR 57333 (12/23/82)	Do.
83-273	Generic name: Blocked isocyanate	47 FR 57333 (12/23/82)	Mar. 5, 1983.
83-274	Generic name: Polymer of alkane polyols, alkanedioic acids and aromatic polyacid	47 FR 57333 (12/23/82)	Do.
83-275	Generic name: Modified polyisocyanate	47 FR 57333 (12/23/82)	Do.
83-276	Generic name: Modified polyisocyanate	47 FR 57333 (12/23/82)	Do.
83-277	2-Oxepanone, polymer with 2,2'-[(oxybismethylene)] bis[2-(hydroxymethyl)-1,3-propanediol	47 FR 57333 (12/23/82)	Do.
83-278	2-Oxepanone, polymer with 2,2-bis[(3-hydroxy-2, 2-bis(hydroxymethyl)propoxy]methyl)-1,3-propanediol.	47 FR 57333 (12/23/82)	Do.
83-279	Generic name: Chlorinated, oleated, hydrocarbon polymer	47 FR 57334 (12/23/82)	Do.
83-280	Generic name: 2-Anthracenesulfonic acid, 1-amino-9,10-dihydro-9,10-dioxo-4-[(substituted phenyl)amino]-.	47 FR 57334 (12/23/82)	Mar. 6, 1983.
83-281	Generic name: Benzenesulfonamide salt	47 FR 57334 (12/23/82)	Do.
83-282	Generic name: Polyester based complex alkanediol	47 FR 57334 (12/23/82)	Do.
83-283	Generic name: Substituted cyclosiloxane	47 FR 57334 (12/23/82)	Do.
83-284	Generic name: Polyester polyol	47 FR 57334 (12/23/82)	Do.
83-285	Generic name: Phosphate ester	47 FR 57334 (12/23/82)	Do.
83-286	Generic name: 1,1-dimethyl ethyl peroxyester	47 FR 57334 (12/23/82)	Do.
83-287	Generic name: 1,1-dimethylpropyl peroxyester	47 FR 57334 (12/23/82)	Do.
83-288	Generic name: 1-methyl-1-phenyl ethyl peroxyester	47 FR 57334 (12/23/82)	Do.
83-289	Copolymer from acrylonitrile, styrene and p-isopropenylphenol	47 FR 57334 (12/23/82)	Do.
83-290	Generic name: Asphalt styrenated resin	47 FR 57334 (12/23/82)	Do.
83-291	Generic name: Vinylic copolymer	47 FR 57334 (12/23/82)	Do.
83-292	Generic name: N-substituted-N-mixed alkoxypropylmalearninic acid derivatives	47 FR 57334 (12/23/82)	Do.
83-293	Hydrogenated acrylonitrile—butadiene copolymer (H-NBR)	47 FR 57335 (12/23/82)	Mar. 7, 1983.
83-294	Generic name: Organophosphorus compound	47 FR 57335 (12/23/82)	Do.
83-295	Generic name: Organosulfur compound	47 FR 57335 (12/23/82)	Do.
83-296	Generic name: Rosin metallic salt	47 FR 57335 (12/23/82)	Mar. 8, 1983.
83-297	Generic name: (Substituted) anthracenylimino-(substituted) carbomonocyclic acid alkylamine	47 FR 57335 (12/23/82)	Do.
83-298	Generic name: Toluene alkylate	47 FR 57336 (12/23/82)	Mar. 9, 1983.
83-299	Generic name: Toluene alkylate	47 FR 57336 (12/23/82)	Do.
83-300	Generic name: Dialkyl benzene	47 FR 57336 (12/23/82)	Do.
83-301	Generic name: Dialkyl benzene	47 FR 57336 (12/23/82)	Do.
83-302	Generic name: Alkyl benzene	47 FR 57336 (12/23/82)	Do.
83-303	Polymer of: trimethyl pentane diol, adipic acid and phthalic anhydride	47 FR 57336 (12/23/82)	Do.
83-304	Bis (benzyl-thioureidoethyl)-dithio carbamic acid-s-propoylester- -sulfonic acid sodium	47 FR 57336 (12/23/82)	Do.
83-305	Generic name: Urethane polyester prepolymer acrylate capped	47 FR 57337 (12/23/82)	Do.
83-306	Generic name: Poly alkyl benzene sulfonate	47 FR 57337 (12/23/82)	Do.
83-307	Generic name: Poly alkyl benzene sulfonate	47 FR 57337 (12/23/82)	Do.
83-308	Generic name: Poly alkyl benzene sulfonate	47 FR 57337 (12/23/82)	Do.
83-309	Generic name: Poly alkyl benzene sulfonate	47 FR 57337 (12/23/82)	Do.
83-310	Generic name: Benzene alkyl sulfonate	47 FR 57337 (12/23/82)	Do.
83-311	3-dimethylureidylmethyl-3,5,5-trimethylcyclohexyl dimethyl urea	47 FR 57337 (12/23/82)	Mar. 12, 1983.
83-312	Generic name: Aromatic aliphatic branched polyester resin	47 FR 57337 (12/23/82)	Mar. 13, 1983.
83-313	Generic name: Polymer of alkane polyols, alkane dioic acid and aromatic acid	47 FR 57337 (12/23/82)	Do.
83-314	Generic name: Ester of aromatic acids and aliphatic polyols	47 FR 57337 (12/23/82)	Do.
83-315	Generic name: 2-substituted propanoic acid	47 FR 57337 (12/23/82)	Do.
83-316	Generic name: Modified ethylene-chlorotrifluoroethylene polymer	47 FR 57337 (12/23/82)	Do.
83-317	Generic name: Modified polyester polyurethane from substituted alkanediols, alkandioic acid and a diisocyanate.	47 FR 57338 (12/23/82)	Mar. 14, 1983.
83-318	Generic name: Acrylic copolymer of styrene and methacrylate monomers	47 FR 57338 (12/23/82)	Mar. 15, 1983.
83-319	Generic name: Modified alkyd polymer from mixed fatty oils, carbomonocyclic anhydride, carbomonocyclic acid and a substituted alkane diol.	47 FR 57338 (12/23/82)	Do.

PMN No.	Identity/generic name	FR citation	Expiration date
83-320	Generic name: Polymeric acrylate	47 FR 57338 (12/23/82)	Do.
83-321	Generic name: Mixed glycol oligoesters of mixed dicarboxylic acids	48 FR 72 (1/3/83)	Mar. 16, 1983.
83-322	Generic name: Polyester of aliphatic polyol, mono basic acids and aromatic diacids	48 FR 72 (1/3/83)	Do.
83-323	Generic name: Polyester of aliphatic polyols, vegetable oil, and aromatic dibasic acid	48 FR 72 (1/3/83)	Do.
83-324	Generic name: Modified bisphenol A, epichlorohydrin polymer	48 FR 72 (1/3/83)	Do.
83-325	Generic name: Polyester polyurethane from carbomonocyclic anhydride, alkanediols and diisocyanates.	48 FR 72 (1/3/83)	Do.
83-326	Generic name: Functionalized acrylic polymer	48 FR 72 (1/3/83)	Do.
83-327	Generic name: Blocked isocyanate	48 FR 72 (1/3/83)	Do.
83-328	Generic name: Modified copolymer of alkenoic esters and substituted alkenoic esters with styrene	48 FR 72 (1/3/83)	Mar. 18, 1983.
83-329	Generic name: Substituted phenyl, azo substituted naphthalenedisulfonic acid, sodium salt	48 FR 72 (1/3/83)	Do.
83-330	Generic name: Substituted phenate	47 FR 73 (1/3/83)	Do.
83-331	Generic name: Bis-alkylated phenol	48 FR 73 (1/3/83)	Do.
83-332	Generic name: Aromatic alkyd—silicone modified	48 FR 73 (1/3/83)	Do.
83-333	Generic name: Reaction product of polycyclo-sulfonic acid salt with phosphorus halide/halogen, subsequent reaction with an amine, subsequent reaction with an aldehyde/sodium bisulfite alkali.	48 FR 73 (1/3/83)	Mar. 19, 1983.
83-334	Generic name: Polymer of alkane polyols, alkanedioic acid, and aromatic diacid	48 FR 73 (1/3/83)	Do.
83-335	Generic name: ((Substituted phenyl)azo) naphthalenesulfonic acid, sodiumm salt	48 FR 73 (1/3/83)	Do.
83-336	Methanesulfonic acid, tin (2+) salt	48 FR 73 (1/3/83)	Do.
83-337	Methanesulfonic acid, lead (2+) salt	48 FR 73 (1/3/83)	Do.
83-338	Generic name: Substituted-1,8-triphenodioxazine-disulfonic acid, sodium salt	48 FR 862 (1/7/83)	Mar. 26, 1983.
83-339	Generic name: 5-[4-chloro-6-[3-[2-(hydroxysulfonyloxy)ethylsulfonyl]anilino]-1,3,5-triazin-2-ylamino]-3-[1,5-disulfo-2-naphthyl-azo)-4-hydroxy-2,7-naphthalenedisulfonic acid, pentasodium salt.	48 FR 862 (1/7/83)	Do.
83-340	Generic name: 3-[4-[4-[4-chloro-6-[3-[2-(hydroxysulfonyloxy)ethylsulfonyl]anilino]-1,3,5-triazin-2-ylamino]-5-sulfonaphthylazo-6-sulfonaphthylazo],1,5-naphthalenedisulfonic acid pentasodium salt.	48 FR 862 (1/7/83)	Do.
83-341	Generic name: 7-[4-[4-chloro-6-[3-[2-(hydroxysulfonyloxy)ethylsulfonyl]anilino]-1,3,5-triazin-2-ylamino]-2-ureidophenylazo]-1,3,6-naphthalenetrisulfonic acid, tetrasodium salt.	48 FR 862 (1/7/83)	Do.
83-342	Generic name: 3-[5-[4-chloro-6-[3-[2-(hydroxysulfonyloxy)ethylsulfonyl]anilino]-1,3,5-triazin-2-ylamino]-2-sulfophenylazo]-4-hydroxy-5-propionylamino-2,7-naphthalenedisulfonic acid tetrasodium salt.	48 FR 862 (1/7/83)	Do.
83-343	Generic name: 4-amino-6-[5-[4-chloro-[3-[2(hydroxysulfonyloxy)ethylsulfonyl]anilino]1,3,5-triazin-2-ylamino]-2-sulfophenylazo]-5-hydroxy-3-(4-sulfophenylazo]-2,7-naphthalenedisulfonic acid, pentasodium salt.	48 FR 862 (1/7/83)	Do.
83-344	Generic name: Mercapto-substituted, heterocyclic nitrogen compound	48 FR 862 (1/7/83)	Do.
83-345	Generic name: Alkyl thiocyanate	48 FR 862 (1/7/83)	Do.
83-346	Polymer of 2-propenoic acid, 2-methyl-, methyl ester and 1,3-butyleneglycol diacrylate	48 FR 862 (1/7/83)	Do.
83-347	Partially hydrogenated polybenzylated toluene	48 FR 862 (1/7/83)	Mar. 27, 1983.
83-348	Polybenzylated toluene	48 FR 862 (1/7/83)	Do.
83-349	Generic name: Poly polymethacrylate	48 FR 862 (1/7/83)	Do.
83-350	2-propoxyethyl acetate	48 FR 862 (1/7/82)	Mar. 28, 1983.
83-351	Polymer of trimethylol propane, ethylene glycol, adipic acid, phthalic anhydride	48 FR 1819 (1/14/83)	Mar. 29, 1983.
83-352	Generic name: Aliphatic secondary naphthalene	48 FR 1819 (1/14/83)	Do.
83-353	Generic name: Aliphatic secondary naphthalene	48 FR 1819 (1/14/83)	Do.
83-354	Generic name: Aliphatic bis(secondary naphthalene amine)	48 FR 1819 (1/14/83)	Do.
83-355	Generic name: Substituted aromatic secondary naphthalene amine	48 FR 1820 (1/14/83)	Do.

III. 86 Premanufacture Notices for Which the Notice Review Period has Ended During the Month. (Expiration of the Notice Review Period Does Not Signify That the Chemical Had Been Added to the Inventory)

PMN No.	Identity/generic name	FR citation	Expiration date
82-432	Reaction mixture containing: isobornyl acetylacetate, isobornyl acetate and ethylacetylacetate	47 FR 27610 (6/25/82)	Jan. 24, 1983.
82-676	Generic name: Heterocyclic, aromatic methane	47 FR 43161 (9/30/82)	Jan. 5, 1983.
82-684	Generic name: Halogenated hydrocarbon	47 FR 43161 (9/30/82)	Jan. 19, 1983.
83-8	Generic name: Substituted alkylsulfonic acid	47 FR 46372 (10/18/82)	Jan. 1, 1983.
83-9	Generic name: Substituted alkyl polysulfide	47 FR 46372 (10/18/82)	Do.
83-10	Generic name: Substituted urea	47 FR 46372 (10/18/82)	Do.
83-11	Oxirane [(phenyl methoxy)methyl]-	47 FR 46372 (10/18/82)	Jan. 13, 1983.
83-12	Generic name: 2,7-Naphthalenedisulfonic acid, 4-amino-3-[[4-[[4-[(2,4-diamino-5-methyl phenyl)azo]phenyl]substituted]phenyl]azo]azo]-5-hydroxy-6-(substituted phenyl)azo-, sodium salt.	47 FR 46372 (10/18/82)	Jan. 2, 1983.
83-13	Generic name: Amine modified dimethylpolysiloxane	47 FR 46372 (10/18/82)	Do.
83-14	Generic name: Metal salt of sulfur analog of hydroxy-alkyl carbonic acid	47 FR 46372 (10/18/82)	Do.
83-15	Generic name: Polymer of methacrylic acid derivatives, a substituted alkane and vinylaromatic compound.	47 FR 46372 (10/18/82)	Do.
83-16	Generic name: Polymer of acrylate and methacylate monomers and vinyl aromaticcompounds	47 FR 46372 (10/18/82)	Do.
83-17	Generic name: Fatty acids, substituted aromatic esters, alkali metal salts	47 FR 47372 (10/18/82)	Do.
83-18	Generic name: Di(disubstitutednaphthyl)polyheterocycle	47 FR 46372 (10/18/82)	Do.
83-19	Generic name: Substituted benzoic acid	47 FR 46373 (10/18/82)	Do.
83-20	Generic name: Substituted phenoxy toluene	47 FR 46373 10(18//82)	Do.
83-21	Generic name: Trisubstituted azo naphthodisulfonic acid	47 FR 46373 (10/18/82)	Jan. 3, 1983
83-22	Generic name: Pentasubstituted pentanamide	47 FR 46373 (10/18/82)	Do.
83-26	Antimony thioantimonate	47 FR 47067 (10/22/82)	Jan. 5, 1983
83-27	Tetra (oxy-1,2-ethanediyl), alfa-(carboxymethyl)-omega-hydroxy-C_{12-15} alkyl ethers	47 FR 47067 (10/22/82)	Do.
83-28	Oxiranemethanamine, N-[3-(oxiranylmethoxy)phenyl]-N-(oxiranylmethyl)	47 FR 47067 (10/22/82)	Jan. 9, 1983.
83-29	Generic name: Alkyldiarylphosphine	47 FR 47067 (10/22/82)	Do.
83-30	Generic name: Disubstituted naphthalene	47 FR 47067 (10/22/82)	Do.
83-31	Generic name: Amine acid salt	47 FR 47067 (10/22/82)	Jan. 10, 1983.
83-32	Generic name: Modified polyester polyurethane from substituted alkanediols, alkanedioic acid and a diisocyanate.	47 FR 47067 (10/22/82)	Do.
83-33	1,2,3,-propanetricarboxylic acid, 2 hydroxy, esters with high boiling C_6-C_{30} alkane hydroformylation products.	47 FR 47067 (10/22/82)	Do.
83-34	Generic name: Fatty acids, linseed oil glycidyl ester	47 FR 47067 (10/22/82)	Do.
83-39	Generic name: Polyalkyl substituted unsaturated bicyclic tertiary alcohol	47 FR 47068 (10/22/82)	Jan. 11, 1983.
83-40	Generic name: Polyalkyl cycloalkenone	47 FR 47068 (10/22/82)	Do.
83-41	Generic name: Polyalkyl substituted unsaturated bicyclic ketone	47 FR 47068 (10/22/82)	Do.
83-42	Generic name: Polyalkyl substituted unsaturated,bicyclic keto diol, alkancic acid ester	47 FR 47068 (10/22/82)	Do.

PMN No.	Identity/generic name	FR citation	Expiration date
83-43	Generic name: Polyalkyl unsaturated tricyclic diketone	47 FR 47068 (10/22/82)	Do.
83-44	Polymer of 2-propenoic acid, 2-methyl-, 2-[[(perfluoroalkyl)sulfonyl]methyl]amino]ethyl ester with butyl methacrylate and lauryl methacrylate.	47 FR 47068 (10/22/82)	Do.
83-45	Propionic acid, zirconium salt	47 FR 49072 (10/29/82)	Jan. 12, 1983.
83-46	Not a PMN under Section 5 of TSCA		
83-47	Generic name: Polymer of acrylic acid and acrylic esters	47 FR 49073 (10/29/82)	Do.
83-48	Generic name: Polymer of aliphatic and aromatic diacids, ester and an aliphatic diol	47 FR 49073 (10/29/82)	Do.
83-50	Polymer of: isophorone diisocyanate, 2-hydroxy ethyl acrylate, silicone fluid	47 FR 49073 (10/29/82)	Jan. 15, 1983.
83-51	Generic name: Alkoxylated alkyl amine	47 FR 49073 (10/29/82)	Do.
83-52	Reaction product of N, N' 2-tris(6-isocyanatohexyl) imidodicarbonic diamide with 3-(trimethoxysilyl)-1-propanethiol.	47 FR 49073 (10/29/82)	Do.
83-53	Generic name: Cobalt complex of substituted phenolazophenylacetacetamide	47 FR 49073 (10/29/82)	Jan. 16, 1983.
83-54	Generic name: Iron complex of substituted phenolazoresorcinol	47 FR 49073 (10/29/82)	Do.
83-55	Generic name: Substituted alkanediol	47 FR 49073 (10/29/82)	Do.
83-56	Generic name: Substituted acetoxyhexahydroindene	47 FR 49073 (10/29/82)	Jan. 17, 1983.
83-57	Generic name: Polymer of isophorone diisocyanate, polyhydroxyalkane, and an alkylalkanoate	47 FR 49073 (10/29/82)	Do.
83-58	Generic name: Bis[((substituted pyrazolyl)azo)substituted phenol)metallate and bis[((substituted pyrazolyl)azo)substituted phenol)metallate, inorganic salts.	47 FR 49073 (10/29/82)	Do.
83-59	Generic name: Acrylic acid, polymer with vinyl acetate, acrylate esters and substituted ethylene	47 FR 49074 (10/29/82)	Do.
83-60	Generic name: Metal complex of methyl-substituted-((substituted-hydroxyphenyl)azo)-oxo-dihydro-1H-pyrazole and substituted-((naphthyl)azo)-2-naphthol, and metal complex of methyl-substituted-((substituted-hydroxyhenyl)azo)-oxo-dihydro-1H-pyrazole and substituted-((naphthyl)azo)-2-naphthol, inorganic salts.	47 FR 49074 (10/29/82)	Do.
83-61	Generic name: Disubstituted benzothiazole	47 FR 49074 (10/29/82)	Jan. 18, 1983.
83-62	Generic name: Disubstituted benzothiazole salt	47 FR 49074 (10/29/82)	Do.
83-63	Generic name: Succinate ester amide	47 FR 50338 (11/5/82)	Jan. 19, 1983.
83-64	Oxo alcohol (high boilers), ethoxylated alcohol ester of citric acid	47 FR 50338 (11/5/82)	Do.
83-65	Generic name: Polymer of disubstituted propenoates	47 FR 50338 (11/5/82)	Do.
83-66	Generic name: Polymer of disubstituted propenoates	47 FR 50338 (11/5/82)	Do.
83-67	Generic name: Substituted thionocarbamate	47 FR 50338 (11/5/82)	Do.
83-68	Generic name: Alkylated isopropylbenzene	47 FR 50339 (11/5/82)	Do.
83-69	Generic name: Mixed C_{31} dicarboxylic amino alkyl amines	47 FR 50339 (11/5/82)	Do.
83-70	Generic name: Benzenedicarboxylic acid saturated mixed glycols copolyester	47 FR 50339 (11/5/82)	Do.
83-71	2-propenoic acid, 2 methyl-, octahydro-2,5-methane-2H-indeneone[1,2-(b)]oxiren-3(or 4)-yl ester	47 FR 50339 (11/5/82)	Do.
83-72	Generic name: Benzoquinolinyl-sulfoindenedione	47 FR 50339 (11/5/82)	Jan. 23, 1983.
83-73	Generic name: Polymer from PMDA and diamines	47 FR 50339 (11/5/82)	Jan. 24, 1983.
83-74	Generic name: Polymer of styrene, alkyl acrylates and substituted alkyl methacrylates	47 FR 50339 (11/5/82)	Jan. 23, 1983.
83-75	Generic name: Sodium 2-substituted propanoate	47 FR 50339 (11/5/82)	Jan. 24, 1983.
83-76	Incomplete		
83-77	Generic name: Bis[((substituted propanyl)azo)substituted phenol(metallate, plus bis[((substituted propanyl)azo)substituted phenol)metallate, inorganic salts.	47 FR 52220 (11/19/82)	Jan. 26, 1983.
83-78	Generic name: Metal complex of ((substituted phenyl)azo) substituted phenol and ((aryl)azo)substituted phenol plus metal complex of ((substituted phenyl)azo)substituted phenol and ((aryl)azo)substituted phenol, inorganic salts.	47 FR 52220 (11/19/82)	Do.
83-79	Generic name: Metal complex of ((substituted Phenyl)azo)naphthol and ((substituted naphthyl)azo)naphthol plus metal complex of ((substituted phenyl)azo)naphthol and ((substituted naphthyl)azo)naphthol, inorganic salts.	47 FR 52221 (11/19/82)	Do.
83-80	Generic name: Bis[((aryl)azo)substituted phenol)metallate plus bis[((aryl)azo)substituted phenol)metallate, inorganic salts.	47 FR 52221 (11/19/82)	Do.
83-81	Generic name: Metal complex of ((substituted phenyl)azo)-substituted phenol and ((substituted pyrazolyl)azo)-substituted-benzenesulfonic acid plus metal complex of ((substituted phenyl)azo)-substituted phenol and ((substituted pyrazolyl)azo)-substituted-benzenesulfonic acid, inorganic salts.	47 FR 52221 (11/19/82)	Do.
83-82	Generic name: Bis[[(substituted pyrazolyl)azo)benzoic acid)metallate plus bis[((substituted pyrazolyl)azo)benzoic acid)metallate, inorganic salts.	47 FR 52221 (11/19/82)	Do.
83-83	Generic name: Bis[((substituted aryl)azo)-substituted phenol)metallate and bis[((substituted aryl)azo)-substituted phenol)metallate, inorganic salts.	47 FR 52220 (11/19/82)	Do.
83-84	Generic name: Bis[((aryl)azo)-substituted phenol)metallate and bis[((aryl)azo)-substituted phenol)metallate, inorganic salts.	47 FR 52221 (11/19/82)	Do.
83-85	Generic name: Bis[((substituted aryl)azo)-substituted phenol)metallate, and bis[((substituted aryl)azo)-substituted phenol)metallate, inorganic salts.	47 FR 52221 (11/19/82)	Do.
83-86	Generic name: Mercaptoalkylsilane	47 FR 52221 (11/19/82)	Do.
83-87	Generic name: Siloxanes and silicones, dimethyl, dimethyl, methyl(mercapto-alkyl), trimethyl end blocked.	47 FR 52221 (11/19/82)	Do.
83-88	Generic name: Dimer fatty acids monocarboxylic acids, and diamines polymer	47 FR 52221 (11/19/82)	Jan. 29, 1983.
83-89	Generic name: Dimer fatty acids monocarboxylic acid, polycarboxylic acid, diamines polymer, modified with an acrylic acid copolymer.	47 FR 52221 (11/19/82)	Do.
83-90	Generic name: Polymer of polysubstituted alkyl acrylates	47 FR 52221 (11/19/82)	Do.
83-91	Generic name: Polymer of tall oil rosin, gum rosin, paraformaldehyde, calcium hydroxide, and phenol.	47 FR 52222 (11/19/82)	Do.
83-92	Generic name: Reaction product of a polyhalogenated anhydride, maleic anhydride and alkylene glycols.	47 FR 52222 (11/19/82)	Jan. 30, 1983.
83-93	Generic name: Polyester polycarboxylate salt	47 FR 52222 (11/19/82)	Do.
83-94	Generic name: Alkyl substituted salicylaldehyde	47 FR 52222 (11/19/82)	Do.
83-95	Generic name: Trisubstituted benzothiazole salt	47 FR 52222 (11/19/82)	Do.
83-96	Generic name: ((Substituted phenyl)azo)benzenesulfonic acid, aminium salt	47 FR 52222 (11/19/82)	Do.
83-97	Generic name: Thermoplastic polyurethane resin	47 FR 52222 (11/19/82)	Jan. 31, 1983.
83-98	Generic name: N-(trimethylcarbomonocycle)isopentanol	47 FR 52222 (11/19/82)	Do.
83-99	Generic name: Sulfonated phenol formaldehyde condensation polymer	47 FR 52222 (11/19/82)	Do.

IV. 32 Chemical Substances for Which EPA Has Received Notices of Commencement to Manufacture

PMN No.	Chemical identification	FR citation	Date of commencement
81-93	Generic name: Acrylic alkenyl ester polymer	46 FR 19314 (3/30/81)	Jan. 3, 1983.
81-187	Generic name: Cycloaliphatic polyester modified with a polyether glycol	46 FR 28004 (5/22/81)	Jan. 4, 1983.
[1]81-271	Azacyclotridecan-2-one, polymer with hexahydro-2H-azepin-2-one, block copolymer with poly [oxy(methyl-1,2-ethanediyl), alpha-hydro-omega-hydroxy-, copolymer.	46 FR 35347 (7/8/81)	Aug. 1982.

PMN No.	Chemical identification	FR citation	Date of commencement
81-397	Benzenesulfonic acid, 4-(2-[(4-((2-sulfooxyethyl)sulfonyl)2,6-dimethoxyhenyl)azo]aceto-acetamido)-2-methyl-5-methoxy-.	46 FR 44050 (9/2/81)	Dec. 1, 1982.
81-423	Generic name: Alkylenesuccinic acid, monoester	46 FR 45999 (9/16/81)	Oct. 17, 1982.
81-427	Generic name: Epoxidized glyceride polyocy-ethylene ether	46 FR 45808 (9/15/81)	Dec. 15, 1982.
81-522	Generic name: Substituted pyridine	46 FR 52225 (10/26/81)	Jan. 15, 1983.
81-616	1,7-naphthalenedisulfonic acid, 4-benzamido-5-hydroxy-6-([2-sulfooxyethyl)sulfonyl)-1-sulfonaptha-len-2-yl)azo)-, tetrazodium salt.	46 FR 60498 (12/10/81)	Aug. 1982.
82-31	Generic name: Quarternary, ammonium compound	47 FR 3592 (1/26/82)	Dec. 8, 1982.
82-140	Generic name: Oxirane (chloromethyl) polymer with 2-(substituted) ethyl amine fractionation forecuts, methyl oxirane and oxirane.	47 FR 10073 (3/9/82)	Jan. 1983.
82-144	Generic name: Heterocyclic-alkoxyphenyl azo substance	47 FR 10074 (3/9/82)	Aug. 2, 1982.
82-265	4,4'-bis(2,5-dimethylstyryl)-diphenyl	47 FR 16405 (4/16/82)	Sept. 24, 1982.
82-282	Generic name: Polyhalogenated aromatic poly-acrylate	47 FR 17667 (4/23/82)	Nov. 1982.
82-326	Generic name: Substituted pyridine	47 FR 20853 (5/14/82)	Jan. 25, 1983.
82-411	Generic name: Mixed metal hydroxide	47 FR 25403 (6/11/82)	Jan. 15, 1983.
82-447	Generic name: Substituted imidazolidinone	47 FR 28994 (7/2/82)	Sept. 17, 1982.
82-478	Generic name: Calcium salt of a substituted amino acid	47 FR 30104 (7/12/82)	Sept. 30, 1982.
82-509	Generic name: Alkane diol	47 FR 33236 (7/30/82)	Dec. 14, 1982.
82-510	Generic name: Polyether urethane	47 FR 33236 (7/30/82)	Do.
82-592	Generic name: Polyester polymer	47 FR 39243 (9/7/82)	Feb. 7, 1983.
82-593	Generic name: Polymer of alkyl and substituted alkyl acrylates	47 FR 39243 (9/7/82)	Do.
82-644	Generic name: Alkylene ether diol	47 FR 41166 (9/7/82)	Dec. 14, 1982.
82-691	Generic name: Ethylene interpolymer	47 FR 44608 (10/8/82)	Jan. 3, 1983.
82-703	Generic name: Reaction product of coco glycerides, sulfur, and polyalkylene-substituted phenol condensation product with aldehyde and mixed amines.	47 FR 44609 (10/8/82)	Dec. 27, 1982.
82-704	Generic name: Reaction product of carboxylic acid, sulfur, and polyalkylene-substituted phenol condensation product with aldehyde and mixed amines.	47 FR 44609 (10/8/82)	Do.
82-708	Generic name: Ester of diazo-napthoquinone	47 FR 44609 (10/8/82)	Mar. 1, 1983.
82-709	Generic name: Dibasic acid ester of monohydric alcohols	47 FR 44610 (10/8/82)	Dec. 29, 1982.
83-8	Generic name: Substituted alkylsulfonic acid	47 FR 46372 (10/18/82)	Jan. 5, 1983.
83-9	Generic name: Substituted alkyl poly sulfide	47 FR 46372 (10/18/82)	Do.
83-19	Generic name: Substituted benzoic acid	47 FR 46373 (10/18/82)	Jan. 10, 1983.
83-20	Generic name: Substituted phenoxy toluene	47 FR 46373 (10/18/82)	Do.
83-44	Polymer of 2-propenoic acid, 2-methyl-, 2-[[(perfluoroalkyl)sulfonyl]methylamino] ethyl ester with butyl methacrylate and lauryl methacrylate.	47 FR 47063 (10/22/82)	Jan. 12, 1983.

[1] 81-271 was published incorrectly as 82-271 in the August 1982 Monthly Report.

V. 27 Premanufacture Notices for Which the Review Period Has Been Suspended

PMN No.	Identity/generic name	FR citation	Date suspended
80-137	Benzeneamine, 4,4'-methylene bis [*N*-(1-methyl-butylidene)	45 FR 48243 (7/18/80)	Sept. 22, 1980.
80-138	Benzeneamine, 4,4'-methylene bis [*N*-(1-methyl-butylidene)	45 FR 48243 (7/18/80)	Do.
80-146	Phosphorodithioic acid *O,O'*-di(isohexyl, isoheptyl, isooctyl, isononyl, isodecyl) mixed esters, zinc, salt.	45 FR 49153 (7/23/80)	Sept. 17, 1980.
80-147	Phosphorodithioic acid *O,O'*-di(isohexyl, isoheptyl, isooctyl, isononyl, isodecyl) mixed esters	45 FR 49153 (7/23/80)	Do.
80-264	Generic name: Benzeneamine, [*N*-(1-methylhexylidene)-*N*-(1-methyl butylidene)-4,4'-methylene bis].	45 FR 73127 (11/4/80)	Dec. 24, 1980.
81-556	4-hydroxy-3-(5-(2-hydroxysulfonyloxy) ethylsulfonyl)-2-methoxyphenylazo)-7-succinyl-amino-2-naphthalenesulfonic acid disodium salt.	46 FR 55146 (11/6/81)	Jan. 27, 1982.
81-561	4-[4-[2-(hydroxysulfonyoxy)ethylsulfonyl)-5-methyl-2-methoxyphenylazo]-3-methyl-1-(3-sulfophenyl)-5-pyrazolone disodium salt.	46 FR 55146 (11/6/81)	Do.
81-660	4-hydroxy-3-(2-methoxy-5-methyl-4-(2-(hydroxysulfonyloxy)ethylsulfonyl)phenylazo)-1-naphthalene sulfonic acid disodium salt.	47 FR 1021 (1/8/82)	Mar. 28, 1982.
81-661	4-hydroxy-3-(2-methoxy-5-methyl-4-(2-(hydroxysulfonyloxy)ethylsulfonyl)phenylazo)-6-(3-sulfophenyl)amino-2-naphthalenesulfonic acid trisodium salt.	47 FR 1021 (1/8/82)	Do.
82-60	Generic name: Zinc, O,O-bis alkylphosphoro dithioate	47 FR 5932 (2/9/82)	Apr. 15, 1982.
82-387	Phosphorodithioic acid, O,O', secondary butyl and isooctyl mixed esters	47 FR 25401 (6/11/82)	July 30, 1982.
82-388	Phosphorodithioic acid, O,O', secondary butyl and isooctyl mixed esters, zinc salt	47 FR 25401 (6/11/82)	Do.
82-565	Withdrawn as of December 3, 1982.		
82-678	Generic name: Chlorinated aromatic azo anthraquinone pigment	47 FR 43161 (9/30/82)	Nov. 22, 1982.
82-679	Generic name: Chlorinated aromatic azo pigment	47 FR 43161 (9/30/82)	Do.
82-701	Generic name: Aromatic disazo dye	47 FR 44609 (10/8/82)	Dec. 20, 1982.
83-1	Generic name: Polyhalogenated aromatic alkylated hydrocarbon	47 FR 46371 (10/18/82)	Oct. 22, 1982.
83-23	Generic name: Substituted phenol	47 FR 46373 (10/18/82)	Dec. 21, 1982.
83-24	Generic name: Substituted pyridine	47 FR 46373 (10/18/82)	Dec. 24, 1982.
83-25	Generic name: Substituted pyridine	47 FR 46373 (10/18/82)	Do.
83-35	Generic name: Sulfophenylazonaphthyl dye	47 FR 47067 (10/22/82)	Jan. 4, 1983.
83-36	Generic name: Acrylated alkoxylated aliphatic glycol	47 FR 47068 (10/22/82)	Dec. 27, 1982.
83-37	Generic name: Acrylated alkoxylated aliphatic glycol	47 FR 47068 (10/22/82)	Do.
83-38	Generic name: Sulfophenylazonaphthyl dye	47 FR 47068 (10/22/82)	Jan. 4, 1983.
83-49	Generic name: Substituted pyridine	47 FR 49073 (10/29/82)	Dec. 21, 1982.
83-110	Generic name: Saturated acid diester	47 FR 52223 (11/19/82)	Jan. 26, 1983.
83-237	Generic name: Substituted pyridine	47 FR 53782 (11/29/82)	Jan. 25, 1983.

[FR Doc. 83-4970 Filed 2-28-83; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

[File No. 26024 CL-P-(21)-82; CC Docket No. 83-101, et al.]

Advanced Mobile Phone Service, Inc. et al.; Memorandum Opinion and Order Granting Application and Designating Applications for Hearing

Adopted: February 9, 1983.
Released: February 18, 1983.

In re application of Advanced Mobile Phone Service, Inc., for a construction permit to establish a new cellular system operating on frequency Block B in the Domestic Public Cellular Radio Telecommunications Service to serve the New York, New York, modified Standard Metropolitan Statistical Area, File No. 26024-CL-P-(21)-82; and in re applications of Celcom Communication Corporation, Cellular Systems, Inc., Cellular Mobile Corp., Lin Cellular Communications Corporation, for a construction permit to establish a new cellular system operating on frequency Block A in the Domestic Public Cellular Radio Telecommunications Service to serve the New York, New York, modified Standard Metropolitan Statistical Area; CC Docket No. 83-101, File No. 26159-CL-P-(22)-82, File No. 26126-CL-P-(49)-82, File No. 26165-CL-P-(66)-82, File No. 26139-CL-P-(32)-82, designating applications for consolidated hearing on stated issues.

By the Common Carrier Bureau:

1. Presently before the Chief, Common Carrier Bureau, under delegated authority are: (a) the captioned applications of Advanced Mobile Phone Service, Inc. (AMPS), Celcom Communications Corporation (Celcom), Cellular Systems, Inc. (CSI), Cellular Mobile Corp. (CMC), and LIN Cellular Communications Corporation (LIN) to construct cellular radio systems to serve the New York, New York, Standard Metropolitan Statistical Area (SMSA); [1] and (b) various requests, petitions, pleadings and amendments related to the applications. AMPS, a wholly-owned subsidiary of American Telephone and Telegraph Company (AT&T) is proposing use of the wireline allocation (frequency block B) and Celcom, CSI, CMC and LIN are proposing use of the nonwireline allocation (frequency block A).

2. As discussed below, after carefully reviewing the applications and related pleadings, we find all applicants except LIN to be fully qualified to construct and operate a cellular system in New York. Because we find that the public interest would be served thereby, we will grant the AMPS application.[2] With the exception of the allegations concerning LIN's financial qualifications, we find that the petitions fail to raise any substantial and material issues requiring designation for hearing. Because the proposals of Celcom, CSI, CMC, and LIN are electrically mutually exclusive, a comparative hearing will be held to determine which of the applicants would best serve the public interest. We are also requiring that all the nonwireline applicants modify their applications as set forth below. Finally, for the reasons discussed below, we are designating a qualifying issue concerning the LIN application.

Celcom Application

3. CSI, CMC and LIN filed petitions to deny or dismiss Celcom's application. The petitioners argue that: (a) Celcom has not demonstrated reasonable assurance of site availability; (b) Celcom has underestimated the costs of its proposed system; (c) Celcom's loan commitment letter does not contain specific terms; and (d) Celcom's parent, Associated Communications of America, Inc. (ACA), has not adequately demonstrated that it has the financial resources to construct all the cellular systems for which it has applied. In addition, LIN argues that Celcom has failed to demonstrate that it will provide "continuous coverage" to 75 percent of its proposed Cellular Geographic Service Area (CGSA), that service within the CGSA will be interrupted because cells 21 and 22 are not connected to the other cells, and that Celcom's plans for system expansion are vague and not related to anticipated demand or high user areas.

4. In its response, Celcom states that at the time of filing its application, it had secured a signed statement from each property owner or his agent that the site would be available for use by Celcom. In order to erase any doubts, Celcom has submitted copies of the signed statements of the lessors. As for its cost estimates and financial qualifications Celcom states that its costs are reasonable and furthermore § 22.917 does not require costs to be broken down by cell site. Celcom contends that its estimate of gross construction costs of $19,018,000 and first year operational expenses of $6,037,000 for a total of $25,055,000 fulfills the rule requirements. As for its financial qualifications, Celcom maintains that the loan commitment from the Michigan National Bank for $29,750,000 for the New York system, exceeds the amount needed. Next, Celcom responds that its proposed 39 dBu contours cover 80 percent of its CGSA and therefore comply with the 75 percent coverage requirement. Moreover, whether there are gaps in coverage in its CGSA is a matter for comparative evaluation, rather than a qualification issue, asserts Celcom. Lastly, according to Celcom, all of its proposed cells, including Nos. 21 and 22, are connected by a common switch which will permit hand-off of all mobile users throughout the system.

5. *Site availability.* Celcom has attached copies of its site agreements to its reply pleading which adequately demonstrate site availability. To the extent that ambiguity in the application itself prompted WU and CMC to raise objections, that ambiguity is now resolved, and we will not designate an issue based on site availability. *See Alabama Citizens for Responsive Public Television, Inc.*, 59 FCC 2d 1 (1976).

6. *Estimated Costs.* First, in its reply Celcom clarifies its construction costs and operating expenses for one year. Celcom's constructions costs for New York are estimated at $19,018,000; this figure is contained in Appendix A to amended Exhibit 5 of the application. Celcom also states that initial and operating expenses for first year operations will total $6,037,000. This figure is contained in Appendix A to Exhibit 5 of the application.[3] showings

[1] In its decision in Cellular Communications Systems, CC Docket No. 79-318, 86 FCC 2d 469 (1981), (hereinafter referred to as Report and Order), *modified*, Memorandum Opinion and Order on Reconsideration, 89 FCC 2d 58 (1982), *further modified*, Memorandum Opinion and Order on Further Reconsideration, 90 FCC 2d 571 (1982), the Commission adopted rules for the cellular radio service.

[2] Section 22.901 of our rules requires that cellular service be provided by an AT&T affiliate only through a separate subsidiary. AMPS has demonstrated in its application that it has met this requirement. Our Rules also require that AMPS submit a cellular capitalization plan for Commission approval. AMPS did submit its plan on May 25, 1982. Our decision here is subject to, and conditioned on, action on the capitalization plan. *See* para. 43, *infra*. We recognize that further approval may be required when ownership in AMPS in New York is changed pursuant to the AT&T reorganization.

[3] Appendix A to Exhibit 5 of the application contained a projected income statement for the New York system for four years after grant of construction permit ("this time period extends approximately one year beyond the completion of the constuction of the initial system"). Appendix B to this Exhibit contained a month by month breakdown of capital requirements for the four-year period, taking into account projected revenues, construction, and other initial and operating expenses. To facilitate review of the application, separate statements of construction costs and operating expenses such as Celcom provided in its reply are preferred.

of estimated total construction costs and operating expenses for one year satisfy the requirements of our rules, and Celcom is not required to demonstrate the itemized costs for each cell. *See Advanced Mobile Phone Service, Inc. et al., (Buffalo Order)*, Mimeo CC 1320, released December 14, 1982, at para. 9. We find that LIN, CSI, and CMC have failed to raise any serious questions concerning Celcom's cost estmiates that have not been adequately explained by Celcom in its reply. The general allegation that one applicant's estimated costs are lower than another's is insufficient to warrant the addition of a financial issue in hearing. Moreover, Celcom's estimates do not appear unreasonable on their face. *E.g., Salem Broadcasting Co., Inc.*, 37 FCC 2d 115 (Rev. Bd. 1972). *See also Buffalo Order*, at para. 9 and N.7.

7. *Financial qualifications.* At paragraph 14 of the *Buffalo Order, supra*, we found that ACA and its subsidiaries including Celcom, had demonstrated reasonable assurance of $113.5 million to finance their cellular commitments in the eight top-30 markets in which they have applied. We also indicated that those findings would control the disposition of issues concerning the availability of the loans for the eight cellular systems, including New York. Since the petitioners' financial arguments pertain to the availability of the loans, we find no reason to designate an issue concerning Celcom's financial qualifications. Celcom indicates that it has allocated $29,750,000 of the loan commitments to cover the $25,055,000 costs of its New York system. We conclude, therefore, that Celcom has adequately demonstrated its financial qualifications as required by Section 22.917 of the rules.

8. *Extension of CGSA.* Cell 21 extends into the Bridgeport, Connecticut, New England County Metropolitan Area (NECMA). This extension into the Bridgeport NECMA is prohibited.[4] However, since the Commission adopted the NECMA standard after the filing date for all New York applications, we will allow Celcom to file a conforming amendment. The amended CGSA and 39 dBu contour shall not cover any area not previously covered by the nonconforming 39 dBu contour. The amendment should consider the effects, if any, that the change may have on other parts of the application. Due to these circumstances, brief extensions of time may be granted at the discretion of the Administrative Law Judge. The other cell contours of Celcom also extend beyond the New York SMSA. After examining the minor amount of overlap, we have concluded that the area of extension is *de minimis* within the meaning of Section 22.903 of the rules.

9. *Coverage of CGSA.* It is uncontradicted that the combined 39 dBu contours of Celcom's proposed cells cover nearly 80 percent of its CGSA. Rule § 22.903(a) requires that an applicant proposed 75 percent coverage of the CGSA. There is no language in the rule which indicates that the applicant's coverage must be "continuous" to comply with the 75 percent requirement. Also, as Celcom mentions in its reply, since no New York applicant covers 100% of its proposed CGSA, in all cases mobile users may move in and out of areas not covered by 39 dBu contours. Celcom's 39 dBu contour configuration is not a basic qualifying issue but will be examined in the comparative portion of this proceeding.

10. We also reject LIN's argument that since "hand-off will not be possible" between cells 21 and 22, Celcom's application is defective. Celcom states that the two cells are connected and that its system is designed to effect hand-off between all cells. Also, according to Celcom, mobile units that travel outside of the predicted contour coverage areas would still be served because cells 21 and 22 are only separated by about 2 miles and since there is "a clear line of site path from cell 18 into a substantial portion of the cell 21 service area * * * hand-off between cell 21 and cell 18 will occur."[5] While it is unclear whether Celcom's proposed cellular system will permit "hand-off" of mobile units between cells 21 and 18, there is no need to designate for hearing a basic qualification issue on this matter because this question relates to system design which will be examined during the comparative portion of this proceeding. *Report and Order, supra*, at 502–03.

CMC Application

11. In their petitions, LIN, CSI and Celcom argue that: (a) CMC has underestimated the costs of its proposed system; (b) CMC has not demonstrated that its parent, Graphic Scanning Corp. (Graphic), can cover the costs of the 30 cellular systems it proposes, including New York, along with the costs of the other communications projects for which it has applied; and (c) there are unresolved character qualifications issues pending against Graphic, *see A.S.D. Answering Service, Inc. et al. (ASD)*, FCC 82–391, released August 24, 1982. Also LIN alleges that the geographic coordinates for four cell sites do not correspond to the street addresses given, that there is a lack of hand-off between cells and no continuous coverage within the CGSA, that the subscriber distribution figures are inaccurate and cannot be relied on for system expansion, that one cell transmitter exceeds the power limitations, and that CMC's plans for maintenance and repair are inadequate. Celcom claims that the extension of CMC's CGSA into the New Brunswick, New Jersey SMSA and Bridgeport NECMA are more than a *de minimis* amount permitted by § 22.903(a) of the cellular rules.

12. *Cost estimates, financial and character qualifications.* CMC's cost estimates do not appear unreasonable and include the full costs of constructing all of its 66 cell sites and the channel equipment necessary for the first year of operation. We have long found that the general allegation that one applicant's estimated costs are lower than another's is insufficient to warrant the addition of a financial issue in hearing.[6] Furthermore, CMC's estimates are not unreasonable on their face, and the petitioners have failed to raise any serious questions that have not been adequately explained by CMC in its Opposition. Second, the Commission has found Graphic to be financially qualified to construct the 30 cellular systems it proposes, including the New York system. *See Advanced Mobile Phone Service, Inc., et al. (Chicago Order)*, FCC 82–452, released November 1, 1982, at paras. 6–12. The petitioners have not raised any financial points particular to the New York application, and those findings control the disposition of their arguments here. Lastly, the Commission has also already held that the character of Graphic would be examined in the *ASD* proceeding and would not be included in cellular application proceedings. *Id.* at n. 19. Consistent with that decision, the Commission reserves the right to reexamine and reconsider the qualifications of CMC to hold a cellular license should *ASD* be resolved against any of CMC's affiliates or parent companies or to any of their principals. *See* para. 53, *infra*.

13. *Site locations, power limit, hand-off, continuous coverage and system*

[4] In its Memorandum Opinion and Order on Further Reconsideration in CC Docket No. 79–318, *supra*, n. 1, the Commission indicated that no cellular service area would be permitted to extend into any NECMA. See also Advanced Mobile Phone Service Inc., *et al.*, (*Boston Order*), CC Mimeo 896, released November 19, 1982, at para. 15.

[5] *See* paragraph 4 of Attachment D to Celcom's reply, entitled "Engineering Statement."

[6] *E.g.*, Salem Broadcasting Co., Inc., *supra*.

expansion. In its opposition, CMC demonstrates that three of the four sites LIN alleged to be incorrectly plotted do in fact correspond to the apppropriate street address. The remaining site NY064005, was improperly identified and CMC corrected this with a minor amendment which specifies the appropriate street address. LIN is correct that the ERP level for site NY064001 is in excess of our Rules. CMC has filed an amendment to reduce the ERP from 681 watts to 100 watts.[7] Since the amendment will result in diminution of the coverage area of cell NY064001, the amendment brings the ERP for cell NY064001 into conformance with our rules, and no comparative advantage can be gained by CMC as a result of this amendment, we will accept it.

14. In its opposition, CMC argues that its system design provides for continuous coverage and hand-off. In support J. D. Wells, Vice-President for Network Design, CMC, states (at Attachment 1 to CMC's opposition) that the Motorola EMX-500 exchange provides for networking capability and hand-off operations. Also, CMC indicates that it has adequately described its plan for system expansion, maintenance and equipment repair. We agree. Exhibit III, Section D and Exhibit IV of CMC's application fully describes the proposed method of system expansion. Exhibit VII of the application contains an adequate description of CMC's plans for a maintenance and repair program. Whether these plans are inferior or superior will be examined in the comparative portion of this proceeding.

15. *De minimis extensions.* In its opposition, CMC admits that its proposed CGSA extension covers about 16 percent of the area of the New Brunswick SMSA and 16.4 percent of its population (approximately 97,600 people), and 7.3 percent of the Bridgeport NECMA area and 8 percent of its population (approximately 69,000 people). CMC argues that the extensions are *de minimis* because together they represent only 3 percent of the area of the New York SMSA and 1 percent of the population of the New York SMSA. Moreover, according to CMC, the extensions will permit service to natural markets lying just beyond an SMSA border, a factor which the Commission indicated was relevant to *de minimis* determinations.[8]

16. First, as we indicated previously, the extension into the Bridgeport NECMA is prohibited.[9] Therefore, it is not necessary for us to determine whether any of CMS's proposed extensions into the Bridgeport NECMA is *de minimis*. Since the Commission adopted the NECMA standard for cellular service areas in New England after the filing date for all New York cellular applications, we will allow CMC to file a conforming amendment. The amended CGSA and 39 dBu contours shall not cover any area not previously covered by the nonconforming 39 dBu contours. These amendments should consider the effects, if any, that the change may have on other parts of the application. Due to these circumstances, brief extensions of time may be granted at the discretion of the ALJ.

17. We have reviewed the maps submitted with CMC's application, and concluded that the overlap into the New Brunswick SMSA is more than *de minimis*. Based on our analysis, it appears that the extension into the New Brunswick was not solely based on the applicant's effort to service the New York market. Under CMS's proposal, portions of approximately 10 cells would extend into 16 percent of the New Brunswick market,[10] representing 97,000 in population. Although these figures represent a small amount when compared to the New York SMSA and the areas covered are natural market extensions, we still cannot allow such a substantial intrusion into an adjacent SMSA.[11] CMC makes no argument that the extensions resulted from its desire to serve the New York SMSA. Based on our analysis, the numerous overlapping cells could be readily reengineered in such a way, for example, by slightly lowering the ERP, relocating transmitters, eliminating cells, or a combination of these, so that there would be very little extension into the New Brunswick SMSA. Permitting CMS to serve such a populous area of the New Brunswick SMSA would be unfair to potential cellular applicants for that SMSA. Under these circumstances, we cannot conclude that this is the type of *de minimis* extension contemplated by the Commission. On the other hand, the extension of approximatly 10 percent of cell NY064006 into the nonSMSA area of Hunterdon County will be permitted because it appears that the cell was designed to serve the New York SMSA, the area covered is not densely populated, and the overlap is due to the irregular political boundary line. We will therefore require CMC to submit a conforming amendment to the ALJ within 15 days of the release date of this order, modifying the proposed CGSA and associated contours so that they both comply with the *de minimis* rule. The amendment shall not result in coverage of any area not previously covered by the 39 dBu contour of any cell. The amendment should consider the effects, if any, that this change may have on other parts of the applications. Due to this circumstance, a brief extension of time may be granted at the discretion of the ALJ if a number of other exhibits must be conformed.

18. A final matter remains concerning CMC's application. On September 13, 1982, CMS filed an amendment which among other things, proposes to increase the 39 dBu contour coverage area of cell NY062016 from 509.2 to 641.7 square miles. The proposal to increase the contour coverage area is impermissible because it is not intended to bring the application in conformance with the Rules but rather affect the applicant's comparative position. Therefore, we will return this amendment as unacceptable.

CSI Application

19. LIN and CMC argue that Metromedia, a sixty percent owner of CSI has not demonstrated its financial qualifications for its cellular commitments for the nine markets for which it has applied, including New York. Also LIN contends that CSI has underestimated its system costs; not provided a control point; provided incorrect street addresses for two sites; failed to describe its system expansion; provide inadequate demand assessments; and failed to provide details of its plans for maintenance and repair operations. Celcom argues that CSI's proposed CGSA extensions covering 45 percent of the New Brunswick SMSA, 8.7 percent of the Trenton SMSA and 5 percent of the Bridgeport NECMA are more than *de minimis* and should not be permitted.

20. In its reply, CSI states that its waiver amendment dated August 10,

[7] The amendment was originally submitted on August 2, 1982, but returned by the Mobile Services Division as a major change. CMC resubmitted the amendment on September 13, 1982 for cell NY064001.

[8] *See* FCC Public Notice Entitled "Cellular Application Filing Procedures", Mimeo 2973, released March 24, 1982.

[9] See n. 4, *supra.*

[10] CMS's CGSA map does not identify the cells and there are numerous overlapping cells which make it extremely difficult to identify the transmitter site for each cell. Therefore, we will not attempt to identify by site location the nonconforming cells.

[11] Arguably, almost all of the areas of the Trenton and New Brunswick secondary SMSAs could be considered natural extensions of the New York and Philadelphia central SMSAs. Even though these SMSAs may be considered natural markets, that fact alone does not justify substantial CGSA coverage by an applicant for an adjacent central SMSA.

1982, clairfies and corrects discrepancies for the sites challenged by LIN. By the same amendment CSI identifies the location of the control point and switching center of its proposed system. CSI maintains that Exhibit 13 of its application and Exhibits 32, 33 and 42 to its Direct Case, set forth the various methods for expanding capacity in its system. Likewise, responds CSI, its application clearly indicates the basis and methodology for its demand forecast. In any case, CSI states that demonstration of need is neither a basic qualification nor otherwise required by the cellular rules. CSI indicates that contrary to LIN's assertions, its application Exhibits 8, 9 and 10 and direct case Exhibits 1, 14, 15, 16, 17, 18, and 19 describe in great detail plans for system maintenance and repair.

21. With respect to cost estimates, CSI contends that its cost estimates are reasonable and that it has provided reasonable assurance of financing for its system. In an effort to resolve all doubts, CSI has submitted with its reply an item-by-item cost breakdown. CSI further argues that Metromedia's firm commitment of $30 million dollars to cover its overall system costs of $26.4 million is reasonable assurance of financial wherewithal. Moreover, according to CSI, Metromedia has demonstrated that it has over $700 million available to finance the $300 million needed for its cellular commitments.

22. Lastly, CSI argues that the extensions of its CGSA into the adjacent SMSAs and NECMA were necessary so that service on the border areas would be available. CSI maintains that since the CGSA's of systems in adjacent SMSAs cannot extend into the central New York SMSA, there would be gaps in service due to the irregular outline of the New York SMSA. Furthermore, CSI alleges that each extension represents at most 3.7 percent of the New York SMSA, a clearly *de minimis* amount.

23. *Cost estimates, financial qualifications, system expansion, demand projection, control point and cell site locations.* First, the CSI cost estimates do not appear unreasonable as broken down in its opposition and include the full costs of constructing all of its cell sites and the channel equipment necessary for the first year operation. We have long found that the general allegation that one applicant's estimated costs are lower than another's is insufficient to warrant the addition of a financial issue in hearing.[13]

[13] See para. 6, *supra*.

Furthermore, CSI's estimates are not unreasonable on their face, and Celcom has failed to raise any serious questions that have not been adequately explained by CSI in its Opposition. Second, the Commission has found Metromedia to be financially qualified to construct the 30 cellular systems it proposes, including the New York system. *See Boston Order, supra*, at paras. 8–13. The petitions have not raised any financial issues particular to the New York application, and those findings control the disposition of their arguments here. Third, as CSI indicates in its reply, its amended application identifies the control point, provides correct addresses for its site locations and adequately describes its plans for system expansion. Finally, the cellular rules do not require the applicant to demonstrate need, and the issue of CSI's demand projections will be examined during the comparative portion of the proceeding. *Report and Order, supra* at 502–03

24. *De minimis extensions.* It is uncontradicted that CSI's CGSA extends beyond the New York SMSA and covers adjacent markets as follows: 45 percent of the New Brunswick SMSA; 9.3 percent of the Bridegport NECMA and 8.7 percent of the Trenton SMSA. Extensions into these "secondary" areas are permitted if they are *de minimis*. *See* Section 22.903(a) and 89 FCC 2d at 87. However, after reviewing the maps submitted with the application, we have concluded that the overlap proposed by CSI is more *de minimis*. First, it is not necessary for us to determine whether any of CSI's proposed CGSA extensions into the Bridgeport NECMA are *de minimis*, because extensions into an adjacent NECMA are prohibited. *See* n.4, *supra*. Since the Commission adopted the NECMA standard for cellular service areas in New England after the filing date for all New York cellular applications, we will allow CSI to file a conforming amendment. The amended CGSA and 39 dBu contours shall not cover any area not previously covered by the nonconforming 39 dBu contours. These amendments should consider the effects, if any, that these changes may have on other parts of the applications. Due to these circumstances, brief extensions of time may be granted at the discretion of the ALJ.

25. Next, we are at a loss to understand CSI's reasoning that its proposal to cover 45 percent of the New Brunswick SMSA is *de minimis*. Clearly, such a large intrusion into a secondary SMSA is beyond *de minimis* and requires no further explanation for rejecting it. We will therefore require CSI to submit a conforming amendment to the ALJ within 15 days of the release date of this order, modifying the CGSA and associated 39 dBu contours of cells 20, 21 and 22 so that they both comply with the *de minimis* rule. The amended cells shall not cover any area not previously covered. The amendment should consider the effects, if any, that this change may have on other parts of the applications. Due to this cirsumstance, a brief extension of time may be granted at the discretion of the ALJ if a number of other exhibits must be conformed. As for CSI's proposed extension into the Trenton SMSA, we find it to be *de minimis* because only a small portion of cell 21 extends beyond an irregular portion of this boundary line between the New York SMSA and the Trenton SMSA. However, as indicated above, cell 21 still must be amended because of its substantial incrusion into the New Brunswick SMSA. Lastly, we find that the minor extensions of cells 1 and 2 into the nonSMSA area of Orange County, New York, and cell 18 into the nonSMSA area of Sussex County, New Jersey, are *de minimis*.

26. A final matter must be addressed concerning CSI's application: the numerous amendments filed on September 13, 1982, the last day for filing amendments to applications filed June 7, 1982.[13] On August 10, 1982 CSI filed Amendment No. 1 to its application which the Mobile Services Division returned on the grounds that it was a major amendment. On September 13, 1982, CSI filed a Petition for Reconsideration of the return of Amendment No. 1 and in addition filed Amendments Nos. 3 thru 7 which taken together constitute a refiled Amendment No. 1.[14] CMC filed comments on the petition for reconsideration basically arguing that Amendment No. 1 should be accepted only on condition that CSI receive no comparative credit.

27. We have examined the resubmitted amendments and decided to grant in part CSI's petition for reconsideration.[15] First, we will accept

[13] *See* Order in CC Docket No. 79–318, FCC 82–409, released September 3, 1982. Exceptions to the September 13 filing date were made for amendments concerning settlement agreements or nonsubstantial ownership changes of an applicant. *Id.*, n.13.

[14] The MSD accepted as minor Amendment No. 2, filed on August 10, 1982. We also take this occasion to note that CSI also filed Amendments Nos. 8 and 9 on September 13, 1982, reflecting changes which are required to be filed pursuant to § 1.65 of the Commission's Rules.

[15] Since CSI resubmitted Amendment No. 1 as five separate amendments, we will address the amendments separately.

Amendment No. 3 which specifies a system control point and, thus, conforms to the cellular rules. We will not accept Amendment No. 4 which sets forth further financial showings. Since we have already found CSI financially qualified based on the information in the original application, the issue is moot in any event. We will also reject Amendment No. 5 and the portion of Amendment No. 6 which supplements No. 5. This information describes in detail system expansion for years 3 thru 5 and is not required to meet the basic qualification showing under § 22.913(a)(5) but rather would be examined in the comparative portion of the proceeding. CSI has not demonstrated why it could not have filed this information with its application, and our refusal to accept this information is consistent with the Commission's intent to avoid "one-upmanship" by competing applicants. *See* 89 FCC 2d at 89–90. We will therefore return these amendments. On the other hand, the first part of Amendment No. 6 which provides cell site names and cross references, and Amendment No. 7 which pledges cooperation for interference protection for adjacent cellular systems are minor amendments, and we will accept them.

LIN Application

28. CMC and CSI argue that LIN has failed to demonstrate its financial qualifications. Specifically, the petitioners maintain that LIN has underestimated system costs and interest charges, overestimated projected demand and revenues, and failed to provide reasonable assurance of the financial resources necessary to fund the $183 million needed to construct and operate the five cellular systems for which it has applied. [16] For the New York system, CMC alleges that there is a shortfall of $13.8 million. With respect to technical issues, Celcom argues that LIN's CGSA extensions into the New Brunswick SMSA (61 percent) and Bridgeport NECMA (22.7 percent) are beyond the *de minimis* amount permitted by the rules. Moreover, one of the proposed cell sites, according to Celcom is improperly located outside of the New York SMSA in the Poughkeepsie, New York SMSA. Celcom contends that LIN should not be permitted to amend its application because it would be a major amendment filed after the cut-off date and would give LIN the advantage of reviewing the other applicants proposals.

29. In its opposition, LIN maintains that not only are its cost estimates sufficiently detailed and reasonable, its average cost per cell is higher than any other applicant in the New York market. Next LIN asserts that as indicated in its application, in addition to a $100 million loan it will have $32 million in marketable securities and $45.3 million in excess cash flow from its business operations to finance its proposed cellular systems. According to LIN its revenue projections of $43 million from cellular operations are reasonable and should be accepted. LIN argues that broadcasting precedents such as *Ultravision Broadcasting Co.*, 1 FCC 2d 544 (1965), which requires proof of subscriber commitments, should not be applied to cellular applicants because cellular service does not involve the special risks concerning the ability of broadcast station operators to generate revenues that prevailed at the time *Ultravision* was decided. LIN maintains that, since the Commission in the cellular proceeding recognized as a matter of law that public demand for cellular service was so great that it need not be demonstrated, "all cellular systems must be presumed to be able to generate revenues from the moment they begin to meet that demand." (Opposition, p. 20). In projecting its revenues, LIN relied on three major variables: (1) The number of units to be served, (2) the rates for tariffed service, and (3) the charges for lease of units. LIN retained Compucom, Inc., who conducted an extensive and well documented market survey which projected 19,500 cellular units for first year operations LIN points out that no party has questioned the study or its results. Rather, argues LIN CSI without offering any substantiation claims that LIN's "projected first year revenues of $900 per subscriber for $19,500 subscriber is unrealistic." In any case, asserts LIN, contentions concerning its revenue projections may be disregarded, because even if the demand does not materialize then LIN would incur lower first year construction and operation costs which would offset lower revenues. According to LIN, even if its revenues were reduced by 75 percent, it has a $20 million financial cushion for financing all of its proposed systems, including its interest in the AWACS system in Philadelphia.

30. On the technical issues, LIN maintains that the extensions of its CGSA into the neighboring markets are *de minimis* because they are the material outgrowth of LIN's efforts to provide service within the CGSA, and they will not result in interference problems. In any case, LIN states that as evidence of intention to avoid interference conflicts and comparative hearing questions, it would amend eight cells so that they would cover only 8 percent of the Bridgeport NECMA and 25.5 percent of the New Brunswick SMSA. As for CSI's challenge that the transmitter site for cell 24 is located outside the New York SMSA, LIN states that it is less than 270 yards outside the SMSA and its location has negligible effect on signal extension.

31. *Financial Qualifications.* At Exhibit 5 of its application, LIN sets forth in considerable detail its financial plan for its four proposed cellular systems. Attachment 2 of Exhibit 5, provides estimated costs for each system on a cell-by-cell basis. Exhibit 5, pp. 5–7 and Attachment 9 thereto, summarizes construction and first year operating costs for LIN proposed systems at New York ($51.4 million), Los Angeles ($40.2 million), Houston ($27.4) and Dallas-Ft. Worth ($28.5 million) totalling approximately $147.5 million. Attachments 3 thru 6 are LIN's balance sheets, and consolidated income statements. Attachment 7 is a loan commitment letter from First Chicago Bank for $100 million. Also at Exhibit 5, pp. 7–8, LIN indicates that it will have a total of $221.9 million in funding to cover these costs. Of that total $43.68 million is listed as first year revenues.

32. Based on our examination of LIN's "Plan of Financing" at Exhibit 5 of the application and the information contained in its opposition, we are unable to find that LIN is financially qualified. Besides the New York system, LIN has also applied to operate cellular systems in three other top-30 markets: Los Angeles, Houston and Dallas-Ft. Worth. [17] Based on our analysis of the information submitted by LIN we have made the following determinations: (a) The overall cost of LIN's four proposed cellular systems is $164.8, not $183.5 million; and (b) LIN has provided reasonable assurance of the availability of $100 million in financing, not $221.9 million. The cost figure is derived from combining the following expenses for the four systems: Construction ($82.8

[16] LIN is the applicant in Dallas, Houston, Los Angeles and New York markets and is a minority shareholder of AWACS Inc., an applicant in the Philadelphia market.

[17] In Advanced Mobile Phone Service, Inc., *et al.* (Philadelphia Order), Mimeo CC 1882, released January 21, 1983, at paras. 28–29, we found that LIN's $2.5 million commitment to the application of Automated Wide-Area Cellular Systems, Inc. (AWACS) to construct a cellular system at Philadelphia was not needed because Metromedia the majority shareholder of AWACS had commitment sufficient financial resources to include the $2.5 million commitment here in our consideration of LIN's financial qualifications.

million); pre-operational ($15.5 million) post-operational ($15.7 million); miscellaneous ($1.6 million); first-year operations ($31.9 million); and interest expense ($17.3 million). We have not included the $18.7 million in expenses listed by LIN for purchasing customer mobile and portable telephone unit. As we indicated in *Metrocom of St. Louis, et al.* (St. Louis Order), CC Mimeo 2045, released January 28, 1983, under the cellular rules, the costs of providing mobile units are not to be included in overall system costs.[18]

33. LIN has not allocated specific funding for each system, but rather makes the following financial showing: [19]

	Millions
Cash and negotiable instruments (Dec. 1981)	$32.9
1982 cash flow	16.1
1983 cash flow	11.3
1984 cash flow	17.8
First year cellular revenues	43.7
Bank loan	100.0
Total	221.8

For our analysis of LIN's financial showing, we have used the most current figures available, those indicated in the unaudited balance sheet dated March 31, 1982, for LIN Broadcasting Corporation. LIN Broadcasting's current assets included $727,000 in cash, $40.3 million in marketable securities, $16.6 million in accounts receivable, and $2.3 million in film contract rights, for a total of $59.9 million. Total current liabilities are listed as $18.5 million. Of the current assets we can only credit the cash and $12.125 million of the accounts receivable.[20] No credit can be given for the speculative cash flow figures. *Id.*, para. 13. Likewise, since LIN has not identified any of the marketable securities, we are unable to determine what amount is readily convertible to cash.[21] Since the amount we credit to current assets is less than the amount of total current liabilities, we cannot give LIN any credit for net liquid assets.

34. In the *Buffalo Order, supra*, at para. 17, we recognized that cellular systems may generate revenues to offset construction and operating expenses even as construction progresses. However, without the benefit of a hearing, we are unable to determine the validity of the methodology used by LIN to arrive at its projected revenues. Thus, we cannot credit LIN with any projected revenues. Even though we cannot credit LIN with any specific amounts for marketable securities cash flow, or projected revenues, we recognize that it is likely that LIN will be able to substantiate some or all of its revenue resources. Therefore, we will permit LIN to amend its application to provide additional information to the Administrative Law Judge (ALJ) concerning these categories of financial resources. The ALJ may use our summary procedures to resolve the financial issue if LIN submits amendments showing reasonable assurance.[22]

35. For the reasons discussed above, we conclude that LIN has failed to demonstrate the availability of funds necessary to construct and operate its proposed cellular systems. We will therefore designate an issue as to whether LIN is financially qualified in New York and in the three other markets where LIN is the applicant. We have chosen to designate in this order a financial issue as to LIN's entire financing arrangement because we believe this approach is the most efficient way to consider the various LIN applications, *i.e.*, it can be determined whether LIN has financing for one market, or all four markets, or some number in between. LIN will at that point have greater discretion for deciding how many (and which) applications to prosecute. The alternative is to examine each LIN application in hearing on a case-by-case basis. This approach duplicates the efforts of all parties and (in the event that LIN can demonstrate the availability of some but not all of its financial arrangement) depends not on which applications LIN prefers to prosecute but on the luck-of-the-draw as to which markets are examined (and in what order) by the Commission. We will therefore examine in hearing the overall financial package of LIN and, depending on how much funding is available, permit LIN to modify or dismiss other applications accordingly.[23] See *Philadelphia Order, supra*, at para. 8.

36. *De minimis extensions.* With respect with LIN's proposed CGSA extension into the Bridgeport NECMA, LIN will be required to amend its application for the reasons stated above. Next, its proposed coverage of 61 percent of the New Brunswick SMSA is not based on LIN's effort to serve the New York market and is clearly more than *de minimis*. Also, we reject LIN's proposal to reduce the extension to 25.5 percent coverage of the New Brunswick SMSA. Contrary to LIN's assertions, such substantial extensions are not needed to provide coverage to the New York SMSA. Accordingly, we will require LIN to amend its application to comply with the *de minimis* rule. Specifically LIN must amend the coverage area for the four cell sites located at Franklin Township, Martinsville, and Clark, New Jersey, and Staten Island, New York. The small extension of the Martinsville cell into the nonSMSA area of Hunterndon County is permissible but LIN must still amend the Martinsville cell because its extension into the New Brunswick SMSA is more than *de minimis*. Also, 15 percent of the Flanders, New Jersey, cell extends into the Allentown, Pennsylvania-New Jersey, SMSA and 20 percent of its extends into the nonSMSA area of Sussex County. Since approximately 35 percent of this cell falls outside of the New York SMSA, the extension is more than *de minimis* and will not be permitted.

37. The extension of the Patterson cell into the Poughkeepsie, New York, SMSA is also impermissible because the base station for that cell is improperly located in the Poughkeepsie SMSA and outside of the New York SMSA.[24] Although the Commission's Rules do not specifically prohibit the location of base station cell sites in a market outside of the market for which service is proposed, such a practice is not consistent with the Commission's requirements to design a system to serve a particular market. LIN has made no showing that it was not possible to engineer its system to avoid locating a cell outside of the New York SMSA. Thus, we require LIN to relocate the Patterson base station site within the New York SMSA. We will therefore

[18] We have calculated the approximate overall costs for each of LIN's proposed systems as follows: New York—$57 million; Los Angeles—$44.5 million; Houston—$31 million and Dallas-Ft. Worth—$32 million.

[19] LIN is a wholly owned subsidiary of LIN Broadcasting Corporation and its parent has made all of its financial resources available to LIN for its proposed cellular systems.

[20] In Celcom Communications Corp. of Georgia, *et al.*, (Atlanta Order) CC Mimeo 1988, released January 26, 1983, we indicated that 75 percent of properly aged accounts receivable may be counted as part of net liquid assets.

[21] In order to determine the liquidity and value of the marketable securities they should be identified by the type of security, name of issues and the name of the market or exchange on which traded and their current market value.

[22] As indicated previously, in addition to New York, LIN has filed cellular applications for Los Angeles, Houston and Dallas-Ft. Worth. In those markets, any applicant whose proposal is electrically mutually exclusive with LIN's application may file a motion for limited intervention on the financial issue in this proceeding.

[23] Because we are adding a qualifying issue, we will suspend the procedural deadline in § 22.916(b)(4) and allow the Administrative Law Judge to require such additional evidence as may be necessary. See para. 50, *infra*.

[24] The Patterson cell also extends into the Bridgeport NECMA and must be amended for that reason alone. See para. 36, *supra*.

require LIN to submit a conforming amendment for all of the required changes to the ALJ within 15 days of the release date of this order, modifying the CGSA and associated contours so that they both comply with the cellular rules and relocating the Patterson base station site. All of the amended cell contours shall not cover any area not previously covered by the 39 dBu contours.

AMPS Application

38. LIN and CSI filed petitions to deny the AMPS application.[25] LIN and CSI argue that AMPS has failed to demonstrate its financial qualifications. CSI also maintains that AMPS has not provided a detailed schedule of charges to end-users. In addition, LIN contends that AMPS's application fails to provide: projected demand; system expansion plans to satisfy increased demand; detailed plans for maintenance and repair; and an adequate description for interconnection with the landline system. Lastly, LIN reargues policies adopted by the Commission in the cellular rulemaking proceeding such as the wireline set-aside and headstart.

39. LIN's arguments repeating policies adopted in the cellular proceeding constitute an untimely request for reconsideration of the *Report and Order, supra* and are rejected. The allegation that AMPS (a wholly owned subsidiary of ATT), is not financially qualified is totally unsupported. We have previously rejected identical arguments out-of-hand, and we do so here. *See Philadelphia Order,* at para. 38. Second, we find that Exhibit 8 of AMPS' application, which provides an estimated range of proposed rates, is sufficient to enable us to find that AMPS' proposal will be in the public interest.[26] Likewise, we reject LIN's contention that AMPS' interconnection is inadequate. As we indicated in the *Buffalo Order, supra* at para. 5, AMPS has satisfied the requirements of our rules with respect to interconnection.

40. LIN's other objections are also without merit. First, there is no requirement that a cellular applicant demonstrate demand. Although AMPS' description for system expansion and plans for maintenance and repairs are general in nature, we are confident that based on its experience operating the Chicago developmental system, AMPS' possesses the necessary knowledge to adequately provide system expansion and upkeep. Therefore, we conclude that AMPS has satisfied the requirements of our rules.

41. A final matter remains concerning the extension of AMPS' proposed CGSA into the Bridgeport NECMA. The only other wireline serving the Bridgeport NECMA is Southern New England Telephone Company (SNET). On November 1, 1982, SNET and AMPS filed complementary applications to serve Bridgeport with AMPS serving the portion receiving wireline service from New York Bell and SNET serving the rest of the NECMA. The two proposed systems are fully coordinated. Accordingly, because there is no other applicant for the proposed *de minimis* portion of the NECMA, and because there is no real possibility of harmful electrical interference, we will not require AMPS to amend its application.

Conclusions

42. Based on our analysis of the applications and our resolution of the contested issues in this order, we find the applicants to be legally, technically, financially and otherwise qualified to construct and operate their proposed cellular systems except to the extent discussed above. As indicated above, the captioned nonwireline applications do not comply with one or more of the cellular rules. In the *Chicago Order,* at para. 17, the Commission determined that inflexible application of the rules to applications in the 30 largest markets would not be in the public interest. Accordingly, we are requiring these applicants to bring their applications into conformance with the rules as specified in this order. The applicants who filed mutually exclusive applications may address these amendments in their rebuttal cases. We emphasize that the amendments ordered here may not be used to give any applicant a comparative advantage in the hearing proceeding. As the Commission stated in the *Chicago Order,* in markets for which applications have not yet been filed, strict conformance with the rules will be required, and absent unusual circumstances, the applicants will not be allowed to amend nonconforming applications. We further find that the grant of the AMPS application as conditioned below, will serve the public interest, convenience and necessity.

43. Accordingly, it is ordered that the application of Advanced Mobile Phone Service, Inc., is granted, conditioned upon the Commission's action on the AT&T Cellular Capitalization Plan submitted by May 25, 1982, as provided by § 22.901(d)(3) of the Commission's Rules.[27]

44. It is further ordered, pursuant to Section 309 of the Communications Act of 1934, as amended, that the applications of Celcom Communications Corporation, Cellular Systems, Inc., Cellular Mobile Corp., and LIN Cellular Communications Corporation, are designated for hearing in a consolidated proceeding upon the following issues:[28]

(a) To determine whether LIN Cellular Communications Corporation is financially qualified to construct and operate for one year its proposed cellular system;

(b) To determine on a comparative basis the geographic area and population that each applicant proposes to serve;[29] to determine and compare the relative demand for the service proposed in said areas; and to determine and compare the ability of each

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[25] In addition, CMC filed a petition to defer Commission action on the AMPS application and CSI filed a request for special procedural relief for the Commission to withhold action on the AMPS application. We find it is premature to rule on these petitions at this time for the reasons stated by the Commission in deferring action on similar petitions in the Chicago market. *See* Advanced Mobile Phone Service, Inc. *et al.*, (Chicago Order), FCC 82-452, released November 1, 1982, at para. 16. Also, CSI filed comments on the wireline settlement agreements for the New York SMSA under which AMPS and United Telephone Systems, Inc., will operate the wireline New York cellular system as a joint venture. Since CSI's comments merely reiterate in its request for special procedural relief for a moratorium on Commission action on all wireline cellular applications, we need not consider them further in this order.

[26] See Buffalo Order, *supra*, at paragraph 5 for a detailed discussion of this issue.

[27] The authorization also will be conditioned upon AMPS obtaining the appropriate antenna structure clearances.

[28] There are two issues that are not to be considered in the comparative hearing. The first is the financial qualifications of the applicants except LIN. Financial ability is a basic rather than a comparative qualification for cellular licensing. Cellular Communications Systems, 86 FCC 2d 469, 501-02 (1981). Except for LIN, we have found all of the applicants included in the comparative hearing to be financially qualified. The second issue not to be considered is the qualifications of Cellular Mobile Corp. or its parent Graphic, to the extent that such qualifications may be affected by the issues included in the Commission's order designating certain 35 and 43 MHz paging applications for hearing. A.S.D. Answer Service, Inc., *et al.* (*ASD*), FCC 82-391, released August 24, 1982. Those issues will be thoroughly reviewed in that separate proceeding and should not be reargued in the context of a cellular hearing. The Commission reserves the right to reexamine and reconsider the qualifications of Cellular Mobile Corporation to hold a cellular license should *ASD* be resolved adversely to any of CMC's affiliate or parent companies or to any of their principals. *See Chicago Order,* at n. 19.

[29] For purposes of comparison, the geographic area that an applicant proposes to serve includes that area within the proposed 39 dBu contours which, in turn, falls within the proposed Cellular Geographic Service Area and the relevant Standard Metropolitan Statistical Area. Consideration should be given to the presence of densely populated regions, highways and areas likely to have high mobile usage characteristics as well as indications of a substantial public need for the services proposed. *See* 86 FCC 2d at 502.

applicant's cellular system to accommodate the anticipated demand for both local and roamer service; [30]

(c) To determine on a comparative basis each applicant's proposal for expanding its system capacity in a coordinated manner within its proposed CGSA in order to meet aniticipated increasing demand for local and roamer service;

(d) To determine on a comparative basis the nature and extent of the service proposed by each applicant, including each applicant's proposed rates, charges, maintenance, personnel, practices, classifications, regulations and facilities (including switching capabilities); [31] and

(e) To determine, in light of the evidence adduced under the foregoing issues, what disposition of the referenced applications would best serve the public interest, convenience and necessity.

45. It is further ordered that the burden of proceeding with the introduction of evidence upon the financial issue, and the burden of proof, shall be upon LIN Cellular Communications Corporation.

46. It is further ordered that the Separated Trial Staff (the Hearing Division and other individuals specifically designated) of the Common Carrier Bureau is made a party to the proceeding. [32]

47. It is further ordered that the applicants shall file written notices of appearances under § 22.916(b)(3) of the Commission's Rules within 10 days after publication of this order in the **Federal Register.**

48. It is further ordered that the hearing shall be held according to the procedures specified in § 22.916 of the Rules, except as otherwise noted here, at a time and place and before an Administrative Law Judge to be specified in a later order.

49. It is further ordered that exceptions to the initial decision of the Administrative Law Judge under § 1.276 of the Commission's Rules shall be taken directly to the Commission.

50. It is further ordered that the nonwireline applicants are directed to file the conforming amendments specified in this order within 15 days after publication of this order in the **Federal Register** and that the date for filing rebuttal cases under § 22.916(b)(4) of the Rules is deferred pending establishment of procedural dates by the Administrative Law Judge. Procedures for deciding the issue designated against LIN shall be determined by the Judge in the Judge's discretion.

51. It is further ORDERED that, except to the extent granted here, the Petitions to Deny filed by the parties against the captioned applications are denied.

52. It is further ordered, That the Petiton for Reconsideration filed by CSI is granted in part to the extent indicated above and otherwise is denied.

53. It is further ordered that any authorization granted to CMC as a result of the comparative hearing shall be conditioned on, and without prejudice to, reexamination and reconsideration of that company's qualifications to hold a cellular license following a decision in the hearing designated in *A.S.D. Answering Service, Inc., et al.*, FCC 82-391, released August 24, 1982, and shall be specifically conditioned upon the outcome of that proceeding.

54. It is further ordered, that any authorization granted as a result of this proceeding shall be conditioned upon obtaining the appropriate antenna structure clearances.

55. This order is issued under § 0.291 of the Commission's Rules and *Order Delegating Authority*, FCC 82-435, released October 6, 1982, and is effective on its release date. Petitions for reconsideration under § 1.106 or applications for review under § 1.115 of the Rules of this order, insofar as it grants the AMPS application, may be filed within 30 days of the date of public notice of this order (see Rule § 1.4(b)(2)).

56. The Secretary shall cause a copy of this order to be published in the **Federal Register.**

Gary M. Epstein,

Chief, Common Carrier Bureau.

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[30] In making this comparison, preference should be given to designs entailing efficient frequency use, including not only the applicant's plans with regard to cell-splitting and additional channels, but also the degree of frequency reuse the system will be capable of, and the applicant's ability to coordinate the use of channels with adjacent or nearby cellular systems. *See* 86 FCC 2d at 502-03.

[31] *See* 86 FCC 2d at 503 for discussion of the relative importance of the evidence submitted under this issue.

[32] Members of the Separated Trial Staff are non-decision making personnel and they will not participate in decision making or agency review on an *ex parte* basis in this case, either directly or through contact with other Common Carrier Bureau personnel. Any investigative or prosecuting functions will be performed by the Separated Trial Staff in connection with its role as a party to the adjudication of these cellular radio applications. All other personnel of the Common Carrier Bureau, unless identified in a subsequent order as required to be separated, are designated as decision-making and they may advise the Commission as to the ultimate disposition of any appeal of an Initial Decision in this proceeding. See Communications Act of 1934 as amended section 409(c) [47 U.S.C. 409(c)]; Administrative Procedure Act Section 554(d) [5 U.S.C. 554](d); § 1.1221 of the Commission's Rules.

[CC Docket No. 83-106, File No. 50055-CM-P-74 et al.]

Digital Paging Systems, Inc. et al.; Designating Applications for Consolidated Hearing on Stated Issues; Memorandum Opinion and Order

Adopted February 14, 1983.

Released February 23, 1983.

In re applications of Digital Paging Systems, Inc., CC Docket No. 83-106, File No. 50055-CM-P-74; and KC Corporation, CC Docket No. 83-107, File No. 50193-CM-P-74; and M.C.C.A. Service Corporation, CC Docket No. 83-108, File No. 50194-CM-P-74; for construction permits in the Multipoint Distribution Service for a New Station at Memphis, Tennessee.

1. For consideration are the above-referenced applications.[1] These applications are for construction permits in the Multipoint Distribution Service and they propose operations on Channel 2 at Memphis, Tennessee. The applications are therefore mutually exclusive and, under present procedures, require comparative consideration. These applications have been amended as result of informal requests by the Commission's staff for additional information. There are no petitions to deny or other objections under consideration.

2. Upon review of the captioned applications, we find that these applicants are legally, technically, financially, and otherwise qualified to provide the services which they propose, and that a hearing will be required to determine, on a comparative basis, which of these applications should be granted.[2]

3. Accordingly, it is hereby ordered, That pursuant to Section 309(e) of the Communications Act of 1934, as amended, 47 U.S.C. 309(e) and §0.291 of the Commission's Rules, 47 CFR 0.291, the above-captioned applications are designated for hearing, in a consolidated proceeding, at a time and place to be specified in a subsequent Order, to determine, on a comparative basis, which of the above-captioned applications should be granted in order to best serve the public interest, convenience and necessity. In making

[1] File No. 50193-CM-P-74 was amended on May 23, 1977 to change applicant's name from Howard S. Klotz and William Corbus to KC Corporation. This was a minor change from individuals to corporation with each individual retaining 50% ownership.

[2] This finding is subject to paragraph 6, *infra*.

such a determination, the following factors shall be considered: [3]

(a) The relative merits of each proposal with respect to efficient frequency use, particularly with regard to compatibility with co-channel use in nearby cities and adjacent channel use in the same city;

(b) The anticipated quality and reliability of the service proposed, including installation and maintenance programs; and

(c) The comparative cost of each proposal considered in context with the benefits of efficient spectrum utilization and the quality and reliability of service as set forth in issues (a) and (b).

4. It is further ordered, That Digital Paging Systems, Inc., KC Corporation, M.C.C.A. Service Corporation and the Chief, Common Carrier Bureau, ARE MADE PARTIES to this proceeding.

5. It is further ordered, That parties desiring to participate herein shall file their notices of appearance in accordance with the provisions of § 1.221 of the Commission's rules, 47 CFR 1.221.

6. It is further ordered, That any authorization granted to Digital Paging Systems, Inc., a wholly-owned subsidiary of Graphic Scanning Corporation, as a result of the comparative hearing shall be conditioned on, and without prejudice to, reexamination and reconsideration of that company's qualifications to hold an MDS license following a decision in hearing designated in *A.S.D. Answering Service, Inc., et al.*, FCC 82-391, released August 24, 1982, and shall be specifically conditioned upon the outcome of that proceeding.

7. This Order is effective on its release date. Petitions for reconsideration under § 1.106 or applications for review under § 1.115 of the Rules may be filed within the time limits specified in those sections. *See also* Rule § 1.4(b)(2).

8. The Secretary shall cause a copy of this Order to be published in the Federal Register.

James R. Keegan,

Chief, Domestic Facilities Division, Common Carrier Bureau.

[FR Doc. 83-5686 Filed 2-28-83; 8:45 am]

BILLING CODE 6712-01-M

[3] Consideration of these factors shall be in light of the Commission's discussion in *Frank K. Spain*, 77 FCC 2d 20 (1980).

[CC Docket No. 81-918; (1-29-82; 47 FR 4336)]

RCA American Communications, Inc.; Revisions to Tariff F.C.C. No. 2; Memorandum Opinion and Order

Adopted: February 14, 1983.

Released: February 17, 1983.

By the Chief, Common Carrier Bureau:

1. This investigation concerns the lawfulness of tariff revisions proposed by RCA American Communications, Inc. (RCA Americom) in Transmittal No. 325. *RCA American Communications, Inc.*, Mimeo 001618, released January 19, 1982. By these revisions, RCA Americom proposed rate increases for two leased channel voice grade service offerings, Type A and Type D, which were provided via satellite to other common carriers (OCCs) pursuant to RCA Americom's Tariff F.C.C. No. 2. Under the terms of this tariff, RCA Americom provided subscribers of Type A service with at least sixty (60) channels between RCA Americom operating centers. The OCC provided connecting channels, local channels and associated terminal equipment. In the case of Type D service, RCA Americom provided sixty (60) channels from RCA Americom operating centers to an OCC operating center or earth station in Denver, Colorado. As with Type A service, the user provided its own connecting and local channels. Subscribers to Type D service, however, had the option to provide their own associated terminal equipment or to obtain it from RCA Americom. At the time the revisions were proposed, the charge for Type A service was $500 per channel per month, while the charge for Type D service ranged from $330 to $370 per channel per month, depending upon usage. RCA Americom's tariff revisions proposed to increase the rates for both services to $600 per channel per month.

2. In response to a petition by Transponder Corporation of Denver (TCD), the only carrier taking Type D service, the Bureau suspended the effectiveness of the revisions for ninety days and instituted this investigation. It determined that RCA Americom had not provided sufficient justification for its contention that the cost of providing Type A and Type D service was approximately the same despite the acknowledged differences between the services. The revisions became effective during the pendency of this investigation.

3. Recently, RCA Americom filed tariff revisions to eliminate its Type D service offering because TCD no longer requires this service. See Transmittal Nos. 412 and 420. The revisions eliminating Type D service became effective January 29, 1983. In view of this development, as well as the lack of any substantial question of possible refunds on Type D service during the period the rate increase was in effect, we see no basis to pursue the investigation further.

4. Accordingly, it is ordered That pursuant to authority delegated in § 0.291 of the Commission's rules, 47 CFR 0.291 this investigation is terminated.

Federal Communications Commission.

Gary M. Epstein,

Chief, Common Carrier Bureau.

[FR Doc. 83-5098 Filed 2-28-83; 8:45 am]

BILLING CODE 6712-01-M

[FCC 83-48; MM Docket No. 83-47, File No. BR-811106UA et al.]

James S. Rivers and Fulton National Bank et al.; Designating Applications for Consolidated Hearing on Stated Issues; Memorandum Opinion and Order

Adopted: January 27, 1983.

Released: February 18, 1983.

In re applications of James S. Rivers and the Fulton National Bank as Trustees for Ronald Rivers, Tolliver R. Rivers and Patricia M. Rivers, Executrix of the estate of Herschel Rivers d.b.a. Radio Station WTJH (WTJH) East Point, Georgia, MM Docket No. 83-47, File No. BR-811106UA; James S. Rivers, Inc. (WJIZ(FM)) Albany, Georgia, MM Docket No. 83-48, File No. BRH-811106UE; Southeastern Broadcasting System, Inc. (WMJM and WFAV(FM)) Cordele, Georgia; MM Docket No. 83-49, File Nos. BR-811106UB and BRH-811106UD; for renewal of license.

By the Commission:

1. The Commission has before it for consideration the license renewal applications of the above, commonly-owned radio stations and its field inquiry concerning the operation of Station WTJH.

2. Information before the Commission raises serious questions as to whether the licensee of Station WTJH possesses the qualifications to be or to remain a licensee of the captioned station. In view of these questions, the Commission is unable to find that a grant of the WTJH renewal application would serve the public interest, convenience, and necessity, and must, therefore, designate the application for hearing.

3. Furthermore, because of these serious questions, we will also designate the applications of commonly-held Station WJIZ(FM), WMJM and WFAV(FM), for consolidated hearing

with WTJH. We recognize that under *Grayson Enterprises, Inc.*, 79 FCC 2d 936 (1980), we could have simply permitted the other stations to be renewed with a condition prohibiting their transfer pending the outcome of the hearing. We now believe, however, that we should definitely determine the status of commonly-owned stations at time of designation. If the charges are serious enough to possibly affect the transferability of the multiple owner's other stations, then by designating all the stations, we afford licensees faced with qualifications questions a better opportunity to defend themselves at the earliest practicable date. Henceforth, unless the Commission specifically designates such licenses for hearing, they will be freely transferable without condition. To this extent, *Grayson Enterprises, Inc.*, is overruled.

4. Accordingly, it is ordered, That the above-captioned applications for renewal of license are designated for hearing pursuant to Section 309(e) of the Communications Act of 1934, as amended, at a time and place to be specified in a subsequent Order, upon the following issues:

(a) Whether, in light of all the facts and circumstances pertaining thereto, the licensee of WTJH in its application for renewal of license (BR-781201KG), filed with the Commission on December 4, 1978, misrepresented facts to the Commission or was lacking in candor.

(b) Whether, in light of the evidence adduced under question (a), principals of the licensee of WTJH misrepresented facts to the Commission during the course of the investigation.

(c) Whether, in light of the information giving rise to the preceding questions, if found to be true, the above-captioned licensees possess the requisite character qualifications to remain licensees of the Commission.

5. It is further ordered, That the Chief of the Mass Media Bureau is directed to serve upon the captioned licensees a Bill of Particulars regarding the matters referred to in Issues (a) and (b), within thirty (30) days of the release of this Order.

6. It is further ordered, That the Mass Media Bureau proceed with the initial presentation of evidence with respect to Issues (a) and (b) and that the applicants then proceed with their evidence and have the burden of establishing that they possess the requisite qualifications to be licensees of the Commission and that grant of their applications would serve the public interest, convenience, and necessity.

7. It is further ordered, That to avail themselves of the opportunity to be heard, the above-captioned applicants, pursuant to § 1.221(c) of the Commission's Rules, in person or by attorney, shall file with the Commission within twenty (20) days of the receipt of this Order, a written appearance stating that they will appear at the hearing and present evidence on the matters specified in the Order.

8. It is further ordered, That the applicants herein, pursuant to Section 311(a)(2) of the Communications Act of 1934, as amended, § 73.3594 of the Commission's Rules, shall give notice of the hearing within the time and in the manner prescribed in such rule and shall advise the Commission thereof as required by § 73.3594(g) of the Rules.

9. It is further ordered, That the Secretary of the Commission send copies of this Memorandum Opinion and Order by Certified Mail—Return Receipt Requested, to the licensees of Radio Station WTJH, East Point, Georgia; Radio Station WJIZ(FM), Albany, Georgia; and Radio Stations WMJM and WFAV(FM), Cordele, Georgia.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 83-5099 Filed 2-28-83; 8:45 am]

BILLING CODE 6712-01-M

Technical Subgroup of Radio Advisory Committee; Resumption of Meeting

The Technical Subgroup of the Advisory Committee on Radio Broadcasting resumes its continuing meeting Thursday, March 10, 1983 at 10 a.m. in the McCollough Room of the National Association of Broadcasters, 1771 N Street N.W., Washington, D.C.

The Subgroup will continue its consideration of recommendations to the Federal Communications Commission concerning matters pertinent to the ongoing U.S.-Canadian discussions on the drafting of a new bilateral AM Agreement which, it is expected, will replace the North American Regional Broadcasting Agreement (NARBA).

The Subgroup will also discuss preparations for bilateral discussions which have started with Mexico, looking toward post-Rio revision of the U.S.-Mexican AM Agreement.

The meeting, a continuing one, will be resumed after the March 10, 1983 session at such time and place as is decided at that session. It is open for participation by all interested persons.

For further information, please call the Subgroup Chairman, Mr. Wallace Johnson, at (703) 841-0500.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 83-5100 Filed 2-28-83; 8:45 am]

BILLING CODE 6712-01-M

Telecommunications Industry Advisory Group Definitions and Rules Subcommittee; Meetings

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of six meetings of the Telecommunications Industry Advisory Group's (TIAG) Definitions and Rules Subcommittee. Each meeting will begin at 9:30 a.m. and will be open to the public. The meeting dates and locations are as follows:

Tuesday, March 15, 1983
AT&T Conference Room A (10th Floor), 1120 20th Street, N.W., Washington, D.C.

Wednesday, March 30, 1983
MCI Telecommunications Corporation (1st Floor Meeting Room), 1133 19th Street, N.W., Washington, D.C.

Tuesday, April 12, 1983
AT&T Conference Room A (10th Floor), Washington, D.C.

Tuesday, April 26, 1983
MCI Telecommunications Corporation (1st Floor Meeting Room), 1133 19th Street, N.W., Washington, D.C.

Wednesday, May 11, 1983
MCI Telecommunications Corporation (1st Floor Meeting Room), 1133 19th Street, N.W., Washington, D.C.

Tuesday, May 24, 1983
MCI Telecommunications Corporation (1st Floor Meeting Room), 1133 19th Street, N.W., Washington, D.C.

The agenda are as follows:

I. General Administrative Matters
II. Review of Minutes of Previous Meeting
III. Discussion of Individual Assignments
IV. Other Business
V. Presentation of Oral Statements
VI. Adjournment

With prior approval of Subcommittee Chairman John Utzinger, oral statements, while not favored or encouraged, may be allowed if time permits and if the Chairman determines that an oral presentation is conducive to the effective attainment of Subcommittee objectives. Anyone not a member of the Subcommittee and wishing to make an oral presentation should contact Mr. Utzinger (203/965-2830) at least five days prior to the meeting date.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 83-5101 Filed 2-28-83; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL RESERVE SYSTEM

Comerica Inc.; Proposed Acquisition of Comerica-Midwest, N.A.

Comerica Incorporated, Detroit, Michigan, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire voting shares of Comerica-Midwest, N.A., Toledo, Ohio.

Applicant states that the proposed subsidiary would engage in the activities of making or acquiring for its own account or the account of others loans and other extensions of credit such as would be made by a finance or credit card company and would not accept demand deposits or make commercial loans as defined by the Board. These activities would be performed from officers of Applicant's subsidiary in Toledo, Ohio, and the geographic areas to be served are the states of Michigan, Ohio, Indiana, Wisconsin, Pennsylvania, Kentucky, and Illinois. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissable for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b). The peformance of such activities through a national bank subsidiary, however, has not been determined by the Board to be closely related to banking.

Interested persons may express their views on the question whether the performance of such activities through a national bank subsidiary is closely related to banking and whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C., not later than March 22, 1983.

Board of Governors of the Federal Reserve System, February 22, 1983.

William W. Wiles,

Secretary of the Board.

[FR Doc. 83-5095 Filed 2-28-83; 8:45 am]

BILLING CODE 6210-01-M

Edgewater Capital Corp.; Formation of Bank Holding Company

Edgewater Capital Corporation, Chicago, Illinois, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 percent or more of the voting shares of the successor by merger to Community Bank & Trust Company of Edgewater, Chicago, Illinois. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Edgewater Capital Corporation, has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to engage in the activities of making or acquiring loans or other extensions of credit such as would be made by a mortgage company, and servicing loans and other extensions of credit for any person. These activities would be performed from offices of Applicant's subsidiary in Chicago, Illinois, and the geographic area to be served is Cook County, Illinois. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago.

Any views or requests for hearing should be submitted in writing and received by the Reserve Bank not later than March 23, 1983.

Board of Governors of the Federal Reserve System, February 23, 1983.

William W. Wiles,

Secretary of the Board.

[FR Doc. 83-5094 Filed 2-28-83; 8:45 am]

BILLING CODE 6210-01-M

Orbanco Financial Services Corp.; Proposed Acquisition of Orbanco Securities Corporation

Orbanco Financial Services Corporation, Portland, Oregon, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire voting shares of Orbanco Securities Corporation.

Applicant states that the proposed subsidiary would engage in the solicitation, underwriting, dealing in, purchase, and sale of obligations of the United States, general obligations of various States and political subdivisions thereof and such other obligations, including money market instruments such as bankers acceptances and certificates of deposit, as state member banks may from time to time be authorized to underwrite and deal in. These activities would be performed from offices of Applicant's subsidiary in Portland, Oregon and the geographic areas to be served are the States of Oregon and Washington.

None of the proposed activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, but the Board has approved these activities by order. Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of

fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of San Francisco.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than March 23, 1983.

Board of Governors of the Federal Reserve System, February 23, 1983.

William W. Wiles,

Secretary of the Board.

[FR Doc. 83-5093 Filed 2-28-83; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control

National Institute for Occupational Safety and Health (NIOSH)

Board of Scientific Counselors; Establishment

Pursuant to the Federal Advisory Committee Act, 5 U.S.C. Appendix I, the Centers for Disease Control announces the establishment by the Secretary of Health and Human Services, on February 3, 1983, of the following Federal advisory committee:

Designation: Board of Scientific Counselors, NIOSH

Purpose: This Board will provide advice and guidance to the Director, NIOSH, on NIOSH research programs. Specifically, the Board will provide oversight of the Institute's research program to ensure scientific quality, timeliness, utility, and dissemination of results.

Authority for this committee will expire February 3, 1985, unless the Secretary of 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: February 18, 1983.

William H. Foege,

Director, Centers for Disease Control.

[FR Doc. 83-5138 Filed 2-28-83; 8:45 am]

BILLING CODE 4160-18-M

Public Health Service

Centers for Disease Control; Statement of Organization, Functions, and Delegations of Authority

Correction

In FR Doc. 83-3582 appearing on page 6177 in the issue of Thursday, February 10, 1983, make the following correction:

In the first paragraph of the document, eighth line from the bottom, "Infectious" should read "Infections".

BILLING CODE 1505-01-M

Food and Drug Administration

[Docket No. 82P-0108]

Availability of Approved Variance for a Computed Tomography X-Ray Product Patient Alignment System

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces that a variance from the performance standard for laser products has been approved by the Director, Office of Radiological Health (formerly the Bureau of Radiological Health) of FDA's National Center for Devices and Radiological Health for the Model CT 9800 Computed Tomography X-ray System manufactured by the General Electric Co. The electronic product employs seven lasers to provide for proper positioning of the patient prior to diagnostic computed tomography scan.

DATE: The variance became effective June 29, 1982, and ends June 29, 1987.

ADDRESS: The application and all correspondence on the application have been placed on display in the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Glenn E. Conklin, National Center for Devices and Radiological Health (HFX-460), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3426.

SUPPLEMENTARY INFORMATION: Under § 1010.4 (21 CFR 1010.4) of the regulations governing establishment of performance standards under section 358 of the Radiation Control for Health and Safety Act of 1968 (42 U.S.C. 263f), the General Electric Co., P.O. Box 414, Milwaukee, WI 53201, has been granted a variance from § 1040.10(f)(6) (21 CFR 1040.10(f)(6)) of the performance standard for laser products for the Model CT 9800 Computed Tomography X-ray System.

The Director, Office of Radiological Health, has determined in accordance with § 1010.10(a) to grant a variance from the provisions of § 1040.10(f)(6) that otherwise would require the Model CT 9800 to be equipped with beam attenuators other than the main system power switch capable of reducing the laser radiation output of the helium-neon lasers for patient alignment to below class I limits. The Director has determined that the requirement of § 1040.10(f)(6) is not appropriate for the Model CT 9800 and that suitable means of radiation protection are provided by constraints on the physical and optical design, by warnings in the user manual and on the product, and by procedures for personnel who will operate the product. Therefore, on June 29, 1982, FDA approved the requested variance by letter to the manufacturer from the Director of the Office of Radiological Health.

The product shall bear on the certification label required by § 1010.2(a) (21 CFR 1010.2(a)) the docket number appearing in the heading of this notice and the effective date of the variance to associate the product with the variance.

In accordance with § 1010.4, the application and all correspondence on the application have been placed on public display under the designated docket number in the Dockets Management Branch (address above), and may be seen in that office between 9 a.m. and 4 p.m., Monday through Friday.

Dated: February 23, 1983.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 83-5089 Filed 2-28-83; 8:45 am]

BILLING CODE 4160-01-M

[Docket Nos. 81P-0202 et al.]

Availability of Approved Variance for Sunlamp Products

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces that variances from the performance standard for sunlamp products have been approved by the Director, Office of Radiological Health (formerly the Bureau of Radiological Health) of FDA's National Center for Devices and Radiological Health for certain specified sunlamps and sunlamp products manufactured or imported by nine organizations. The intended use of the

products is to produce ultraviolet radiation for tanning the skin.

DATES: The effective dates and termination dates of the variances are listed in the table below under "SUPPLEMENTARY INFORMATION."

ADDRESS: The applications and all correspondence on the various applications have been placed on display in the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4/62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Glenn E. Conklin, National Center for Devices and Radiological Health (HFX-460), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3426.

SUPPLEMENTARY INFORMATION: Under § 1010.4 (21 CFR 1010.4) of the regulations governing establishment of performance standards under section 358 of the Radiation Control for Health and Safety Act of 1968 (42 U.S.C. 263f) each of the nine organizations listed in the table below has been granted a variance from certain of the requirements of the performance standard for sunlamp products (21 CFR 1040.20). Approval has been granted for the listed products to vary as specified from that portion of § 1040.20(c)(2)(ii) requiring the maximum timer interval for a sunlamp product to be 10 minutes or less; or from that portion of § 1040.20(d)(2) prescribing the position and manner of affixing required labels; or from § 1040.20(f)(2)(ii) that specifies the exact warning statement to be included in the user instructions for an ultraviolet lamp not accompanying a sunlamp product. All other provisions of § 1040.20 remain applicable to the listed sunlamp products and ultraviolet lamps.

Each of the variances for the nominally ultraviolet-A (UVA) sunlamp products permits the listed manufacturer or importer to introduce into commerce sunlamp products that have less than 5 percent of their ultraviolet radiation at wavelengths shorter than 320 nanometers. FDA's experience with this kind of sunlamp product indicates that the relatively lengthy exposure recommended by the manufacturer does not result in severe, acute skin burns or corneal injury. Therefore, some of the requirements of § 1040.20 are not appropriate for UVA products. Even though the skin hazard is reduced, there is still a need to wear protective eyewear to eliminate the unnecessary risk to chemically sensitized lenses or of cornea damage or of long-term development of lens opacities.

Suitable or alternate means of radiation protection will be provided by constraints on the physical and optical design and by warnings in the user manual and on the products for all of the variances in lieu of the requirements listed in the table that were determined to be inappropriate. Therefore, on the dates specified in the table below, FDA approved the requested variances by letter to each manufacturer or importer from the Director of the Office of Radiological Health.

So that the product will bear evidence of the variance approved for the manufacturer of that product, each product shall bear on the certification label required by 21 CFR 1010.2(a) the docket number and effective date of the variance as specified in the table below.

Docket No.	Organization granted the variance	Sunlamp product	Paragraph in 21 CFR 1040.20 pertaining to variance	Effective date and termination date
81P-0202	Cooper-Hewitt Electric Company, Inc., 20 Kentonlands Road, Erlanger, Ky. 41018.	Sperti sunlamps	(d)(2)	Mar. 3, 1982. Mar. 3, 1987.
81P-0326	Solar Tan, 1316 Hyde Park Blvd., Niagara Falls, N.Y. 14301	UVA Tanning Booth	(c)(2)(ii)	Feb. 2, 1982. Feb. 2, 1987.
82P-0013	The Tanning Hut, Inc., 1670 Central Avenue, Colonie, N.Y. 12205	UVA Tanning Booth	(c)(2)(ii)	July 23, 1982. July 23, 1987.
82P-0147	Quarzlampenfabrik, Dr. Muller GMBH & Co. KG., Ruhrtalstrasse 15-17, 4300 Essen 16, Federal Republic of Germany.	UVA Sunbeds and Suncellings	(c)(2)(ii)	May 21, 1982. May 21, 1987.
82P-0169	OSRAM Sales Corp., P.O. Box 7062, Newburgh, N.Y. 12550	UVA Sunlamps	(f)(2)(ii)	Sept. 20, 1982. Sept. 20, 1987.
82P-0198	Kohler Company, Plumbing and Specialty Products, Kohler, Wis. 53044	UVA Tanning Beds Environmental Chambers.	(d)(1)(i)	Jan. 26, 1983. Jan. 26, 1988.
82P-0275	Solar Pacific, Inc., P.O. Box 5475, Kent, Wash. 98031	UVA Suntanning Bed and Canopy	(c)(2)(ii)	Sept. 20, 1982. Sept. 20, 1987.
82P-0310	Lohmann-Werke GMBH & Co., Postfach 5460, 4800 Bielefeld 1, Federal Republic of Germany.	UVA Tanning Bed (Sun Lounger) and Canopies (Sun Sky).	(c)(2)(ii)	Jan. 26, 1983. Jan. 26, 1988.
82P-0363	Wakewood Services, Ltd., Unit 19 and 33 Comet Rd., Moss Side, Industrial Estate, Leyland PR 5 3QN England.	UVA Suntanning Canopy, Bed, and Facial/Part Body Unit.	(c)(2)(ii)	Dec. 23, 1982. Dec. 23, 1987.

In accordance with § 1010.4, the applications and all correspondence (including the written notices of approval) on the various applications have been placed on public display under the designated docket number in the Dockets Management Branch, (address above), and may be seen in that office between 9 a.m. and 4 p.m., Monday through Friday.

Dated: February 22, 1983.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 83-5090 Filed 2-28-83; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 75N-0184; DESI 10837]

Enarax and Vistrax Tablets; Drug Efficacy Study Implementation; Proposal To Withdraw Approval of New Drug Application; Opportunity for Hearing

AGENCY: Food and Drug Administration (FDA).

ACTION: Notice.

SUMMARY: This notice revokes the temporary exemption that allowed Enarax 5 and 10 Tablets and Vistrax 5 and 10 Tablets to remain on the market beyond the time limit scheduled for implementation of the Drug Efficacy Study. This notice also reclassifies the products to lacking substantial evidence of effectiveness, proposes to withdraw approval of the new drug application, and offers an opportunity for hearing on the proposal.

DATES: Revocation of the temporary exemption is effective March 1, 1983; requests for hearing must be submitted by March 31, 1983; material to support hearing request must be submitted by May 2, 1983.

ADDRESSES: Communications in response to this notice should be identified with Docket number 75N-0184 and DESI 10837, and directed to the attention of the appropriate office named below.

Requests for hearing, supporting data and information, reports of studies, and

other comments: Dockets Management Branch (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

Requests for opinion of the applicability of this notice to a specific product: Division of Drug Labeling Compliance (HFN–310), National Center for Drugs and Biologics, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Suzanne O'Shea, National Center for Drugs and Biologics (HFN–8), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–3650.

SUPPLEMENTARY INFORMATION: This notice covers the drug products listed below and any identical, similar, or related product (21 CFR 310.6) that is not the subject of an approved new drug application.

NDA 11–784; Enarax 5 and Vistrax 5 Tablets containing oxyphencylimine hydrochloride 5 mg and hydroxyzine hydrochloride 25 mg; and Enarax 10 and Vistrax 10 Tablets containing oxyphencyclimine hydrochloride 10 mg and hydroxyzine hydrochloride 25 mg; Pfizer Laboratories Division, Pfizer, Inc., 235 E. 42d St., New York, NY 10017.

In a notice pubished in the **Federal Register** of June 22, 1971 (36 FR 11875), FDA classified Enarax 5 Tablets and Enarax 10 Tablets as possibly effective in the treatment of the irritable bowel syndrome, functional diarrhea, drug-induced diarrhea, ulcerative colitis, urinary bladder spasm, urethral spasm, and as adjunctive therapy in the treatment of peptic ulcer and as lacking substantial evidence of effectiveness for all other labeled indications. (The notice specifically named only Enarax Tablets. Hereinafter, "Enarax" refers to both strengths of both Enarax Tablets and Vistrax Tablets.) In a notice published in the **Federal Register** of November 11, 1975 (40 FR 52644), the agency announced that Enarax Tablets could remain on the market pending completion of clinical studies to test its effectiveness. The notice established time limits for submitting protocols and allowed manufacturers 18 months to complete the studies. In a notice published in the **Federal Register** of June 20, 1978 (43 FR 26490), the deadline for completion of the studies was extended to November 10, 1978.

Pfizer submitted reports on five clinical trials of Enarax 5 Tablets as adjunctive therapy in peptic ulcer disease. The agency has completed its review of these data and concludes that they do not constitute substantial evidence of effectiveness. A discussion of the data follows.

The five studies were randomized, double-blind, parallel trials conducted under similar protocols comparing the effectiveness of Enarax 5 Tablets, oxyphencyclimine hydrochloride 5 mg alone, hydroxyzine hydrochloride 25 mg alone, and placebo as adjunctive therapy in peptic ulcer disease. In each study, patients were admitted with radiologic or endoscopic evidence of ulcer disease, symptoms referable to ulcer disease, and a score of 12 or more on an abbreviated (35 item) Profile of Mood State (POMS) test. Each study lasted four weeks.

In three studies (Berkowitz, Riegel, and Fuchs) patients were evaluated after the first, second, and fourth weeks of treatment in the POMS test, in certain gastronintestinal symptoms, and in abdominal tenderness. In the Legerton and Magin studies, patients were evaluated weekly. A gastric analysis (pH, total volume, and total acidity) was performed after the second week, and an X-ray or endoscopic evaluation of ulcer healing was made at the end of the study. The time required for symptomatic improvement was recorded, and at the end of the study investigators made a global evaluation.

In only one study, the Berkowitz study, were favorable results obtained. These results were not confirmed by the other four studies, which do not even show favorable trends. Moreover, there are deficiencies in the Berkowitz study which call those results into question. Accordingly, the results of the studies do not constitute substantial evidence of Enarax's effectiveness (21 CFR 314.111(a)(5)(i)), nor do they demonstrate that each component of Enarax contributes to the effectiveness of the product (21 CFR 300.50(a)). A discussion of each study follows.

The Berkowitz Study

Pfizer claims that the results of this study indicate that Enarax is significantly more effective than oxyphencyclimine alone, hydroxyzine alone, and placebo in relieving symptoms of pain, nausea, and abdominal tenderness, in the time required for symptomatic improvement, in the investigator's global evaluation, and in the POMS test, for tension/anxiety.

The agency acknowledges that significantly better results were obtained with Enarax than with its components and placebo in the symptomatic evaluations reported by Pfizer. It is surprising, however, that no favorable trend at all was found for single entity oxyphencyclimine and hydroxyzine when the combination was so effecitve. Pfizer has offered no explanation of this phenomenon.

It also must be noted that the superiority of Enarax in the relief of pain and nausea was found only after the first week of treatment. Pfizer states that this is because the results of the second and fourth week were rated as worse, no change, or improved with respect to baseline and, therefore, cannot be quantitatively related to the first week or each other. This is a serious deficiency in the design of the study as the drug is intended for several weeks of treatment. A more satisfactory method would have been to rate symptoms on an absolute scale.

Pfizer made no attempt to compare the patient population for relevant baseline variables other than age and sex. 21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*iii*). Pertinent variables include initial severity of symptoms, duration of symptoms, and duration of ulcer disease. For example, only 5 of 19 Enarax patients had a duration of symptoms of 30 days or more while 13 of 20 placebo patients had symptoms for more than 30 days. Even more important, patients were not compared with respect to antacid use. It is apparent from the case records that antacids sufficient to relieve symptoms were used, and that the antacid regimens were not the same for every patient. This concomitant medication could have had significant effects on the results of the study, but these effects were not analyzed. 21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*iii*).

There are unexplained discrepancies in the case report forms. The patient numbers given on the cover page of each patient record do not match the numbers written on the case records themselves. For example, patient 2 on the cover is called patient 3, patient 3 on the cover is called patient 5, patient 4 on the cover is called patient 6, patient 5 is called patient 7, and so on. This requires some explanation, as randomization was supposed to be by computer-generated code. An explanation of the precise method of blinding is also required. 21 CFR 314.111(a)(5)(ii)(*a*)(*3*).

The Legerton Study

The design of this study is superior to the design of the Berkowitz study because the patients' symptoms were rated as absent, mild, moderate, or severe at each evaluation, and daily antacid dosage was carefully measured. Although Pfizer had planned to enroll 40 patients in this study, it submitted an interim tabulation of the results of 35 patients, with no statistical analysis.

Pfizer claims no significant advantage or favorable trend for Enarax in any gastrointestinal symptoms. In fact, for abdominal tenderness, epigastric pain, and nausea, the individual components appear to be more effective than Enarax. Pfizer claims that the results suggest a drug effect for ulcer healing, but notes that Enarax and hydroxyzine are equally effective in ulcer healing.

This study fails to demonstrate that Enarax offers any benefit beyond that of one of its components in either symptomatic relief or ulcer healing (21 CFR 300.50(a)) and does not confirm the results of the Berkowitz study.

The Reigel Study

Dr. Reigel enrolled 32 evaluable patients in a study of identical design to that of Berkowitz. Pfizer found no significant advantage for Enarax in any measurement. By way of explanation, Pfizer states that all patients had a low degree of severity of peptic ulcer as revealed by the low levels of gastric acidity and psychoneurosis. Thus, they explain, the study could not be expected to differentiate between treatment groups. The sponsor conducted no statistical analysis because "no meaningful statistical analysis could be done." This study is not adequate and well controlled (21 CFR 314.111(a)(5)(ii)), nor does it demonstrate the contribution of each component to be effectiveness of the combination product (21 CFR 300.50(a)).

The Fuchs and Magin Studies

Eighteen evaluable patients were enrolled in the Magin study; 20 were enrolled in the Fuchs study. Pfizer makes no claim of any advantage of Enarax based on the results of these studies, stating for both studies that the low number of patients prevents drawing any conclusions. These studies therefore fail to demonstrate the effectiveness of Enarax (21 CFR 314.111(a)(5)(i) and 21 CFR 300.50(a)).

Revocation of Exemption and Notice of Opportunity for Hearing

On the basis of all of the data and information available to him, the Director of the National Center for Drugs and Biologics is unaware of any adequate and well-controlled clinical investigation, conducted by experts who are qualified by scientific training and experience, meeting the requirements of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and 21 CFR 314.111(a)(5) and 21 CFR 300.50(a) that provides substantial evidence of effectiveness of Enarax 5 Tablets or Enarax 10 Tablets as adjunctive therapy in peptic ulcer disease or in any other indication.

Therefore, the temporary exemption granted by the November 11, 1975 notice and extended by the June 20, 1978 notice is revoked insofar as it pertains to Enarax 5 and 10 Tablets and Vistrax 5 and 10 Tablets.

In addition, notice is given to Pfizer and to all other interested persons that the Director of the National Center for Drugs and Biologics proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)), withdrawing approval of new drug application 11-784 and all amendments and supplements thereto on the ground that new information before him with respect to the drug products, evaluated together with the evidence available to him when the application was approved, shows there is a lack of substantial evidence that Enarax 5 and 10 Tablets and Vistrax 5 and 10 Tablets will have the effect they purport or are represented to have under the conditions of use prescribed, recommended, or suggested in the labeling.

In addition to Pfizer, this notice of opportunity for hearing applies to all persons who manufacture or distribute a drug product not the subject of an approved new drug application that is identical, related, or similar as defined in 21 CFR 310.6. It is the responsibility of every drug manufacturer or distributor to review this notice of opportunity for hearing to determine whether it covers any drug product that the person manufactures or distributes. Such person may request an opinion of the applicability of this notice to a specific drug product by writing to the Division of Drug Labeling Compliance (address given above).

In addition to the ground for the proposed withdrawal of approval stated above, this notice of opportunity for hearing encompasses all issues relating to the legal status of the drug products subject to it (including identical, related, or similar drug products as defined in 21 CFR 310.6), e.g., any contention that any such product is not a new drug because it is generally recognized as safe and effective within the meaning of section 201(p) of the act or because it is exempt from part or all of the new drug provisions of the act under the exemption for products marketed before June 25, 1938, contained in section 201(p) of the act, or under section 107(c) of the Drug Amendments of 1962, or for any other reason.

In accordance with section 505 of the act (21 U.S.C. 355) and the regulations promulgated under it (21 CFR Parts 310, 314), Pfizer, Inc. and all other persons subject to this notice under 21 CFR 310.6 are hereby given an opportunity for a hearing to show why approval of new drug applicaion 11-784 should not be withdrawn and an opportunity to raise, for administrative determination, all issues relating to the legal status of a drug product named above and of all identical, related, or similar drug products.

The applicant, distributor, or any other person subject to this notice under 21 CFR 310.6 who decides to seek a hearing, shall file: (1) On or before March 31, 1983, a written notice of appearance and request for hearing, and; (2) on or before May 2, 1983, the data, information, and analyses relied on to justify a hearing, as specified in 21 CFR 314.200. Any other interested person may submit comments on this notice. The procedures and requirements governing this notice of opportunity for hearing, a notice of appearance and request for hearing, a submission of data, information, and analyses to justify a hearing, other comments, and a grant or denial of hearing are contained in 21 CFR 314.200.

The failure of the applicant or any other person subject to this notice under 21 CFR 310.6 to file a timely written notice of appearance and request for hearing as required by 21 CFR 314.200 constitutes an election by the person not to make use of the opportunity for a hearing concerning the action proposed with respect to the product and constitutes a waiver of any contentions concerning the legal status of any such drug product. Any such drug product may not thereafter lawfully be marketed, and the Food and Drug Administration will initiate appropriate regulatory action to remove such drug products from the market. Any new drug product marketed without an approved new drug application is subject to regulatory action at any time.

A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for hearing that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of approval of the application, or when a request for hearing is not made in the required format or with the required analyses, the Commissioner of Food and Drugs will enter summary judgment against the person(s) who requests the hearing,

making findings and conclusions, denying a hearing.

All submissions in response to this notice must be filed in four copies. The submissions, except for data and information prohibited from public disclosure under 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the Docket Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050–1053 as amended (21 U.S.C. 352, 355) and under authority delegated to the Director of the National Center for Drugs and Biologics (see 21 CFR 5.70, 5.82 and 47 FR 26913 published in the **Federal Register** of June 22, 1982).

Dated February 22, 1983.

Harry M. Meyer, Jr.,

Director National Center for Drugs and Biologics

[FR Doc. 83-5088 Filed 2-28-83; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 83F-0013]

Organon, Inc.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Organon, Inc., has filed a petition proposing that the food additive regulations be amended to provide for the safe use of a mixture of the ornithine salts of branched-chain ketoacids for special dietary use in patients with chronic liver disease.

FOR FURTHER INFORMATION CONTACT: James H. Maryanski, 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 3A3682) has been filed by Organon, Inc., West Orange, NJ 07052, proposing that Part 172 (21 CFR Part 172) be amended to provide for the safe use of a mixture of the ornithine salts of branched-chain ketoacids for special dietary use under medical supervision in patients with chronic liver disease.

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: February 16, 1983.

Sanford A. Miller,

Director, Bureau of Foods.

[FR Doc. 83-4910 Filed 2-25-83; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 83F-0014]

Organon, Inc.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Organon, Inc., has filed a petition proposing that the food additive regulations be amended to provide for the safe use of a mixture of essential amino acids and nitrogen-free analogs of amino acids for special dietary use in patients with chronic renal failure.

FOR FURTHER INFORMATION CONTACT: James H. Maryanski, Bureau of Foods (HFF–334), Food and Drug Administration, 200 C St. SW., Washington, D.C. 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 3A3681) has been filed by Organon, Inc., West Orange, NJ 07052, proposing that Part 172 (21 CFR Part 172) be amended to provide for the safe use of a mixture of essential amino acids and nitrogen-free analogs of amino acids for special dietary use under medical supervision in patients with chronic renal failure.

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: February 16, 1983.

Sanford A. Miller,

Director, Bureau of Foods.

[FR Doc. 83-4909 Filed 2-28-83; 8:45 am]

BILLING CODE 4160-01-M

Request for Nominations for Representatives of Consumer and Industry Interests on Public Advisory Committees or Panels

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is requesting nominations for consumer and industry representatives to serve on certain public advisory committees or panels in the National Center for Devices and Radiological Health. Nominations will be accepted for current vacancies and for those that will or may occur during the next 12 months. FDA has a special interest in ensuring that women, minority groups, the physically handicapped, and small businesses are adequately represented on advisory committees and, therefore, extends particular encouragement to nominations for appropriately qualified female, minority, and physically handicapped candidates, and nominations from small businesses that manufacture medical devices subject to the regulations.

DATE: Nominations should be received by April 15, 1983, for vacancies listed in this notice.

ADDRESSES: All nominations and curricula vitae for consumer representatives must be submitted in writing to Naomi Kulakow, Office of Consumer Affairs (HFE–40), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857.

All nominations and curricula vitae (which includes nominee's office address and telephone number) for industry representatives must be submitted in writing to Kay A. Levin, National Center for Devices and Radiological Health (HFK–50), Food and Drug Administration, 8757 Georgia Ave., Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT:

For Consumer Interests: Naomi Kulakow, at the address above (301–443–5006).

For Industry Interests: Kay A. Levin, at the address above (301–427–7172).

SUPPLEMENTARY INFORMATION: FDA is requesting nominations for members representing consumer and industry interests for the following committee, panels, and sections of panels:

Committee, panel, and section	Approximate date representative is needed	
	Consumer	Industry
1. Device Good Manufacturing Practice Advisory Committee	5/31/83	NV
2. Clinical Chemistry and Hematology Devices Panel:		
a. Clinical Chemistry Section	2/28/84	2/28/84
b. Clinical Toxicology Section	NV	2/28/84
3. General Medical Devices Panel: a. Gastroenterology-Urology Section	NV	12/31/83
4. Immunology and Microbiology Devices Panel:		
a. Immunology Section	NV	2/28/84
b. Microbiology Section	NV	2/28/84
5. Obstetrics-Gynecology Devices Panel	1/31/84	NV
6. Respiratory and Nervous Systems Devices Panel: a. Neurological Section	NV	11/30/83

NV = No vacancy.

Device Good Manufacturing Practice Advisory Committee

In accordance with section 520(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j(f)) (the act), the function of the Device Good Manufacturing Practice Advisory Committee is to review regulations proposed for promulgation regarding good manufacturing practices governing the methods used in, and the facilities and controls used for, the manufacture, packing, storage, and installation of devices, and to make recommendations to the Commissioner of Food and Drugs regarding the feasibility and reasonableness of those proposed regulations. The committee may advise the Commissioner with regard to any petition submittted by a manufacturer for an exemption or variance from good manufacturing regulations.

Medical Devices Panels

The functions of the medical devices panels and sections listed above are to (1) review and evaluate available data concerning the safety and effectiveness of devices currently in use, (2) advise the Commissioner of Food and Drugs regarding recommended classification of these devices into one of three regulatory categories, (3) recommend the assignment of a priority for the application of regulatory requirements for devices classified in the standards or premarket approval category, (4) advise on any possible risks to health associated with the use of devices, (5) advise on formulation of product development protocols and review premarket approval applications for those devices classified in the premarket approval category, (6) review classification of devices to recommend changes in classification as appropriate, (7) recommend exemption to certain devices from the application of portions of the act, (8) advise on the necessity to ban a device, and (9) respond to requests from the agency to review and make recommendations on specific issues or problems concerning the safety and effectiveness of devices.

Consumer and Industry Representation

Section 513 of the act (21 U.S.C. 360c) provides that each medical device panel include as members one nonvoting representative of consumer interests and one nonvoting representative of interests of the device manufacturing industry. Each of the sections identified in this notice will also have a representative of consumer interests and a representative of industry interests. Section 520(f) of the act (21 U.S.C 360j(f) provides that the Device Good Manufacturing Practice Advisory Committee will have two voting members to represent the device manufacturing industry and two voting members to represent the general public.

Nomination Procedure

Any interested person may nominate one or more qualified persons as a member of a particular advisory committee, panel, or section to represent consumer interests as identified in this notice. To be eligible for selection, applicants' experience and/or education will be evaluated against Federal Civil Service criteria for the position to which they will be appointed.

Any organization in the medical device manufacturing industry ("industry interests") wishing to participate in the selection of an appropriate member of a particular committee, panel, or section may nominate one or more qualified persons to represent industry interests. Persons who nominate themselves as industrial representatives will not participate in the selection process. It is, therefore, recommended that all nominations be made by an organization or firm. Nominations shall include a complete curriculum vitae of each nominee and shall state that the nominee is aware of the nomination, is willing to serve as a member, and, in the case of consumer representative, appears to have no conflict of interest. The nomination should state whether the nominee is interested only in a particular advisory committee, panel, or section or in any advisory committee, panel, or section. The term of office is approximately 3 years.

Selection Procedure

Selection of members representing consumer interests is conducted through procedures developed under 21 CFR 14.84(c). The procedures include use of a consortium of consumer organizations which recommends two candidates to the agency for the agency's selection.

Regarding nominations for members representing the interests of the device manufacturing industry, a letter will be sent to each organization that has made a nomination, and to those organizations indicating an interest in participating in the selection process, together with a complete list of all such organizations and the nominees. This letter will state that it is the responsibility of each organization to consult with the others in selecting a single member representing industry interests for that particular committee within 60 days after receipt of the letter.

This notice is issued under the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)) and 21 CFR Part 14, relating to advisory committees.

Dated: February 22, 1983.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 83-4913 Filed 2-28-83; 8:45 am]

BILLING CODE 4160-01-M

Request for Nominations for Voting Members on Public Advisory Committees or Panels

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is requesting nominations for voting members to serve on certain public advisory committees or panels in the National Center for Devices and Radiological Health. Nominations will be acceptd for current vacancies and those that will or may occur during the next 12 months. FDA has a special interest in ensuring that women, minority groups, and the physically handicapped are adequately represented on advisory committees and, therefore, extends particular encouragement to nominations for appropriately qualified female, minority, and physically handicapped candidates.

DATES: Because scheduled vacancies occur on various dates throughout each year, no cutoff date is established for the receipt of nominations. However, when possible, nominations should be received at least 4 months before the date of scheduled vacancies for each year, as indicated in this notice.

ADDRESS: All nominations and curricula vitae must be sent to: Kay A. Levin, National Center for Devices and Radiological Health (HFK-50), Food and Drug Administration, 8757 Georgia Ave., Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Kay A. Levin, at the address above (301–427–7172).

SUPPLEMENTARY INFORMATION: FDA requests nominations of voting members for vacancies listed below. If specific expertise is not indicated, individuals should have expertise relevant to the field of activity of the committee, panel, or section.

1. Circulatory System Devices Panel: 2 vacancies immediately, 1 vacancy 6/30/83; cardiovascular pathologists or cardiologists.

2. Clinical Chemistry and Hematology Devices Panel:

a. Clinical Chemistry Section: 1 vacancy immediately, 3 vacancies 2/28/84; individuals with expertise in clinical chemistry.

b. Clinical Toxicology Section: 2 vacancies immediately, 1 vacancy 2/28/84; individuals with expertise in clinical toxicology.

c. Hematology and Pathology Section: 1 vacancy immediately, 1 vacancy 2/28/84; individuals currently involved in the practice of medicine or clinical laboratory sciences familiar with clinical hematology and cell surface markers for T&B lymphocytes.

3. Device Good Manufacturing Practice Advisory Committee: 3 vacancies 5/31/83; 2 representatives from State, local, or Federal government and 1 health professional employed in the human health care profession with expertise in quality assurance concerning manufacturing of medical devices and/or sterilization of medical devices during the manufacturing process.

4. General Medical Devices Panel, General Hospital and Personal Use Section: 2 vacancies immediately; individuals with expertise in general practice, general surgery, internal medicine, or oncology.

5. Immunology and Microbiology Devices Panel:

a. Immunology Section: 1 vacancy immediately, 2 vacancies 2/28/84; individuals with expertise in clinical immunology.

b. Microbiology Section: 2 vacancies immediately, 1 vacancy 2/28/84; individuals currently involved in the practice of medicine or clinical laboratory sciences with experience in microbiology (infectious disease clinicians) or expertise in antimicrobial agent susceptibility testing.

6. Obstetrics-Gynecology Devices Panel: 1 vacancy immediately, 2 vacancies 1/31/84; individuals with expertise in fetal monitoring or contraception.

7. Ophthalmic; Ear, Nose, and Throat; and Dental Devices Panel:

a. Ophthalmic Section: 1 vacancy 10/31/83; ophthalmologist.

b. Ear, Nose, and Throat Section: 2 vacancies 10/31/83; individuals with specialty in otolaryngology and/or related engineering sciences with emphasis on ENT instrumentation.

c. Dental Section: 2 vacancies immediately, 1 vacancy 10/31/83; dental practitioners with knowledge and expertise in the use of dental devices.

8. Radiololgic Devices Panel: 3 vacancies immediately, 1 vacancy 1/31/84; individuals with expertise in radiology, radiation therapy, nuclear medicine, or ultrasound.

9. Respiratory and Nervous Systems Devices Panel:

a. Anesthesiology Section: 2 vacancies immediately, 1 vacancy 11/30/83; anesthesiologists or pulmonary physicians with background training in engineering.

b. Neurological Section: 2 vacancies 11/30/83; neurosurgeons with experience in design and testing of implanted medical devices; neurologists experienced in design and testing of diagnostic medical devices.

Device Good Manufacturing Practice Advisory Committee

In accordance with section 520(f) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 360j(f)), the function of the Device Good Manufacturing Practice Advisory Committee is to review regulations proposed for promulgation regarding good manufacturing practices governing the methods used in, and the facilities and controls used for, the manufacture, packing, storage, and installations of devices, and to make recommendations to the Commissioner of Food and Drugs regarding the feasibility and reasonableness of those proposed regulations. The committee may advise the Commissioner with regard to any petition submitted by a manufacturer for exemption or variance from good manufacturing practice regulations.

Medical Devices Panels

The functions of the medical devices panels and sections are to (1) review and evaluate available data concerning the safety and effectiveness of medical devices currently in use, (2) advise the Commissioner of Food and Drugs regarding recommended classification of these devices into one of three regulatory categories, (3) recommend the assignement of a priority for the application of regulatory requirements for devices classified in the standards or premarket approval application for these devices classified in the premarket approval category, (4) advise on any possible risks to health associated with the use of devices, (5) advise on formulation of product development protocols and review premarket approval category, (6) review classification of devices to recommend changes in classification as appropriate, (7) recommend exemption to certain devices from the application of portions of the act, (8) advise on the necessity to ban a device, and (9) respond to requests from the agency to review and make recommendations on specific issues or problems concerning the safety and effectiveness of devices.

Qualifications

Persons nominated for membership on the Device Good Manufacturing Practice Advisory Committee should have expertise in any one or more of the following areas: quality assurance concerning manufacturing of medical devices and/or sterilization of medical devices during the manufacturing process. In addition, nominees should have experience with the use and application of medical devices. Persons nominated for membership on this committee as well as the medical devices panels or sections shall have adequately diversified experience appropriate to the work of the committee, panel, or section in such fields as clinical and administrative medicine, engineering, biological and physical sciences, statistics, and other related professions. The nature of specialized training and experience necessary to qualify the nominee as an expert suitable for appointment may include experience in medical practice, teaching, and/or research relevant to the field of activity of the committee, panel, or section. The term of office is approximately 3 years.

Nomination Procedure

Any interested person may nominate one or more qualified persons for membership on one or more of the advisory committees, panels, or sections. Self-nominations are also accepted. Nominations shall include a complete curriculum vitae of each nominee, current business address and telephone number, and shall state the nominee is aware of the nomination, is willing to serve as a member, and appears to have no conflict of interest that would preclude membership. To permit evaluation of possible sources of conflict of interest, FDA will ask the potential candidates to provide detailed information concerning such matters as financial holdings, employment, and research grants and/or contracts.

This notice is issued under the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)) and 21 CFR Part 14, relating to advisory committees.

Dated: February 22, 1983.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 83-4914 Filed 2-28-83; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 83M-0004]

St. Jude Medical, Inc.; Premarket Approval of St. Jude Medical ® Cardiac Valve

AGENCY: Food and Drug Administration

ACTION: Notice

SUMMARY: The Food and Drug Administration (FDA) is announcing its approval of the application for premarket approval under the Medical Device Amendments of 1976 of the St. Jude Medical ® Cardiac Valve sponsored by St. Jude Medical, Inc., St. Paul, MN. After reviewing the recommendation of the Circulatory System Devices Panel, FDA notified the sponsor that the application was approved because the device had been shown to be safe and effective for use as recommended in the submitted labeling.

DATE: Petitions for administrative review by March 31, 1983.

ADDRESS: Requests for copies of the summary of safety and effectiveness data and petitions for administrative review may be sent to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Charles Kyper, Office of Medical Devices (HFK-402), Food and Drug Administration, 8757 Georgia Ave., Silver Spring, MD 20910, 301-427-7445.

SUPPLEMENTARY INFORMATION: On January 22, 1981, St. Jude Medical, Inc., St. Paul, MN, submitted to FDA an application for premarket approval of the St. Jude Medical ® Cardiac Valve for surgical replacement of diseased, damaged, or malfunctioning heart valves. The application was reviewed by the Circulatory System Devices Panel, an FDA advisory committee, which recommended approval of the application. On December 17, 1982, FDA approved the application by a letter to the sponsor from the Associate Director for Device Evaluation of the Office of Medical Devices.

A summary of the safety and effectiveness data on which FDA's approval is based is on file in the Dockets Management Branch (address above) and is available upon request from that office. A copy of all approved final labeling is available for public inspection at the Office of Medical Devices—contact Charles Kyper (HFK-402), address above. Requests should be identified with the name of the device and the docket number found in brackets in the heading of this document.

Opportunity for Administration Review

Section 515(d)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e(d)(3)) authorizes any interested person to petition under section 515(g) of the act (21 U.S.C. 360e(g)) for administrative review of FDA's decision to approve this application. A petitioner may request either a formal hearing under Part 12 (21 CFR Part 12) of FDA's administrative practices and procedures regulations or a review of the application and of FDA's action by an independent advisory committee of experts. A petition is to be in the form of a petition for reconsideration of FDA action under § 10.33(b) (21 CFR 10.33(b)). A petitioner shall identify the form and review requested (hearing or independent advisory committee) and shall submit with the petition, supporting data and information showing there is a genuine and substantial issue of material fact for resolution through administrative review. After reviewing the petition, FDA will decide whether to grant or deny the petition and will publish a notice of its decision in the **Federal Register**. If FDA grants the petition, the notice will state the issue to be reviewed, the form of review to be used, the persons who may participate in the review, the time and place where the review will occur, and other details.

Petitioners may, at any time on or before March 31, 1983, file with the Dockets Management Branch (address above), two copies of each petition and supporting data and information identified with the name of the device and the docket number found in brackets in the heading of this document. Received petitions may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Dated: February 18, 1983.

Joseph P. Hile,

Associate Commissioner for Regulatory Affairs.

[FR Doc. 83-4916 Filed 2-28-83; 8:45 am]

BILLING CODE 4160-01-M

Small Business Participation; Open Meeting

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces a forthcoming small business exchange meeting to be chaired by Matthew H. Lewis, Director, Newark District.

DATE: Thursday, March 31, 1983, 1 p.m.

ADDRESS: The meeting will be held at the Holiday Inn of Saddle Brook, 50 Kenny Place, Saddle Brook, NJ 07662.

FOR FURTHER INFORMATION CONTACT: George R. Walden, Small Business Representative, Food and Drug Administration, 20 Evergreen Place, East Orange, NJ 07018, 201-645-6466.

SUPPLEMENTARY INFORMATION: The purpose of this meeting is to encourage dialogue between small businesses and FDA officials. The meeting will provide a forum for the owners and managers of small business to express their concerns about FDA, encourage discussion about the effects of regulation and regulatory alternatives, convey knowledge about the agency's operations and procedures, and increase participation by small business persons in FDA's decisionmaking process.

Dated: February 22, 1983.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 83-4912 Filed 2-28-83; 8:45 am]

BILLING CODE 4160-01-M

Health Resources and Services Administration

National Council on Health Planning and Development; Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following National Advisory body scheduled to meet during the month of March 1983:

Name: National Council on Health Planning and Development

Date and Time: March 31-April 1, 1983, 9:00 a.m.

Place: South American Room, Capital Hilton; 16th and K Streets, N.W., Washington, D.C. 20036; Open for entire meeting.

Purpose: The National Council on Health Planning and Development is responsible for advising and making recommendations with respect to: (1) The development of national guidelines under section 1501 of Public Law 93-641, (2) the implementation and administration of Title XV and XVI of Public Law 93-641, and (3) an evaluation of the implications of new medical technology

for the organization, delivery and equitable distribution of health care services. In addition, the Council advises and assists the Secretary in the preparation of general regulations to carry out the purposes of section 1122 of the Social Security Act and on policy matters arising out of the implementation of it, including the coordination of activities under that section with those under other parts of the Social Security Act or under other Federal or federally assisted health programs. The Council considers and advises the Secretary on proposals submitted by the Secretary under the provisions of section 1122(d)(2) that health care facilities or health maintenance organizations be reimbursed for expenses related to capital expenditures notwithstanding that under section 1122(d)(1) there would otherwise be exclusion of reimbursement for such expenses.

Agenda: "The Role of Health Planning and Capital Allocation Decisions in Prospective Payment Systems;" Status reports of Health Resources and Services Administration officials; and public comment period.

Anyone requiring information regarding the subject Subcommittee should contact Mr. Terry E. Shannon, interim Executive Secretary, National Council on Health Planning and Development, Bureau of Health Maintenance Organizations and Resources Development, Room 13A-55, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone (301) 443-5694.

Agenda items are subject to change as priorities dictate.

Dated: February 23, 1983.

Jackie E. Baum,

Advisory Committee Management Officer, Health Resources and Services Administration.

[FR Doc. 83-5091 Filed 2-28-83; 8:45 am]

BILLING CODE 4160-16-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[UT-910-4310-84]

Utah; Public Comment Period on Wilderness Study Areas Site Specific Analyses

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Notice of public comment period on Wilderness Study Areas Site Specific Analyses.

SUMMARY: This notice announces a public comment period on the draft site specific analysis (SSAs) for 21 individual wilderness study areas (WSAs) and 2 instant study areas (ISAs) under wilderness review in Moab District, Utah. The public comment period is scheduled to begin on March 1, 1983, and will end on May 2, 1983. Comments and/or information submitted by the public and received on or before the close of business on May 2, 1983, will be considered by BLM in arriving at a "preliminary suitability recommendation" for each WSA. This notice amends the July 30, 1982, notice, pages 33014-6, which gives the details of the Wilderness Study Process. Any acreage differences reflect more accurate measurements.

During the current phase, and prior to the preparation of a statewide EIS, each individual WSA is being analyzed individually on a site specific basis using the "Wilderness Study Policy; policies, criteria, and guidelines for conducting wilderness studies on public lands". These guidelines directed that eight specific study criteria and quality standards be addressed. They are: *Wilderness Study Criteria:* (1) Evaluation of Wilderness Values, (2) Manageability; and *Quality Standards,* (3) Energy and Mineral Resource Values, (4) Impacts on Other Resources, (5) Impact of Nondesignation of Wilderness Values, (6) Public Comments, (7) Local Social and Economic Effects, and (8) Consistency with Other Plans. The guidelines were used to conduct an interdisciplinary evaluation which is now subject to public comment. Four basic management options, or alternatives, are evaluated in the SSA's; all wilderness, partial wilderness, no wilderness and no action.

The purpose of the wilderness site specific analysis is to determine the environment, social, and economic effects of recommending or not recommending any, all or portions of individual WSAs for inclusion into the National Wilderness Preservation System (NWPS). In addition to the site specific analysis and prior to reporting recommendations to the President, a statewide environmental impact statement (EIS), evaluating the cumulative effects, will be prepared for Utah; this is scheduled to be completed in late 1984.

The Secretary of the Interior will recommend to the President whether or not a WSA should be designated Wilderness. This is to be completed no later than October, 1991.

The Preident has two years after receipt of the recommendation from the Scretary to make his recommendation to Congress.

Congress has unlimited time to act on the recommendation. Only Congress can designate an area Wilderness.

WSAs currently under study in Moab District and draft SSAs subject to public comment at this time:

WSA No.	WSA name	WSA acreage	BLMS "preliminary recommendation"		
			All wilderness	Partial wilderness (approximate acres)	Not suitable
UT-060-007	Muddy Creek	31,400	31,400		
UT-060-023	Sids Mountain	80,530		75,810	
UT-060-025	Devils Canyon	9,610			X
UT-060-028A	Crack Canyon	25,315	[1]25,335		
UT-060-029A	San Rafael Reef	55,540		[1]58,140	
UT-060-045/UT-050-237A	Horseshoe Canyon	20,500	20,500		
UT-060-054	Mexican Mountain	59,600		47,500	
UT-060-067	Turtle Canyon	33,690	33,690		
UT-060-068A	Desolation Canyon	248,050		230,030	
UT-060-138	Negro Bill Canyon	7,620			X [2]
UT-060-164	Indian Creek	6,870	6,870		
UT-060-167	Bridger Jack Mesa	5,290			X [2]
UT-060-169	Butler Wash	22,030	[1]24,160		
UT-060-188	Pine Canyon	10,890	10,890		
UT-060-191	Cheese Box Canyon	15,410			X
UT-060-196	Bullet Canyon	8,520	8,520		
UT-060-197/198	Slickhorn Canyon	45,390	45,390		
UT-060-201	Road Canyon	52,420		23,220	
UT-060-204	Fish Creek Canyon	46,440		35,220	
UT-060-205B	Mule Canyon	5,990			X
UT-060-224	Sheiks Flat	3,140	3,140		
ISA	Dark Canyon	62,040	62,040		
ISA	Grand Gulch	37,580	37,580		

[1] Additional Acreage outside WSA identified for inclusion for management purposes.
[2] Identified as suitable for study for another designation.

Six other WSAs under study in the Moab District were previously released for comment but are not now subject to public review.

The following indicates those WSAs in the Moab District which will be analyzed by other states:

WSA No.	WSA name	Other State	Acreage, Utah [1]
CO-070-113A, UT-060-116/117	Black Ridge Canyons West	Colorado	5,100
CO-030-265A, UT-060-227	Squaw Canyon	Colorado	6,580
CO-030-265, UT-060-299	Cross Canyon	Colorado	1,000

[1] Acreage in Utah identified as having wilderness characteristics.

A SSA for each WSA currently under study is available for review at all County Courthouses, BLM District Offices, Area Offices and at the State Office (Public Room) for in-state publics. The addresses are:

County Courthouses

Beaver County Courthouse, Beaver, Utah
Box Elder County Courthouse, Brigham City, Utah
Cache County Courthouse, 160 N. Main, Logan, Utah
Carbon County Courthouse, Price, Utah
Daggett County Courthouse, Manila, Utah
Davis County Courthouse, Farmington, Utah
Duchesne County Courthouse, Duchesne, Utah
Emery County Courthouse, Castledale, Utah
Garfield County Courthouse, Panguitch, Utah
Grand County Courthouse, Moab, Utah
Iron County Courthouse, Parowan, Utah
Juab County Courthouse, Nephi, Utah
Kane County Courthouse, Kanab, Utah
Millard County Courthouse, Fillmore, Utah
Morgan County Courthouse, Morgan, Utah
Piute County Courthouse, Junction, Utah
Rich County County Courthouse, Randolph, Utah
Salt Lake County Courthouse, 240 East 400 South, Salt Lake City, Utah
San Juan County Courthouse, Monticello, Utah
Sanpete County Courthouse, Manti, Utah
Sevier County Courthouse, Richfield, Utah
Summit County Courthouse, Coalville, Utah
Tooele County Courthouse, Tooele, Utah
Uintah County Courthouse, Vernal, Utah
Utah County Courthouse, 51 S. University, Provo, Utah
Wasatch County Courthouse, Heber, Utah
Washington County Courthouse, 197 East Tabernacle, St. George, Utah
Wayne County Courthouse, Loa, Utah
Weber County Courthouse, Municipal Building, 2550 Washington, Ogden, Utah

BLM Offices in Utah

Utah State Office, University Club Building, 136 East South Temple, Salt Lake City, Utah 84111
Salt Lake District Office, Bear River Resource Area, Pony Express Resource Area, 2370 South 2300 West, Salt Lake City, Utah 84119
Cedar City, District Office, 1579 North Main, Cedar City, Utah 84720
Beaver River Resource Area, 444 South Main, Cedar City, Utah 84720
Dixie Resource Area, Dixie Office, Building, St. George, Utah 84770
Kanab Resource Area, 320 North First East, Kanab, Utah 84741
Escalante Resource Area, Escalante, Utah 84726
Richfield District Office, 150 East 900 North, Richfield, Utah 84701
House Range Resource Area, Warm Springs Resource Area, Fillmore, Utah 84631
Sevier River Resource Area, 180 North 100 East, Richfield, Utah 84734
Henry Mountains Resource Area, Hanksville, Utah 84734
Moab District Office, 125 West 2nd South, Moab, Utah 84532
Price River Resource Area, San Rafael Resource Area, 900 North 7th East, Price, Utah 84501
Grand Resource Area, Sand Flats Road, Moab, Utah 84532
San Juan Resource Area, 284 South First West, Monticello, Utah 84535
Vernal District Office, Diamond Mountain Resource Area, Bookcliffs Resource Area, 170 South 500 East, Vernal, Utah 84078

A letter of notification of availability of documents (SSAs) has been mailed to out-of-state publics which are on the wilderness mailing list.

Moab District office has scheduled open houses/workshops and public involvement meetings to help the public in their review and to provide information relative to the WSAs under study. The schedule is as follows:

WILDNERNESS OPEN HOUSE

Date	Time	Location
March 7	3-8 p.m.	Price River Resource Area, San Rafael Resource Area, 900 North 7th East, Price, Utah.
March 8	3-8 p.m.	Emery County Courthouse, Castledale, Utah.
March 9	3-8 p.m.	Utah BLM State Office, 11th Floor Conference Room, 136 East South Temple, Salt Lake City, Utah.
March 15	3-8 p.m.	San Juan Resource Area, 284 South 1st West, Monticello, Utah.
March 16	3-8 p.m.	Grand Resource Area, Sand Flats Road, Moab, Utah.

Comments and/or information on the SSAs should be mailed to the Moab District Office, P.O. Box 970, Moab, Utah 84532. Comments and information will be accepted until close of business, May 2, 1983.

FOR FURTHER INFORMATION CONTACT: Kent Biddulph, Utah State Office, (801) 524-4257.

Roland G. Robison,
State Director, Utah.

[FR 83-5140 Filed 2-28-83; 8:45 am]

BILLING CODE 4310-84-M

Fish and Wildlife Service

Availability of the Final Environmental Impact Statement for Oil and Gas Exploration Within the Coastal Plain of the Arctic National Wildlife Refuge, Alaska

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: This notice advises the public that pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Fish and Wildlife Service has prepared the final Environmental Impact Statement (EIS) for Oil and Gas Exploration within the Coastal Plain of the Arctic National Wildlife Refuge (ANWR), Alaska. The proposed action is to establish, by regulation, guidelines to govern the exploration for oil and gas within the coastal plain of the ANWR in a manner that avoids significant adverse effects on the fish and wildlife, their habitats, or the environment. The proposed regulations accompanying this EIS were developed in consideration of the probable impacts of such exploration and were designed to prevent significant adverse effects while permitting applicants to choose the exploratory methods and techniques they wish to use as long as these exploratory activities satisfy the environmental protections contained in the regulations. Three other alternative regulatory approaches evaluated in this EIS include regulations authorizing government-prescribed operations, regulations authorizing applicant-

defined operations, and no action (no regulations). The final EIS and the preliminary final regulations reflect changes made from the public comments received on the draft EIS published in September, 1982.

Copies of the final EIS have been sent to representatives of the cooperating agencies, to those individuals who participated in the planning and scoping process, to agencies with jurisdiction by law and special expertise, and to those who have requested copies of the draft EIS. Single copies of the final EIS can be obtained from the Regional Director, U.S. Fish and Wildlife Service, (Attention: 1002 EIS Task Force Leader), 1011 East Tudor Road, Anchorage, Alaska 99503, and also from the Division of Refuge Management, U.S. Fish and Wildlife Service, Washington, D.C. 20240.

Copies of the final environmental impact statement will also be made available for inspection in the following public libraries: All Anchorage Public Libraries; All Fairbanks Public Libraries; All Juneau Public Libraries; Arctic Slope Regional Corporation Library; Arctic Village Community Library; Kenai Community Library; and the North Slope Borough School District Library.

Date approved: February 22, 1983.

Bruce Blanchard,

Director, Office of Environmental Project Review.

[FR Doc. 83-5055 Filed 2-28-83; 8:45 am]

BILLING CODE 4310-55-M

National Park Service

Arkansas; Buffalo National River; Finding of No Significant Impact for Proposal/Environmental Assessment, River Use Management Plan

Pursuant to the National Environmental Policy Act of 1969, Title 40 of the Code of Federal Regulations, and Part 516 of the Departmental Manual, the National Park Service has prepared a Finding of No Significant Impact for the Proposal/Environmental Assessment, River Use Management Plan for Buffalo National River, Searcy, Newton, Baxter and Marion Counties, Arkansas.

A Proposal/Environmental Assessment for the River Use Management Plan for Buffalo National River, Arkansas, was distributed and made available by publication in the **Federal Register** of October 22, 1982, and a News Release to local news media sources.

A Finding of No Significant Impact has now been completed and management strategies selected, based on public review input received and on management objectives. The plan provides guidance on how the park will be managed relative to goals for visitor use, boat use levels, camping and fishing activities, and assessing the appropriateness and need at low use river access sites. The plan proposals selected best provide a management strategy to insure all reasonable ways of achieving the intent of Congress and the management objectives of Buffalo National River.

Copies of the Finding of No Significant Impact for the Proposal/Environmental Assessment, River Use Management Plan, are available at the following locations: Office of the Superintendent, Buffalo National River, Post Office Box 1173, Harrison, Arkansas 72601; and the Southwest Regional Office, National Park Service, Post Office Box 728, Santa Fe, New Mexico 87501.

It is the conclusion of the National Park Service that the plan proposals will not constitute a major Federal action significantly affecting the human environment; therefore, an environmental impact statement will not be prepared. Following thirty (30) days from the publication date of this notice, the plan will be implemented.

Dated: February 2, 1983.

Jack Neckels,

Acting Regional Director, Southwest Region.

[FR Doc. 83-5104 Filed 2-28-83; 8:45 am]

BILLING CODE 4310-70-M

Arkansas; Pea Ridge National Military Park, Availability Draft Visitor Use/Development Plan and Environmental Assessment

Pursuant to the National Environmental Policy Act of 1969, Title 40 of the Code of Federal Regulations, and Part 516 of the Departmental Manual, the National Park Service has prepared a Draft Visitor Use/Development Plan and Environmental Assessment for Pea Ridge National Military Park, Benton County, Arkansas.

The Draft Visitor Use/Development Plan and Environmental Assessment inventories existing conditions at Pea Ridge National Military Park, identifies problems, presents a proposal and two alternatives for addressing those problems, and discusses their environmental consequences.

Copies of the Draft Visitor Use/Development Plan and Environmental Assessment are available at the following locations: Pea Ridge National Military Park, Pea Ridge, Arkansas 72751; and the Southwest Regional Office, National Park Service, Post Office Box 728, Santa Fe, New Mexico 87501.

Anyone wishing to provide comments on the Draft Visitor Use/Development Plan and Environmental Assessment should provide them to the Superintendent, Pea Ridge National Military Park, Pea Ridge, Arkansas 72751, within thirty (30) days from the publication date of this notice.

Dated: February 15, 1983.

Robert Kerr,

Regional Director, Southwest Region.

[FR Doc. 83-5105 Filed 2-28-83; 8:45 am]

BILLING CODE 4310-70-M

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 February 18, 1983. 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, D.C. 20243. Written comments should be submitted by March 16, 1983.

Carol D. Shull,

Chief of Registration, National Register.

ALABAMA

Houston County

Dothan, *Main Street Commercial District*, E. Main, Foster, St. Andrews, Crawford, and Troy Sts.

CALIFORNIA

Tuolumne County

Pinecrest vicinity, *Leighton Encampment and Streamflow Maintenance Dams*, Stanislaus National Forest

CONNECTICUT

New London County

North Stonington, *North Stonington Village Historic District*, CT 2, Main St., Wyassup, Babcock, Caswell, and Rocky Hollow Rds.

IOWA

Lee County

Primrose, *Primrose Mill*, Off IA 2

NEW JERSEY

Mercer County

Titusville, *Titusville Historic District*, River Dr.

Somerset County

East Millstone, *East Millstone Historic District*, Amwell Rd. and Delaware & Raritan Canal

NORTH CAROLINA

Alamance County

Mebane vicinity, *Griffis-Patton House*, NW of Mebane on SR 1927

Buncombe County

Asheville, *Chestnut Hill Historic District*, Roughly bounded by Hillside, Washington, Broad, Hollywood, Orchard Sts. and Merrimon Ave.

Cabarrus County

Concord, *Odell-Locke-Randolph Cotton Mill*, Buffalo, Church, Peachtree, and Locust Sts.

Forsyth County

Winston-Salem, *Ludlow, Col. Jacob Lott, House*, 434 Summit St.
Winston-Salem, *Nissen Building*, 310 W. Fourth St.
Winston-Salem, *Salem Town Hall*, 301 S. Liberty St.

Gaston County

Gastonia, *Gastonia High School*, S. York St.
Lucia vicinity, *Carpenter, Andrew, House*, SR 1820

Guilford County

High Point, *Tomlinson Chair Manufacturing Company Complex*, 305 W. High St.
Oak Ridge, *Oak Ridge Military Academy Historic District*, NC 150 and NC 68

Hertford County

Murfreesboro, *Myrick-Yeates-Vaughan House*, 327 W. Main St.

Johnston County

Clayton, *Stallings-Carpenter House*, SR1713

Moore County

Cameron, *Cameron Historic District*, Carthage St. from US 1 to Seaboard RR Track

Rowan County

Cleveland vicinity, *Knox Farm Historic District*, Knox and Amity Hill Rds.

Scotland County

Silver Hill vicinity, *Monroe, Robert Nancy, House*, SR 1328

Wilson County

Wilson vicinity, *Williams, Olzie Whitehead, House*, SR 1332

Stanly County

Badin, *Badin Historic District (Badin MRA)*, Roughly bounded by NC 740, Pine St., and County Club property line
Badin, *Narrows Dam and Power Plant Complex (Badin MRA)*, Yadkin River and SR 1704
Badin, *West Badin Historic District (Badin MRA)*, Roughly bounded by Sims, Lincoln, Marion, and Lee Sts.

OREGON

Grant County

Granite vicinity, *Fremont Powerhouse*, Umatilla National Forest

PENNSYLVANIA

Philadelphia County

Philadelphia, *George, Henry, Birthplace*, 413 S. Tenth St.

TENNESSEE

Polk County

Ducktown, *Burra Burra Mine Historic District*, TN 68 and Burra St.

[FR Doc. 83-5102 Filed 2-28-83; 8:45 am]
BILLING CODE 4310-70-M

Tar Sand Triangle Combined Hydrocarbon Lease Conversion EIS; Intent To Prepare an Environmental Impact Statement and Scoping Meeting

AGENCY: National Park Service and Bureau of Land Management, Interior.

ACTION: Notice of Intent to Prepare an Environmental Impact Statement—Conduct Scoping Meeting.

SUMMARY: Notice is hereby given that in accordance with the National Environmental Policy Act of 1969, the National Park Service (NPS) and the Bureau of Land Management (BLM), Utah State Offices, have been assigned the lead role in preparing an environmental impact statement (EIS) covering the proposed conversion of existing oil and gas leases within the Tar Sand Triangle Special Tar Sand Area, Utah, to hydrocarbon leases, under the Combined Hydrocarbon Leasing Act of 1981.

The statement will analyze the impacts of the lease conversions and proposed in situ tar sand projects. As the EIS must necessarily be conceptual, tiering will be used to key in environmental information for decisions to be made at later stages in project development. A requirement for environmental assessments and/or environmental impact statements at later project stages is not precluded by the preparation of this document.

Public scoping sessions to assist in determining the scope of the Tar Sand Triangle Lease Coversion EIS will be held in Hanksville, Utah, on March 9, 1983, and in Salt Lake City, Utah, on March 10, 1983. The Hanksville session will be held in the conference room of the BLM Henry Mountain Resource Area Office, Hanksville, Utah, from 4:00 to 7:00 p.m. The Salt Lake City, Utah, meeting will be held in Room 111 of the Salt Palace from 4:30 to 7:30 p.m. The purpose of the scoping sessions is threefold: (1) To inform the public of the nature of the combined hydrocarbon leasing program and the lease conversions proposed for the Tar Sand Triangle Special Tar Sand Area: (2) to gather resource information from the public; and (3) to consider concerns, problems, and/or issues important to the public, including possible alternatives, for possible inclusion in the Tar Sand Triangle Lease Conversion.

FOR FURTHER INFORMATION CONTACT: Joel M. Pickelner, Tar Sand Coordinator, National Park Service, 125 South State Street, Room 3418, Salt Lake City, Utah 84138, telephone (801) 524-4165. For persons who may not be able to attend the scoping sessions, letters of comment regarding the EIS scoping meetings may be sent to this address.

Dated: February 17, 1983.

Harold P. Danz,

Acting Regional Director, Rocky Mountain Region.

[FR Doc. 83-5103 Filed 2-28-83; 8:45 am]
BILLING CODE 4310-70-M

Kantishna Hills and Dunkle Mine Areas, Denali National Park and Preserve, Alaska; Study

AGENCY: National Park Service, Interior.

ACTION: Notice of Intent to Prepare an Environmental Impact Statement and Request for Issues to be Discussed.

SUMMARY: The National Park Service, as the Federal Co-Chairman of the Kantishna Hills/Dunkle Mine Study Group, announces the intent to prepare an Environmental Impact Statement on the Kantishna Hills/Dunkle Mine Study. The Alaska Land Use Council (ALUC) has established this study group to accomplish under the joint leadership of the National Park Service and the Alaska Department of Natural Resources a study required by Pub. L. 96-487, the Alaska National Interest Lands Conservation Act (ANILCA). On December 2, 1980, ANILCA was enacted. Section 202(b) of that act directed the Alaska Land Use Council, in cooperation with the Secretary of the Interior, to conduct a study of the Kantishna Hills and Dunkle Mine areas of the Denali National Park and Preserve and report to Congress by December 2, 1983.

The ALUC consists of a Federal Co-Chairman appointed by the President and the Governor of Alaska as State Co-Chairman; the head of the Alaska offices of the following Federal agencies: National Park Service, U.S. Fish and Wildlife Service, Bureau of Land Management, U.S. Forest Service, National Oceanic and Atmospheric Administration, and the Department of Transportation; the Commissioners of the Alaska Departments of Natural

Resources, Fish and Game, Environmental Conservation, and Transportation and Public Facilities; and two representatives selected by the Alaska Native Regional Corporations.

The study concerns the Kantishna Hills and Dunkle Mine areas of Denali National Park and will evaluate the resources of the areas, including fish and wildlife, public recreation opportunities, wilderness potential, historic resources, and minerals; and the study will include recommendations respecting resources. The study will compile information on the mineral potential of the study areas, will provide estimated costs of acquiring mining properities, and will analyze the environmental consequences of further mineral development. The EIS will evaluate alternatives for recommendations to Congress concerning mineral development in the areas. These alternatives tentatively range from acquiring all mining claims with cessation of mining activities to adjusting the boundary of Denali National Park to exclude mineralized lands.

A number of issues and impacts which may be addressed in the EIS have been identified. These include potential impacts on fish and wildlife, public recreation opportunities, wilderness potential, historic and archeological resources, and strategic and economic mineral resources.

A draft EIS will be available in early June with the final EIS tentatively scheduled for completion by early November. Public hearings on the draft EIS are planned and will be announced at a later date.

This notice formally initiates the scoping process for the EIS according to 40 CFR Part 1507 in the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act. Comments are requested from interested agencies, organizations and individuals. Comments regarding the scope of the EIS should be submitted to the individuals listed below.

In order to be carefully considererd in the EIS, comments should be received by March 25, 1983. Comments received after that date will be considered to the extent possible.

FOR FURTHER INFORMATION CONTACT:

Linda Nebel, Study Co-Chairperson, Alaska Regional Office, National Park Service, 540 W. 5th Avenue, Anchorage, Alaska 99501, Telephone: (907) 271–4637 (FTS)

James Wickes, Study Co-Chairperson, Alaska Department of Natural Resources, Pouch 7–005, Anchorage, Alaska 99510, Telephone: (907) 265–4402

Russell E. Dickenson,

Director, National Park Service.

[FR Doc. 83-5193 Filed 2-28-83; 8:45 am]

BILLING CODE 4310-70-M

Bureau of Reclamation

[INT-DES 83-9]

McGee Creek Project, Oklahoma; Availability of Draft Supplement to Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, as amended, the Department of the Interior has prepared a draft supplement to the final environmental statement for the McGee Creek Project. This supplement addresses two recent plan changes for development of the project. Part A addresses land acquisition policy changes required by Pub. L 97–88. Under the new law, mineral rights will be acquired on a majority of project lands by subordination instead of fee purchase, thereby allowing mineral (oil and gas) development on project lands. Part A also addresses alternatives including a Bureau of Reclamation proposed plan which would include fee purchase of lands required for the dam, dike, and other authorized permanent feature areas and subordination with no surface occupancy for the reservoir, Bugaboo and Wildcat Canyons, and Ferndale Bog areas of the Natural Scenic Recreation Area. Part B addresses modification to the proposed fishing recreation corridor from 4.7 miles to 1.2 miles below McGee Creek Dam. Written comments may be submitted to the Regional Director by May 6, 1983.

Copies are available for inspection at the following locations:

Director, Office of Environmental Affairs, Room 7622, Bureau of Reclamation, Washington, D.C. 20240, Telephone: (202) 343–4991

Division of Management and Support, General Services, Library Section, Code 950, Engineering and Research Center, Denver Federal Center, Denver Colorado 80225, Telephone: (303) 234–3019

Regional Director, Bureau of Reclamation, Suite 201, 714 South Tyler, Amarillo, Texas 79101, Telephone: (806) 378–5463

McGee Creek Project Office, Post Office Box 71, Farris, Oklahoma 74542, Telephone: (405) 889–6427

Oklahoma Representative, Bureau of Reclamation, Suite 560, 50 Penn Place, Oklahoma City, Oklahoma 73118, Telephone: (405) 231–4515

Single copies of the supplement may be obtained on request to the Director, Office of Environmental Affairs, Bureau of Reclamation, or the Regional Director, at the above address. Copies wil also be available for inspection in libraries within the project area.

Dated: February 23, 1983.

William C. Klostermeyer,

Acting Commissioner of Reclamation.

[FR Doc. 83-5123 Filed 2-28-83; 8:45 am]

BILLING CODE 4310-09-M

INTERSTATE COMMERCE COMMISSION

[MC-F-15092]

Motor Carriers; Apple City Express, Inc.—Purchase Exemption—Spector Red Ball, Inc.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of proposed exemption.

SUMMARY: Pursuant to 49 U.S.C. 11343(e) and the Commission's regulations in Ex Parte No. 400 (Sub-No. 1), *Procedures—Handling Exemptions Filed by Motor Carriers*, 367 I.C.C. 113 (1982), Apple City Express, Inc., of Murphysboro, IL, and Spector Red Ball, Inc., of Dallas, TX, seek an exemption from the requirement of prior regulatory approval for the purchase by Apple City of a portion of the operating rights of Spector in No. MC–2229 and subnumbers thereunder.

DATE: 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) Petitioners' representatives: For Spector: J. Raymond Chesney, 3177 Irving Blvd., P.O. Box 47407, Dallas, TX 75247; For Apple City: L. W. Ward, P.O. Box AB, Murphysboro, IL 62966

Comments should refer to No. MC–F–15092.

FOR FURTHER INFORMATION CONTACT: Warren C. Wood, (202) 275–7949.

SUPPLEMENTARY INFORMATION: Please refer to the petition for exemption, which may be obtained free of charge by contacting petitioners' representatives. In the alternative, the petition for exemption may be inspected at the offices of the Interstate Commerce Commission during usual business hours.

Decided: February 23, 1983.

By the Commission, Herbert P. Hardy, Director, Office of Proceedings.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 83-5117 Filed 2-28-83; 8:45 am]

BILLING CODE 7035-01-M

[MC-F-15102]

Motor Carriers; B.N.T. Service, Inc.—Purchase Exemption—Spector Red Ball, Inc.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of proposed exemption.

SUMMARY: Pursuant to 49 U.S.C. 11343(e) and the Commission's regulations in Ex Parte No. 400 (Sub-No. 1), *Procedures—Handling Exemptions Filed by Motor Carriers*, 367 I.C.C. 113 (1982), B.N.T. Service, Inc. (MC 148848), seeks an exemption from the requirement under section 11343 of prior regulatory approval for the purchase of a portion of the outstanding authority of Spector Red Ball, Inc. (No. MC 2229) authorizing the transportation of general commodities (with exceptions), over irregular routes, between certain points in Illinois, Minnesota, and Wisconsin. An application for temporary authority has been filed.

DATE: 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, DC 20423

and

(2) Petitioner's representative: Joseph T. Bambrick, Jr., Douglassville, PA 19518

Comments should refer to No. MC-15102.

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: February 22, 1983.

By the Commission, Heber P. Hardy, Director, Office of Proceedings.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 83-5118 Filed 2-28-83; 8:45 am]

BILLING CODE 7035-01-M

[MC-F-15112; OP4F-103]

Motor Carriers; Cheyenne Transportation, Inc.—Purchase Exemption—Floyd Duenow, Inc.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of proposed exemption.

SUMMARY: Pursuant to 49 U.S.C 11343(e), and the Commission's regulations in Ex Parte No. 400 (Sub-No. 1), *Procedures—Handling Exemptions Filed by Motor Carriers* 367 I.C.C. 113 (1982), Cheyenne Transportation, Inc., and Floyd Duenow, Inc., seek an exemption from the requirement under section 11343 of regulatory approval for the purchase by the former from the latter of certificate No. MC-127187 (Sub-No. 59) authorizing the transportation of *fertilizer and agricultural chemicals*, between points in the United States (except Alaska and Hawaii); and permits in No. MC-127187 (Sub-No. 58), authorizing the transportation of *metal products* between points in the United States under contract with Le Sueur Foundry Company Inc., and No. MC-152282 (Sub-No. 1), authorizing the transportation of *such commodities* as are dealt in or used by manufacturers, distributors and dealers of farm machinery and farm machinery parts, between points in the United States, under contract with NFD, Inc. of Braham, MN.

DATE: 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: William J. Gambucci, Hovland & Gambucci, 525 Lumber Exchange Building, Ten South Fifth Street, Minneapolis, MN 55402, (612) 340-0608

Comments should refer to No. MC-F-15112.

FOR FURTHER INFORMATION CONTACT: Warren C. Wood, (202) 275-7949.

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: February 22, 1983.

By the Commission, Herber P. Hardy, Director, Office of Proceedings.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 83-5120 Filed 2-28-83; 8:45 am]

BILLING CODE 7035-01-M

[MC-F-15105; OP4F-100]

Motor Carriers; Claxton Transport, Inc.—Purchase Exemption—Martin Transfer & Storage, Inc.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of proposed exemption.

SUMMARY: Pursuant to 49 U.S.C. 11343(e), and the Commission's regulations in Ex Parte No. 400 (Sub-No. 1), *Procedures—Handling Exemptions Filed by Motor Carriers*, 367 I.C.C. 113 (1982), Claxton Transport, Inc. (MC-146251) and Martin Transfer & Storage, Inc. (MC-147157) seek an exemption from the requirement of prior regulatory approval for the purchase by Claxton of Martin's Sub-No. 3 certificate, authorizing the transportation of (1) *steel wire*, between points in Telfair County, GA, on the one hand, and, on the other, points in AL, AR, IL, KY, MS, MI, NC, OH, OK, PA, SC, TN, VA, and WV, and (2) *Clay*, between points in Wilkinson, Washington, and Twiggs Counties, GA, on the one hand, and on the other, points in AL, FL, KY, IL, LA, MS, MO, NC, NJ, OH, OK, NY, PA, SC, TN, TX, WV, and WI.

DATE: 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: Ronald K. Kolins, Ross & Hardies, One IBM Plaza, Suite 3100, Chicago, IL 60611

Comments should refer to No. MC-F-15105.

FOR FURTHER INFORMATION CONTACT: Warren C. Wood, (202) 275-7949.

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: February 22, 1983.

By the Commission, Heber P. Hardy, Director, Office of Proceedings.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 83-5119 Filed 2-28-83; 8:45 am]

BILLING CODE 7035-0-M

[MC-F-15109]

Motor Carriers; Robert L. Olson—Purchase Exemption—Johnson Truck Lines, Inc.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of proposed exemption.

SUMMARY: Pursuant to 49 U.S.C. 11343(e), and the Commission's regulations in Ex Parte No. 400 (Sub-No. 1), *Procedures for Handling Exemptions Filed by Motor Carriers of Property Under 49 U.S.C. 11343*, 47 Fed. Reg. 53303 (November 24, 1982), Robert L. Olson doing business as Olson Trucking seeks an exemption from the requirement under section 11343 of prior regulatory approval for its purchase of a portion of the operating rights of Johnson Truck Lines, Inc., a motor carrier, (i.e., Certificate No. MC-105774 (Sub-No. 9), which certificate, authorizes the irregular-route motor common carrier transportation of general commodities (except used household goods, hazardous or secret materials, and sensitive weapons, and munition), for or on behalf of the United States Government, between points in the United States.

DATE: Comments must be received within 30 days after the date of publication in the **Federal Register.**

ADDRESSES: Send comments to:

(1) Motor Section, Room 2353, Interstate Commerce Commission, Washington, D.C. 20423

and

(2) Petitioner's representative: Andrew R. Clark, 1600 TCF Tower, Minneapolis, MN 55402

Comments should refer to No. MC-F-15109.

FOR FURTHER INFORMATION CONTACT: Warren C. Wood, (202) 275-7949.

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 exmeption may be inspected at the offices of the Interstate Commerce Commission during ususal business hours.

Decided: February 22, 1983.

By the Commission, Heber P. Hardy, Director, Office of Proceedings.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 83-5116 Filed 2-28-83; 8:45 am]

BILLING CODE 7035-01-M

[MC-F-15113]

Motor Carriers; Henry V. Rabouin, Inc.—Purchase Exemption—Bob's Transport & Storage Co., Inc.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of proposed exemption.

SUMMARY: Pursuant to 49 U.S.C. 11343(e) and the Commission's regulations in Ex Parte No. 400 (Sub-No. 1), *Procedures—Handling Exemptions Filed by Motor Carriers*, 367 I.C.C. 113 (1982), Henry V. Rabouin, Inc. (No. MC-30618), seeks an exemption from the requirement under section 11343 of prior regulatory approval for the purchase of a portion of the outstanding authority of Bob's Transport & Storage Co., Inc. (No. MC-148624) authorizing the transportation (1) of such commodities as are used in and dealt in by grocery stores, over irregular routes, between points in Connecticut, Delaware, Massachusetts, Maryland, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, on the one hand, and, on the other, points in Virginia, Washington, West Virginia, and the District of Columbia, and (2) of general commodities (with exceptions) over irregular routes, between points in Connecticut, Delaware, Massachusetts, Maryland, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

DATE: 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, DC 20423

and

(2) Petitioner's representative: Michael R. Werner, 241 Cedar Lane, Teaneck, NJ 07666

Comments should refer to No. MC-F-15113.

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: February 23, 1983.

By the Commission, Heber P. Hardy, Director, Office of Proceedings.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 83-5121 Filed 2-28-83; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Finance Applications; Decision-Notice

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10926, 10931 and 10932.

We find:

Each transaction is exempt from section 11343 of the Interstate Commerce Act, and complies with the appropriate transfer rules.

This decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

Petitions seeking reconsideration must be filed within 20 days from the date of this publication. Replies must be filed within 20 days after the final date for filing petitions for reconsideration; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1181.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will recite the compliance requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 20 days after publication, or within any approved extension period. Otherwise, the decision-notice shall have no further effect.

It is ordered:

The following applications are approved, subject to the conditions stated in the publication, and further subject to the administrative requirements stated in the effective notice to be issued hereafter.

Agatha L. Mergenovich,

Secretary.

For status, please call Team 3 at 202-275-5223.

Volume No. OP3-MC-FC-66

Decided: February 23, 1983.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC-FC-81124. By decision of February 22, 1983, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1181, Review Board Number 1 approved the transfer to COOLEY-PITTS TRUCKING, INC., Waynesboro, MS, a portion of Permit No. MC-146395 Subs 1F and 4F, issued March 9, 1981, and November 6, 1980, respectively, to W. C. PITTS CONSTRUCTION CO., INC., Waynesboro, MS, authorizing the transportation of (1) *lumber, poles, pilings, ties, and timbers,* from the facilities of Longleaf Forest Products, Inc., at Waynesboro, MS, to points in AL and LA, under continuing contract(s) with North Pacific Lumber Co., of Portland, OR, and (2) *lumber, poles, piling, timbers, and cross-ties,* from the facilities of Longleaf Forest Products, Inc., at Waynesboro, MS, to points in AR, GA, OK, TN, and TX, under continuing contract(s) with North Pacific Lumber Co., of Portland, OR. Representative: Ulysses Cooley, P.O. Box 70, Waynesboro, MS 39367.

For status, please call Team 5 at 202-275-7289.

Volume OP5-FC-73

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

MC-FC-81218. By decision of February 18, 1983, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1181, Review Board Number 2 approved the transfer to WOLFE MOVING & STORAGE COMPANY of Greenville, TX, of Certificate No. MC-1-4558 issued March 26, 1975, as modified, to FRANK WOLFE'S BONDED WAREHOUSE, INC., of Greenville, TX, authorizing the transportation of *household goods* (1) between points in Hunt, Rockwell, and Rains Counties, TX, and those in that part of Hopkins County, TX, on and west of TX Hwy 154, and those in that part of Collin County, TX, on and east of U.S. Hwy 75, on the one hand, and, on the other, points in OK, AR, and KS and (2) from points in Hunt, Rockwell, and Rains Counties, TX, and those in that part of Hopkins County, TX, on and west of TX Hwy 154, and those in that part of Collin County, TX, on and east of U.S. Hwy 75, to points in LA, and (3) from points in LA, OK, AR, and KS to points in TX. Representative: Cecil Tom Davis, 3102 Henry Street, Greenville, TX 75401.

[FR Doc. 83-5111 Filed 2-28-83; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

In the matter of 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 is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract." 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 3 at (202) 275-5223.

Volume No. OP3-61

Decided: February 18, 1983.

By the Commisson, Review Board No. 1, Members Parker, Chandler, and Fortier.

FF-665, filed February 9, 1983. Applicant: GATEWAY FREIGHT FORWARDERS, INC., One United Dr., Fenton, MO 63026. Representative: B. W. LaTourette, Jr., 11 So. Meramec, Suite 1400, St. Louis, MO 63105, (314) 727–0777. As a *freight forwarder*, in connection with the transportation, of *general commodities* (except classes A and B explosives and commodities in bulk), between points in the U.S.

MC 2934 (Sub-134), filed February 8, 1983. Applicant: AERO MAYFLOWER TRANSIT COMPANY, INC., 9998 No. Michigan Rd., Carmel, IN 46032. Representative: W. G. Lowry (same address as applicant), (317) 875–1142. Transporting *household goods*, between points in the U.S., under continuing contract(s) with International Playtex, Inc., of Dover, DE.

MC 2934 (Sub-135), filed February 8, 1983. Applicant: AERO MAYFLOWER TRANSIT COMPANY, INC., 9998 No. Michigan Rd., Carmel, IN 46032. Representative: W. G. Lowry (same address as applicant), (317) 875–1142. Transporting *household goods*, between points in the U.S. (except AK and HI), under continuing contract(s) with H. F. Ahmanson & Co., of Los Angeles, CA.

MC 10115 (Sub-16), filed February 2, 1983. Applicant: C. D. ZIMMERMAN, INC., P.O. Box 293, R.D. No. 2, Mifflintown, PA 17059. Representative: J. Bruce Walter, P.O. Box 1146, Harrisburg, PA 17108, (717) 233–3731. Transporting (1) *metal products*, between points in PA, on the one hand, and, on the other, points in CT, DE, FL, GA, IL, IN, MD, MI, NC, NJ, NY, OH, OK, SC, TX, VA, and WV, and (2) *clay, concrete, glass or stone products*, between points in the U.S. in and east of MN, WI, IL, MO, AR, and LA.

MC 30114 (Sub-14), filed February 8, 1983. Applicant: MOLA TRUCKING, INC., d.b.a. MITCHKO TRUCKING, 650 Myrtle Ave., Boonton, NJ 07005. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934, (201) 234–0301. 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 67234 (Sub-81), filed February 8, 1983. Applicant: UNITED VAN LINES, INC., One United Dr., Fenton, MO 63026. Representative: B. W. LaTourette, Jr., 11 So. Meramec, Suite 1400, St. Louis, MO 63105, (314) 727–0777. Transporting *general commodities* (except classes A and B explosives and commodities in bulk), between points in the U.S., under continuing contract(s) with ANG Gasification Company of Detroit, MI.

MC 111284 (Sub-4), filed February 8, 1983. Applicant: Q & R MOTOR SERVICE COMPANY, P.O. Box 303, St. Charles, MO 63302. Representative: Thomas P. Rose, P.O. Box 205, Jefferson City, MO 65102, (314) 636–2321. Transporting *food and related products*, between points in MO, IL and AR.

MC 115814 (Sub-18), filed February 8, 1983. Applicant: MARK TRUCKING, INC., Trella St., P.O. Box 811, Belleville, PA 17004. Representative: S. Berne Smith, P.O. Box 1166 (100 Pine St.), Harrisburg, PA 17108, (717) 232–8000. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Fairmont Products, Inc. of Belleville, PA.

MC 123675 (Sub-11), filed January 26, 1983. Applicant: SOLDIER BROS. A B T LINE, INC., 614 Paine Ave., Toledo, OH 43605. Representative: Keith D. Warner (same address as applicant), (419) 691–6746. Transporting *polyvinylbutryal*, between Toledo, OH, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 144085 (Sub-1), filed January 21, 1983. Applicant: WALKER HAULING COMPANY, INC., Rt. 2, Box 8, Milan, GA 31060. Representative: Virgil H. Smith, 74 Hwy. N. Box 245, Tyrone, GA 30290, (404) 969–1980. Transporting *roofing and roofing materials*, between Knoxville, TN, and points in Frederick County, MD, on the one hand, and, on the other, those points in the U.S. east of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, then northward along the western boundaries of Itasca and Koochiching Counties, MN, to the International boundary line between the U.S. and Canada.

MC 149244 (Sub-9), filed November 18, 1982, previously noticed in the **Federal Register** on December 10, 1982. Applicant: PEAKE, INC., 2022 Ave. A, Kearney, NE 68847. Representative: Kenneth L. Kessler, P.O. Box 855, Des Moines, IA 50304, (515) 245–2725. Transporting *general commodities* (except classes A and B explosives and household goods), between points in the U.S. (except AK and HI), under continuing contracts with U.S. Gypsum Co., and A. P. Green Refractories Co., of Mexico, MO, The E. J. Bartells Company, of Renton, WA, Bigelow-Liptak Corporation, of Southfield, MI, Bigelow-Liptak of Canada Limited, of Mississauga, Ontario, Canada, Bigelow-Liptak Export Corporation, of Houston, TX, A. P. Green Refractories (Canada) LTD, of Weston, Ontario, Canada, A. Lynn Thomas Company Incorporated, of Richmond, VA, Canadian Gypsum Company Limited/La Companie Du Gypse Du Canada, Limitee, of Toronto, Ontario, Canada, C.N.G. Distribution Limited of Toronto, Ontario, Canada, Fundy Gypsum Company Limited, of Windsor, Nova Scotia, Canada, Little Narrows Gypsum Company Limited, of Toronto, Ontario, Canada, Peeters Carpets LTD./Tapis Peeters, LTEE, of Toronto, Ontario, Canada, Durabond Products Company, of Rosemont, IL, Permalastic Products, Inc., of Rosemont, IL, Castlegate Industies, Inc., of Downers Grove, IL, Arch Partitions, Inc., of Downers Grove, IL, L & W Supply Corporation, of Chicago, IL, Columbia Building Materials Corporation, of Chicago, IL, C–S–W Drywall Supply Company, of Chicago, IL, Gypsum Services Corporation, of Chicago, IL, North Bay Building Materials Co., Inc., of Vallejo, CA, Stocking Specialists, Inc., of Chicago, IL, Sequoyah Carpet Corporation, of Anadarko, OK, Hollytex Carpet Mills, Inc., of City of Industry, CA, United States Gypsum Export Company, of Chicago, IL, USG Insulation Company, of Chicago, IL, and Wiss, Janney, Elstner and Associaties, Inc., of Northbrook, IL.

Note.—This republication indicates applicant's willingness and ability to handle commodities in bulk.

MC 152404 (Sub-2), filed January 31, 1983. Applicant: LEN CHARLES DEL SORDO, d.b.a. DELSORDO TRUCKING, 7 Summer St., Fairhaven, MA 02719. Representative: William F. Poole, 22 Knollwood Circle, North Kingstown, RI 02852, (401) 884–7292. Transporting (1) *rubber and plastic products*, between points in the U.S., under continuing contracts with F & B Enterprises, Inc., and New England Wholesale Tires, of New Bedford and Achusnet, MA, and (2) *pulp, paper and related products*, between points in the U.S., under continuing contract(s) with Advance Cup Corporation, of New Bedford, MA.

MC 152435 (Sub-1), filed January 19, 1983. Applicant: STONE LOAD DELIVERY CO., INC., R.R. 2, Harrisonville, MO 64701. Representative: James E. Thompson, Jr., P.O. Box 280, Law Bldg., Harrisonville, MO 64701, (816) 884–3238. Transporting (1) *ores and minerals and (2) clay, concrete, glass or stone products*, between points in Jackson, Cass, Johnson, Henry, Bates, St. Clair, Vernon, Barton, Jasper, Polk, Newton, and Benton Counties, MO, and points in

Wyandotte, Johnson, Miami, Allen, Neosho, Wilson, Montgomery, Linn and Shawnee Counties, KS.

MC 152874 (Sub-2), filed January 19, 1983. Applicant: L. G. TRUCK, INC., 2625 W. Cumberland St., Lebanon, PA 17042. Representative: David A. Sutherlund, 1150 Connecticut Ave., N.W., Suite 400, Washington, D.C. 20036, (202) 452–6800. Transporting *metal products and machinery*, between points in the U.S. (except AK and HI).

MC 161235, filed January 25, 1983. Applicant: ARTHUR BELL, d.b.a. BELL TRUCK RENTAL, Rt. 1, Martinsburg, MO 65264. Representative: Charles J. Fain, 333 Madison Street, Jefferson City, MO 65101, (314) 635–4115. Transporting *metal products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Midland Industries, Inc., of Wichita, KS.

MC 165954, filed January 28, 1983. Applicant: JOHNSON MOTOR COMPANY, Hwy. 45 So., Baldwyn, MS 38824. Representative: Luther Johnson, (same address as applicant), (601) 365–8011. Transporting *used automobiles or vehicles*, between point in LA, TX, TN, MS, OK, FL, CA, and IL, on the one hand, and, on the other, points in LA, TX, TN, MS, OK, FL, CA and IL.

MC 166054, filed February 1, 1983. Applicant: THOMAS J. TOFTE, d.b.a. TRANSERVE CO., 401 Upper Broadway, Decorah, IA 52101. Representative: Thomas J. Tofte,(same address as applicant), (319) 382–4383. Transporting (1) *cement*, (2) *dry fertilizer*, and (3) *food and related products*, between points in IA, MN, WS, and IL.

MC 166055, filed February 2, 1983. Applicant: L. ROBINSON TRANSFER & STORAGE CO., INC., 6655 D. Dobbin Rd., Columbia, MD 21045. Representative: George M. Minor (same address as applicant), (301) 997–5538. Transporting *household goods*, between points in the U.S. (except AK and HI).

MC 166104(b), filed February 7, 1983. Applicant: WM. PENN EQUIPMENT CORP., 225 W. Howard St., Stowe, PA 19464. Representative: Jerry Hugo (same address as applicant), (215) 326–4500. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in Berks, Chester, and Montgomery Counties, PA, on the one hand, and, on the other, Philadelphia, PA, and points in NJ and NY.

For the following, please direct status calls to Team 4 at 202–275–7669.

Volume No. OP4–101

Decided: February 22, 1983.

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

MC 166266, filed February 14, 1983. Applicant: THE BRAUN CORPORATION, 1014 South Monticello St., Winamac, IN 46996. Representative: William R. Roth (same address as applicant), (219) 946–6157. Transporting *wheelchairs*, between points in the U.S., under continuing contract(s) with Everest & Jennings, of Los Angeles, CA

For the following, please direct status calls to Team 5 (202) 275–7289.

Volume No. OP5–76

Decided: February 18, 1983.

By the Commission, Review Board No. 2, members Carleton, Williams, and Ewing.

MC 50069 (Sub-575), filed February 2, 1983. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Ave., Oregon, OH 43616. Representative: J. A. Kundtz, 1100 National City Bank Bldg., Cleveland, OH 44114, (216) 566–5639. Transporting *general commodities* (except classes A and B explosives and household goods), between points in the U.S., under continuing contract(s) with Ashland Oil, Inc., of Ashland, KY.

MC 52858 (Sub-132), filed February 4, 1983. Applicant: CONVOY COMPANY, 3900 N.W. Yeon Avenue, Portland, OR 97210. Representative: Raymond A. Greene, Jr., 100 Pine Street, Suite 2550, San Francisco, CA 94111, (415) 986–1414. Transporting *motor vehicles*, between points in the U.S. (except AK and HI).

MC 79658 (Sub-53), filed February 7, 1983. Applicant: ATLAS VAN LINES, INC., 1212 St. George Road, P.O. Box 509, Evansville, IN 47711. Representative: Robert C. Mills, (same address as applicant), (812) 424–2222. Transporting *household goods*, between points in the U.S., under continuing contract(s) with Foster Wheeler Energy Corporation, of Livingston, N.J.

MC 79658 (Sub-54), filed February 4, 1983. Applicant: ATLAS VAN LINES, INC., 1212 St. George Road, P.O. Box 509, Evansville, IN 47711. Representative: Robert C. Mills, (same address as applicant), (812) 424–2222. Transporting *household goods* between points in the U.S., under continuing contract(s) with International Minerals & Chemical Corporation (IMC), of Mundelein, IL.

MC 126119 (Sub-10), filed February 7, 1983. Applicant: EASTERN MOTOR TRANSPORT, INCORPORATED, P.O. Box 501, Richmond, VA 23204. Representative: Carroll B. Jackson, 1810 Vincennes Rd., Richmond, VA 23229, 804–282–3809. Transporting *petroleum, natural gas, and their products*, between those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX.

MC 134369 (Sub-23), filed February 7, 1983. Applicant: CARLSON TRANSPORT, INC., P.O. Box R, Byron, IL 61010. Representative: Allan C. Zuckerman, 221 N. LaSalle St., Suite 826, Chicago, IL 60601, 312–641–5900. Transporting *commodities in bulk*, between points in the U.S. (except AK and HI).

MC 135909 (Sub-4), filed February 3, 1983. Applicant: WALTER V. BAKER and ELLIS D. W. BAKER, d.b.a. BAKER BROS., P.O. Box 40, Ellington, MO 63638. Representative: Bill R. Davis, 2814 New Spring Rd., Suite 101, Emerson Center, Atlanta, GA 30339, (404) 434–3381. Transporting (1) *metal products*, (2) *rubber and plastic products*, (3) *mining and construction equipment, materials, and supplies*, (4) *machinery*, (5) *building materials*, (6) *those commodities which, because of their size or weight, require the use of special handling or equipment*, (7) *food and food products*, and (8) *paper and paper products*, between points in OH, IN, SC, WV, VA, IL, MI, CA, MD, NJ, FL, AZ, IA, MN, WI, TN, KY, NE, AR, AL, MO, PA, MS, GA, LA, KS, CO, NM, OK, MT, TX, WY, UT, OR, ID, NV, WA, NC, NH, ND, SD, and NY.

MC 135989 (Sub-40), filed February 2, 1983. Applicant: COAST EXPRESS, INC., 14280 Monte Vista Ave., Chino, CA 91710. Representative: William J. Lippman, P.O. Box 6060, Snowmass Village, CO 81615, 303–923–4565. Transporting *food and related products, transportation equipment*, and *metal products*, between points in the U.S.

Note.—Applicant seeks to convert existing contract carrier authority to common carrier authority.

MC 143098 (Sub-5), filed February 3, 1983. Applicant: LAUGHLIN TRUCKING, INC., Route 1, Box 95, Carlton, OR 97111. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Ave., Portland, OR 97210, (503) 226–3755. Transporting *commodities in bulk* between points in OR, WA, ID, MT, CA, NV, NM, AZ, UT, CO, and WY.

MC 148818 (Sub-9), filed February 7, 1983. Applicant: CARL PRINCE, d.b.a. PRINCE TRUCKING, Hwy 45, P.O. Box 37, Cane Hill, AR 72717. Representative: John C. Everett, 140 E. Buchanan, P.O. Box A, Prairie Grove, AR 72753, 501–846–2185. Transporting *furniture and fixtures*, (1) between points in Faulkner County, AR on the one hand, and, on the other, points in NC, SC, VA, and WV; and (2) between points in Moore County, NC on the one hand, and, on the other, points in FL, GA, and SC.

MC 149088 (Sub-9), filed February 7, 1983. Applicant: TRANSPORTATION, INC., P.O. Box 320, Ottawa, KS 66067. Representative: Jesse F. Davis, 3917 East Funston, Wichita, KS 67218, (316) 682–3084., Transporting *general commodities* (except classes A and B explosives and household goods), between points in AR, CO, IA, IL, KS, LA, MO, MN, NE, NM, ND, OK, SD, TX, WI, and WY.

MC 149138 (Sub-6), Filed February 8, 1983. Applicant: COLORADO, KANSAS, MISSOURI EXPRESS COMPANY, d.b.a. CKM EXPRESS COMPANY, 4250 Oneida St., Suite 141, Denver, CO 80216. Representative: William J. Lippman, P.O. Box 6060, Snowmass Village, CO 81615, (303) 923–4565. 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 156319 (Sub-5), Filed February 7, 1983. Applicant: GALEN O. KING, d.b.a. G.O.K. TRUCKING, 4792 S. St. Rt. 53, Tiffin, OH 44883. Representative: James Duvall, 220 W. Bridge St., P.O. Box 97, Dublin, OH 43017, (614) 889–2531. Transporting (1) *food and related products*, between points in IA, MI, OH and PA, on the one hand, and, on the other, points in the U.S. (except AK and HI) and (2) *rubber and plastic products* between points in St. Joseph County, IN, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 160798 (Sub-3), Filed February 7, 1983. Applicant: CRYOGENIC TRANSPORTATION, INC., P.O. Box 1845, Council Bluffs, IA 51502. Representative: Marshall Kragen, 1919 Pennsylvania Avenue, N.W., Suite 300, Washington, DC 20006, (202) 466–3778. Transporting *general commodities*, (except classes A and B explosives, and household goods), between points in the U.S. (except AK and HI).

MC 161308, Filed February 8, 1983. Applicant: B & S TRUCK SERVICE, INC., P.O. Box 1730, Terre Haute, IN 47808. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240, (317) 846–6655. Transporting *chemicals and related products* between points in Vermillion County, IN, on the one hand, and, on the other, points in Carroll County, KY.

MC 165859, Filed February 7, 1983. Applicant: HAROLD SEVERE, R.R. No. 1, Albion, IA 52531. Representative: Richard D. Howe, 600 Hubbell Bldg., Des Moines, IA 50309, (515) 244–2329. Transporting *pulp, paper and related products*, and *chemical and related products*, (1) between points in Marshall County, IA, on the one hand, and, on the other, points in Garland County, AR, and points in IL, MO, MN, and NE, and (2) between Minneapolis, MN, Kansas City, MO, Omaha, NE, and Chicago, IL, on the one hand, and, on the other, points in IA.

MC 165878, filed January 24, 1983. Applicant: DENVER-SALIDA-LEADVILLE FREIGHTLINE, INC., 4902 Smith Rd., Denver, CO 80216. Representative: Manuel Andrade, Jr., 770 Grant St., Suite 228, Denver, CO 80203, (303) 861–4273. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between Denver, CO, and Points in El Paso County, CO, on the one hand, and, on the other, points in Eagle, Lake, Chaffee, Fremont and Summit Counties, CO.

MC 165978, filed February 2, 1983. Applicant: ACME BARREL COMPANY, INC., 2300 West 13th St., Chicago, IL 60608. Representative: Joseph Winter, 29 South La Salle St., Chicago, IL 60603, (312) 263–2306. Transporting (1) *Containers* (2) *Metal products*, (3) *clay, glass, stone and concrete products*, and (4) *chemicals and related products*, between points in the U.S. (except AK and HI), under continuing contract(s) with PPG Industries, Inc., of Pittsburgh, PA.

MC 165989, filed February 1, 1983. Applicant: BRADDOCK TRANSFER, INC., 1930 Hutton St., Wilmington, DE 19882. Representative: Harris T. Bock, 1915 Three Penn Center Plaza, Philadelphia, PA 19102; (215) 563–4800. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in DE, NJ, MD, PA, VA, WV, and DC.

MC 166119, filed February 4, 1983. Applicant: A & L DIRECT TRANSPORT, INC., 1065 Prospect Ave., West Islip, NY 11795. Representative: Arthur J. Piken, Queens Office Tower, 95—25 Queens Boulevard, Rego Park, NY 11374, (212) 275–1000. Transporting *aircraft parts and propellers* between points in the U.S. (except AK and HI), under continuing contracts(s) with Central Aviation & Marine Corp., of Ronkonkoma, NY.

MC 166138, filed February 8, 1983. Applicant: CECIL PETERS, 1304 Martha St., Palmyra, MO 63461. Representative: James T. Darby, 1021 Irving Ave., Colonial Beach, VA 22443, (804) 224–0773. Transporting *general commodities* (except classes A and B explosives and household goods), between points in AR, IL, IN, IA, KS, KY, MO, NE, OK, and TN.

Volume No. OP5–79

Decided: February 18, 1983.

By the Commission, Review Board No. 3, members Krock, Joyce, and Dowell.

MC 106798 (Sub-12), filed February 10, 1983. Applicant: GARDEN STATE COACHWAYS, 690 N. Pearl Street, Bridgeton, NJ 08302. Representative: Larry Silfen, (same address as applicant), (609) 451–2084. (1) Over *regular* routes, transporting *passengers*, in intrastate, interstate, or foreign commerce, between Bridgeton, NJ and the junction of New Jersey Hwy 541 and Interstate Hwy 95 (New Jersey Turnpike), from Bridgeton over New Jersey Hwy 49 to junction Interstate Hwy 295, then over Interstate Hwy 295 to junction New Jersey Hwy 541, then over New Jersey Hwy 541 to junction Interstate Hwy 95 (New Jersey Turnpike), and return over the same route, serving all intermediate points and serving the off-route points of Berlin, Marlton, Pine Grove, Willingboro, and Columbus, NJ. (2) Applicant seeks to serve the off-route points of Newark International Airport and the LaGuardia and Kennedy Airports in New York in connection with applicants otherwise authorized regular route operations between New York, NY and Bridgeton, NJ.

Note.—(a) applicant intends to tack this authority with its existing authority, and (b) applicant seeks to provide regular-route service in interstate or foreign commerce and in intrastate commerce under 49 U.S.C. 10922(c)(2)(B) over the same route. Applicant seeks to provide regular-route service in interstate or foreign commerce.

MC 133118 (Sub-3), filed February 7, 1983. Applicant: TRI-WEST TRANSPORTATION CO., 6045 S.W. 179th Ave., Beaverton, OR 97007. Representative: Earle V. White, 2400 S.W. Fourth Ave., Portland, OR 97201, (503) 226–6491. Transporting *greases, motor and lubricating oils, tires, batteries, and auto accessories*, between points in Multnomah County, OR, on the one hand, and, on the other, points in WA and ID, under continuing contract(s) with Fawbush Oil Co., Inc., of McCleary, WA, Ross Oil Company, of Kellogg, ID, and Turner & Son, Inc., of Raymond, WA.

MC 138068 (Sub-10), filed January 28, 1983. Applicant: WAREHOUSE TRANSPORTATION COMPANY, INC., P.O. Box 84, 1052 S. Main St., Urbana, OH 43078. Representative: Robert E. Tucker, P.O. Box 14072, Cincinnati, OH 45214, 513–621–1200. 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 Bristol-Myers Company of New York, NY.

MC 155658 (Sub-9), filed November 29, 1982. Applicant: D.F. SYSTEM, INC., 95 Washington St., Foxboro, MA 02035. Representative: Robert G. Parks, 20 Walnut St., Suite 101, Wellesley Hills, MA 02181, 617–235–5571. Transporting *such commodities* as are dealt in or used by manufacturers or processors of textile, piece goods, and synthetic fabrics, between points in the U.S., under continuing contract(s) with Quaker Fabric Corporation of Fall River, MA.

MC 158729 (Sub-2), filed February 8, 1983. Applicant: SHIPPERS EXPRESS TRUCK LINES, INC., 2901 South Lamar Street, Dallas, TX 75215. Representative: Sam Hallman, 4555 InterFirst One, Dallas, TX 75202, (214) 741–6263. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in AR, LA, OK and TX.

MC 159288 (Sub-1), filed February 9, 1983. Applicant: SCHULZ TRANSPORTATION SERVICES, INC., Route 3, Box 89, Seward, NE 68434. Representative: Edward A. O'Donnell, 1004 29th St., Sioux City, IA 51104, (712) 255–3127. Transportating *food and related products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Victor's Iowa Pack, Inc., of Council Bluffs, IA.

MC 159948 (Sub-1), filed February 8, 1983. Applicant: SOUTH TRANSPORT, INC., 4530 Mobile Hwy., Montgomery, AL 36108. Representative: Timothy C. Miller, Suite 301, 1307 Dolly Madison Blvd., McLean, VA 22101, 703–893–4924. Transporting *food and related products*, between points in the U.S. (except AK and HI), under continuing contract(s) with John Morrell & Company, of Northfield, IL and Southern Foods Continental Grain Company, of Columbus, GA.

MC 166038, filed February 3, 1983. Applicant: AMERICAN TARA CORPORATION, 5667 New Peachtree Rd., Atlanta, GA 30341. Representative: Bruce E. Mitchell, Suite 520, 3390 Peachtree Rd., NE., Atlanta, GA 30326, 404–262–7855. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except HI), under continuing contract(s) with Coastal Stock Tab Company of Georgetown, DE.

MC 166148, filed February 8, 1983. Applicant: N.C.I. TRANSPORT, INC., 1200 Fairport Nursery Rd., Painesville, OH 44077. Representative: James Duvall, 220 W. Bridge St., P.O. Box 97, Dublin, OH 43017, 614–889–2531. Transporting *commodities in bulk*, between those points in the U.S. in and east of MN, SD, NE, CO, OK and TX.

[FR Doc. 83-5114 Filed 2-28-83; 8:45 am]
BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

In the matter of Motor Common and Contract Carriers of Property (fitness-only); Motor Common Carriers of Passengers (fitness-only); Motor Contract Carriers of Passengers; Property Brokers (other than household goods).

The following applications for motor common or contract carriage of property and for a broker of property (other than household goods) 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** on 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 or contract carriage of passengers filed on or after November 19, 1982, are governed by Subpart D of the Commission's Rules of Practice. See 49 CFR Part 1160, Subpart D, published in the **Federal Register** on November 24, 1982, at 49 FR 53271. For compliance procedures, see 49 CFR 1160.86. Persons wishing to oppose an application must follow the rules under 49 CFR Part 1160, Subpart E.

These applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service or to comply with the appropriate statutes and Commission regulations.

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, 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. This presumption shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication (or, if the application later becomes unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce, over irregular routes unles noted otherwise. Applications for motor contract carrier authority are those where service in for a named shipper "under contract."

Please direct status inquiries to Team Three at (202) 275–5223.

Volume. No. OP3–62

Decided: February 18, 1983.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 46614 (Sub-15), filed February 2, 1983. Applicant: BLUE & WHITE LINES, INC., 516 West Plank Rd., Altoona, PA 16602. Representative: Robert J. Brooks, 1828 L St., N.W., Suite 1111, Washington, DC 20036, (202) 466–3892. Transporting *passengers*, in special and charter operations, between points in the U.S.

Note.—Applicant seeks to provide privately-funded special and charter transportation.

MC 86954 (Sub-11), filed February 4, 1983. Applicant: NODAK STAGES, INC., P.O. Box 638, Bismarck, ND 58502. Representative: Robert N. Maxwell, P.O. Box 2471, Fargo, ND 58108, (701) 237-4223. Transporting *passengers*, in special and charter operations, between points in the U.S. (except HI).

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 105704 (Sub-8), filed February 7, 1983. Applicant: LINCOLN BUS LINES, INC., 10 West Elm Ave., Hanover, PA 17331. Representative: Norman T. Petow, 43 North Duke St., York, PA 17401, (717) 843-8004. Transporting *passengers*, in special and charter operations, between points in the U.S.

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 116005 (Sub-7), filed February 4, 1983. Applicant: ONONDAGA COACH CORP., 110 Genesee St., Auburn, NY 13021. Representative: Andrew J. Carraway, Suite 1301, 1600 Wilson Blvd., Arlington, VA 22209, (703) 522-0900. Transporting *passengers*, in special and charter operations, between points in the U.S. (except HI).

Note.—The Review Board concludes that applicant seeks to provide privately-funded charter and special transportation, notwithstanding the receipt by applicant of some financial assistance.

MC 150365 (Sub-4), filed February 7, 1983. Applicant: UNITED LIMO, INC., 10844 McKinley Hwy, Osceola, IN 46561. Representative: Robert W. Loser II, 512 Chamber of Commerce Bldg., 320 N. Meridian St., Indianapolis, IN 46204, (317) 635-2339. Transporting *passengers*, in special and charter operations, between points in the U.S. (except HI).

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 160865, filed January 31, 1983. Applicant: LOS ANGELES SIGHTSEEING TOURS, INC., 930 E. 6th St., Los Angeles, CA 90021. Representative: Donald R. Hedrick, P.O. Box 4334, Santa Ana, CA 92702, (714) 667-8107. Transporting *passengers*, in charter and special operations, beginning at points in CA, and extending to points in the U.S. (except HI).

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 166104(a), filed February 7, 1983. Applicant: WM. PENN EQUIPMENT CORP., 225 W. Howard St., Stowe, PA 19464. Representative: Jerry Hugo, (same address as applicant), (215) 326-4500. Transporting *passengers*, in charter and special operations between points in PA and NJ.

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 166115, filed February 7, 1983. Applicant: HARTLEY'S CHARTER SERVICE, INC., Route 2, Box 1, Rugby, ND 58368. Representative: Charles E. Johnson, Box 2056, Bismarck, ND 58502, (701) 223-5300. Transporting *passengers*, in special and charter operations, between points in the U.S. (except HI).

Note.—Applicant seeks to provide privately-funded charter and special transportation.

For the following, please direct status calls to Team 4 at 202-275-7669.

Vol. No. OP4-102

Decided: February 22, 1983.

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

MC 166246, filed February 11, 1983. Applicant: K & G TRANSPORT SERVICE, INC., 4265 Spring Grove Ave., Cincinnati, OH 45223. Representative: Edward P. Bocko, P.O. Box 496, Mineral Ridge, OH 44440, (216) 652-2789. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI).

MC 166267, filed February 14, 1983. Applicant: JOHN KERSCHBAUM d.b.a. TRAILERS COAST TO COAST, R R #3-501 Caton Farm Rd., Lockport, IL 60441. Representative: James Robert Evans, 145 W. Wisconsin Ave., Neenah, WI 54956, (414) 722-2848. As a *broker of general comodities* (except household goods), between points in the U.S. (except AK and HI).

For the following, please direct status calls to Team 5 at 202-275-7289.

Vol. No. OP5-77

Decided: February 18, 1983.

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

MC 56538(Sub- 2), filed February 3, 1983. Applicant: UNITED CHARTER SERVICE, INC., 119 Graham Lane, Lodi, NJ 07644. Representative: Larsh B. Mewhinney, 555 Madison Ave., New York, NY 10022, (212) 838-0600. Transporting *passengers*, in charter and special operations, (except AK and HI).

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 30318 (Sub-6), filed February 4, 1983. Applicant: YANKEE TRAILS, INC., Third Ave., Rensselaer, NY 12144. Representative: James M. Burns, 1365 Main St., Suite 403, Springfield, MA 01103, 413-781-8205. Transporting *passengers* in charter and special operations, between points in the U.S. (except AK and HI).

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 145748 (Sub-6), filed February 4, 1983. Applicant: MEYERS TRANSFER, INC., Route 64, East, Mt. Morris, IL 61054. Representative: Abraham A. Diamond, 29 South La Salle St., Chicago, IL 60603, (312) 236-0548. Transporting *passengers*, in charter and special operations, beginning and ending at points in IL, IN, IA, MI, MN, and WI, and extending to points in the U.S. (except AK and HI).

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 157249 (Sub-1), filed January 27, 1983. Applicant: LIN LINES, INC., 700 E. Tahquitz-McCallum Way, Palm Springs, CA 92262. Representative: Charles J. Williams, P.O. Box 186, Scotch Plains, NJ 07076, (201) 322-5030. Transporting *passengers*, in special and charter operations, between points in the U.S. (except HI).

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 165478, filed February 2, 1983. Applicant: COMMUTER BUS LINES INC., 11123 Long Beach Blvd., Lynwood, CA 90262. Representative: William D. Bourne, 4203 West Capitol Avenue, West Sacramento, CA 95691, (916) 371-2877. Transporting *passengers*, in charter and special operations, beginning and ending at points in CA, and extending to points in the U.S.

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 165968, filed January 31, 1983. Applicant: TRANSPRO COURIER SERVICE, a division of the PROTEN CORPORATION, 266 Pearl St., Brockton, MA 02401. Representative: Paul M. Protentis, (same address as applicant), (617) 583-3363. Transporting *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S. (except AK and HI).

MC 166039, filed February 3, 1983. Applicant: UNITED BUS SERVICE, 5108 Hayes Street, NE., Washington, DC 20019. Representative: Ferdinard M. Berry, (same address as applicant), (202) 399-2027. Transporting *passengers*, in charter and special operations, between points in the U.S. (except HI).

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 166048, filed February 3, 1983. Applicant: ROBERT T. COHRS, d.b.a. CHINATOWN ASSOCIATES, 18427-42d Pl. W., Lynnwood, WA 98036. Representative: Robert T. Cohrs, (same address as applicant), (206) 771-6854. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S. (except AK and HI).

MC 166108, filed February 7, 1983. Applicant: PETERSON'S ECONOMY BUS CHARTERS, 600 Diamond Rd., Pensacola, FL 32504. Representative: Joseph L. Peterson, (same address as applicant), 904-433-6931. Transporting *passengers*, in special and charter operations, between points in the U.S. (except AK and HI).

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 166109, filed February 7, 1983. Applicant: MID COLUMBIA BUS CO., INC., P.O. Box 635, Condon, OR 97823. Representative: Jerry R. Woods, Room 104 Flavia Hall, P.O. Box 28, Marylhurst, OR 97036, (503) 635-5600. Transporting *passengers*, in charter and special operations, between points in the U.S. (except HI).

Note.—Applicant seeks to provide privately-funded charter and special transportation.

Vol. No. OP5-80

Decided: February 18, 1983

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC 151198 (Sub-3), filed February 8, 1983. Applicant: MERRIMACK SHUTTLE AND EXPRESS SERVICE, INC., 28 Constance St., Merrimack, NH 03054. Representative: Frank J. Weiner, 15 Court Square, Boston, MA 02108, (617) 742-3530. Transporting *passengers*, in special and charter operations, between points in the U.S.

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 162839 (Sub-1), filed February 8, 1983. Applicant: INFLATION FIGHTERS GROUP TOURS, INC., 5601 Slauson Ave., Bldg. A-1, No. 176, Culver City, CA 90230. Representative: Donald R. Hedrick, P.O. Box 4334, Santa Ana, CA 92702, (714) 667-8107. Transporting *passengers*, in charter and special operations, between points in the U.S.

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 166158, filed February 9, 1983. Applicant: SCHREIBER FOODS, INC., 425 Pine Street, Green Bay, WI 54305. Representative: John H. Sage (same address as applicant), (414) 437-7601. To operate as a *broker* of *general commodities* (except household goods) between points in the U.S. (except AK and HI).

MC 166159, filed February 7, 1983. Applicant: LEE EUGENE CARPENTER, JR., d.b.a. YELLOW TOP CAB COMPANY, 909 Virginia Ave., Cumberland, MD 21502. Representative: Edward N. Button, 635 Oak Hill Ave., Hagerstown, MD 21740, 301-739-4860. Transporting *passengers*, in charter and special operations, between points in the U.S. (except AK and HI).

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 166188, filed February 8, 1983. Applicant: BLUE GOOSE BUS LINE, INC., 708 West Third St., P.O. Box 649, Greenville, NC 27834. Representative: John Elbert Spruill (same address as applicant), (919) 752-2460. Transporting *passengers*, in charter and special operations, beginning and ending at points in NC, and extending to points in SC, VA, MD, PA, NJ, NY, CT, GA, FL, and DC

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 166198, filed February 8, 1983. Applicant: NISKANEN & JONES, INC., d.b.a. TAG-A-LONG TOURS & TRAVEL, 452 N. Main St., Moab, UT 84532. Representative: William S. Richards, P.O. Box 2465, Salt Lake City, UT 84110, (801) 531-1777. Transporting *passengers*, in special and charter operations, between points in CO, NV, AZ, CA, UT, ID, WY, NM, and MT.

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 166208, filed February 10, 1983. Applicant: CROSS-KEYS LIMOUSINE SERVICE, INC., 263 N. Main St., Doylestown, PA 18901. Representative: Louis J. Carter, 7300 City Line Ave., Philadelphia, PA 19151-2291, 215-879-8665. Transporting *passengers*, in charter and special operations, between points in the U.S. (except HI).

Note.—Applicant seeks to provide privately-funded charter and special transportation.

MC 166209, filed February 9, 1983. Applicant: DALE McLIN, d.b.a. McLIN GRAIN CO., 1006 N. Church St., Leon, IA 50144. Representative: Edward A. O'Donnell, 1004 29th St., Sioux City, IA 51104, (712) 255-3127. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *Agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S. (except AK and HI).

[FR Doc. 83-5113 Filed 2-28-83; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. OP5-74]

Motor Carriers; Permanent Authority Decisions; Restriction Removals; Decision-Notice

Decided: February 18, 1983.

The following restriction removal applications, are governed by 49 CFR Part 1165. Part 1165 was published in the **Federal Register** of December 31, 1980, at 45 FR 86747 and redesignated at 47 FR 49590, November 1, 1982.

Persons wishing to file a comment to an application must follow the rules under 49 CFR 1165.12. A copy of any application can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the restriction removal applications are not allowed.

Some of the applications may have been modified prior to publication to conform to the special provisions applicable to restriction removal.

Findings

We find, preliminarily, that each applicant has demonstrated that its requested removal of restrictions or broadening of unduly narrow authority is consistent with the criteria set forth in 49 U.S.C. 10922(h).

In the absence of comments filed within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Review Board No. 2, Members Carleton, Williams and Ewing.

Agatha L. Mergenovich,

Secretary.

Please direct status inquiries to Team 5, at (202) 275-7289.

No. Mc 146649 (Sub No. 4)X Filed: January 25, 1983. Applicant: JOHNNY'S TRANSFER CO., INC., Rt. 1, Box 105-G, Mt. Holly, NC 28120. Representative: Terrell Price, 800 Briar Creek Road,

Suite DD-504, Charlotte, NC 28205, (704) 372-8212. Sub No. 2F permit: (1) broaden drums, and parts for drums to "containers, drums and parts therefor," and (2) expand the territorial description to between points in the United States, under continuing contract(s) with a named shipper.

[FR Doc. 83-5112 Filed 2-28-83; 8:45 am]
BILLING CODE 7035-01-M

[Ex Parte 431]

Adoption of Uniform Railroad Costing System for Determining Variable Costs for Purposes of Surcharge and Jurisdictional Threshold Calculations

AGENCY: Interstate Commerce Commission.

ACTION: Denial of petition.

SUMMARY: This order denies the petition by Central Louisiana Power Company (CLECO) et al. of October 1, 1982 which requested the Commission to order that future meetings with the public concerning the implementation of the Uniform Railroad Costing System (URCS) be noticed and open to the public. The Commission decided to open this proceeding in Ex Parte No. 431 on January 21, 1983. (48 FR 4562, February 1, 1983). This action insures that all future meetings concerning the implementation of URCS will be noticed and open to the public. The issuance of the petitioned order is unnecessary.

ADDRESS: Copies of the URCS Decision may be obtained by contacting: TS Infosystems, Inc., Room 2227, 12th and Constitution Avenue, N.W., Washington, DC 20423, (202) 289-4357—DC Metropolitan Area, (800) 424-5403—Toll Free for Outside DC Area.

FOR FURTHER INFORMATION CONTACT: William T. Bono, Chief, Section of Cost Development, (202) 275-7354.

SUPPLEMENTARY INFORMATION: As part of the Commission's effort to develop URCS and to introduce it to the public the Bureau of Accounts (BOA) has met upon request with all interested parties during the entire development of URCS. CLECO has petitioned that,

> the Commission enter an order prohibiting any future meetings with any member of the public on this subject unless they are noticed and open to *all* members of the public.

Since the Commission opened Ex Parte No. 431 on January 21, 1983, the need to consider CLECO's petition has been obviated.

Although BOA will not hold any group meetings without notice prior to the conclusion of Ex Parte No. 431, BOA staff will continue to respond to inquiries by individuals concerning technical matters. To insure that the substance of any such informal contacts are availale to all interested parties, future inquiries of a substantive nature will be detailed in memoranda and placed in the URCS Rulemaking record.

Regulatory Flexibility

The Commission certifies this action will not have a significant economic impact upon small entities, because a proceeding has been opened to obtain public comment on the implementation and use of URCS.

This action does not have any effect on the quality of the human environment or the conservation of energy resources.

It is Ordered: That CLECO's petition of October 1, 1982 be denied.

Decided: February 18, 1983.

By the Commission, Chairman Taylor, Vice Chairman Sterrett, Commissioners Andre, Simmons, and Gradison.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 83-5109 Filed 2-28-83; 8:45 am]
BILLING CODE 7035-01-M

Released Rates Application

AGENCY: Interstate Commerce Commission.

ACTION: Notice. Released Rates Application No. MC-1532.

SUMMARY: The National Bus Traffic Association, Inc., wants to amend Released Rates Order MC-976 (49 CFR 1306.50) to add automobile windshields and window glass subject to a released value of zero, in bus express service.

ADDRESSES: Owen B. Katzman, Forys, Sater, Seymour and Pease, 1828 L Street, N.W., Suite 1111, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Max Pieper, Unit Supervisor, Informal Rate Case Branch, Bureau of Traffic, Interstate Commerce Commission, Washington, D.C. 20423. Tel. (202) 275-0781.

SUPPLEMENTARY INFORMATION: Relief is sought under 49 U.S.C 10730 pursuant to 49 U.S.C. 10706(b)(3)(C).

Agatha L. Mergenovich,

Secretary.

[FR Doc. 83-5107 Filed 2-28-83; 8:45 am]
BILLING CODE 7035-01-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

California State Standards; Approval

SUMMARY: This notice announces approval of a supplement to the California State Plan concerning the State's adoption of a permanent standard governing employee exposure to ethylene dibromide (EDB). OSHA has determined that the California standard: (1) Is at least as effective as the comparable federal standard; (2) is a standard applicable to a product which is distributed or used in interstate commerce; (3) is required by compelling local conditions; and (4) does not unduly burden interstate commerce. Accordingly, the standard is approved under Part 1953 of Title 29, Code of Federal Regulations.

EFFECTIVE DATE: March 1, 1983.

FOR FURTHER INFORMATION CONTACT: James Foster, Office of Information, Occupational Safety and Health Administration, 200 Constitution Avenue, NW., Washington, D.C. 20210.

SUPPLEMENTARY INFORMATION:

A. Background

1. History of the Standard

Part 1953 of Title 29, Code of Federal Regulations, provides procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (herinafter called the "Act") for review of changes and progress in the development and implementation of State plans which have been approved under section 18(c) and Part 1902 of Title 29. On May 1, 1973, a notice was published in the **Federal Register** (38 FR 10717) of the approval of the California plan and of the adoption of Subpart K of Part 1952 describing the plan.

On October 9, 1981, California submitted a State initiated plan change supplement concerning the State's adoption on September 2, 1981 of an emergency temporary standard (ETS) governing employee exposure to ethylene dibromide (EDB). On September 2, 1982, California submitted a supplement concerning the State's adoption on Jaanuary 14, 1982 of a permanent EDB standard, General Industry Safety Order (GISO) 5219, which replaced the ETS and became effective on March 22, 1982. The permanent standard is substantially identical to the ETS.

The federal standard governing employee exposure to EDB is found at 29 CFR 1910.1000, Table Z-2. This standard sets the allowable employee exposure limitation to EDB at 20 parts per million (ppm) for any 8-hour work shift of a 40 hour work week and at a ceiling of 30 ppm for any 15-minute period. The California standard sets limits for exposure to EDB at 130 parts per billion(ppb) as an 8-hour time weighted average and a ceiling of 130 ppb for any

15-minute period. Additionally, the California standard contains specific requirements relating to: reporting of use and emergencies; exposure monitoring; methods of compliance; protective clothing and equipment; training; posting and notification of shipments; recordkeeping; and medical surveillance.

Section 18(c)(2) of the Act requires that state occupational safety and health standards be at least as effective as their federal counterpart. Additionally, Section 18(c)(2) provides that if state standards are applicable to products which are distributed or used in interstate commerce, such standards must be required by compelling local conditions and must not unduly burden interstate commerce. This latter requirement is commonly referred to as the "product clause". OSHA has determined that the California standard is at least as effective as the comparable federal standard and in many respects more stringent. However, following submission of the State's standard, concerns were raised that the standard may violate the requirements of the product clause.

On November 20, 1981, after a preliminary review of the California EDB standard, OSHA Published a notice in the **Federal Register** requesting public comments on the following issues: Whether the California standard is applicable to products which are distributed or used in interstate commerce; whether the standard is required by compelling local conditions; and whether the standard unduly burdens interstate commerce (46 FR 57061). Thirty-eight written comments were received in response to this notice from various trade associations, labor organizations, individuals and representatives of the federal and state governments. The decision set forth in today's notice is based upon the Agency's evaluation of those comments.

2. Applicability of the Product Clause

Under section 18(c)(2), an examination of whether a state standard poses an undue burden on interstate commerce and is required by compelling local conditions is required if the standard is "applicable to products which are distributed or used in interstate commerce." Written comments submitted by the State of California and by several labor organizations assert, in summary, that the California EDB standard is not "applicable to products" because the standard does not directly regulate the construction or design of a product. [Ex. 9;16;23;30;31]. The evidence in the record, however, clearly demonstrates that the standard establishes conditions and procedures which restrict the "manufacture, reaction, packaging, repackaging, storage, transportation, sale, handling and use" of the chemical product, ethylene dibromide (EDB), as well as the handling and exposures which may result after EDB has been applied as a fumigant to fruit products. The standard affects producers as well as users in the manufacture, application, and distribution of these products. In addition, both EDB and the fumigated fruit containing EDB unquestionably move in interstate commerce as demonstrated in comments from various produce growers' shippers', and labor organizations and the State of California. OSHA, therefore, must conclude that the California standard, GISO 5219, is applicable to a product which is used and distributed in interstate commerce. The approvability of the standard is determined, however, by virtue of the findings discussed below that the standard is required by compelling local conditions and does not unduly burden interstate commerce.

3. Compelling Local Conditions

The Assistant Secretary has determined that compelling local conditions exist which permit the issuance of GISO 5219 by the State of California.

EDB is a chemical that has a number of beneficial uses. For example, EDB is widely used as a component in anti-knock compounds in leaded gasoline. Additionally, EDB is used as a fumigant to destroy the adult, egg, and larval stages of fruit flies in fresh fruits and vegetables to meet national and international quarantine requirements. These quarantine requirements generally specify that produce being shipped from areas in which fruit flies or other pests have been discovered be subjected to some approved deinfestation treatment. Written comments of the United States Department of Agriculture suggest that there is no effective or practical alternative to EDB for all quarantine purposes. [Ex. 24]

The current OSHA standard for EDB was adopted in 1971 as a national consensus standard, under Section 6(a) of the Act. The source of the standard was the American National Standards Institute (ANSI) 1970 recommendation for acceptable concentrations of EDB (ANSI Z37.31–1970). The ANSI exposure limits were intended to protect workers from injury to the lungs, liver, and kidneys which had been observed from excessive, acute, or chronic exposures to EDB in humans and experimental animals. The potential for EDB to cause cancer or reproductive damage was not a basis for the establishment of the current exposure limits for EDB.

On December 18, 1981, OSHA published an Advance Notice of Proposed Rulemaking in the **Federal Register** (46 FR 61671) concerning proposed changes to the existing EDB standard. In this notice, OSHA summarized much of the current evidence concerning the health hazards associated with EDB. While noting that such evidence does not legally support the adoption of an emergency temporary standard, OSHA acknowledged that toxicological studies indicate that the present permissible exposure limit (PEL) for EDB may not be sufficiently protective of those working with and exposed to EDB.

California is uniquely situated with respect to both the interstate and international distribution of fresh fruit. For example, California is the largest market for Hawaiian papayas. An estimated seventy-eight percent of papayas shipped to the continental United States from Hawaii are normally routed through California. Comments of the Hawaiian Papaya Industry Association and the State of Hawaii Department of Agriculture [Ex. 7 and 18]. Historically, California has been a primary market for Texas and Florida citrus as well. Texas and Florida citrus growers ship as much as twenty percent of their crop for consumption in California. Comments of the American Farm Bureau Federation and Texasweet Citrus Advertising, Inc. [Ex. 22 and 14]. Additionally, significant quantities of citrus are routed through California for export to Japan. Comments of the Indian River Citrus League and Texasweet Citrus Advertising, Inc. [Ex. 19 and 14]. Thus, it is clear that by virtue of California's size and geographical location, substantial quantities of fresh citrus pass through the State's borders for domestic consumption, distribution to other states or export to foreign countries.

As a result of quarantine requirements of the United States Department of Agriculture and the State of California Department of Agriculture, virtually all fresh citrus (plus some other produce, such as papayas) entering California from areas in which Mediterranean fruit flies (medfly) or similar pests have been discovered, including Hawaii, Texas, and Florida, must be subjected to an approved fruit fly deinfestation treatment. Post-harvest fumigation of citrus and other produce with EDB is generally considered the only effective and feasible method for meeting quarantine requirements. Comments of

the Hawaii Papaya Industry Association, Papaya Administrative Committee, State of Hawaii Department of Agriculture, Indian River Citrus League, American Farm Bureau Federation, State of Florida Department of Citrus, Texas Department of Agriculture and the United States Department of Agriculture. [Ex. 7, 13, 18, 19; 22, 29, 33, and 24]. In addition, until last May the Japanese government had quarantined the entire State of California and required that nearly all agricultural commodities exported to Japan from California be treated against medfly. For many commodities, this requirement necessitated fumigation with EDB prior to export. Comments of the California-Arizona Citrus League [Ex. 26]. As a result of this widespread fumigation of citrus and other produce entering the State, commentors alleged that greater than 12,000 California workers will be exposed to EDB. Comments of the Hawaii Papaya Industry Association and the AFL–CIO [Ex. 7 and 9].

On the basis of this evidence concerning the hazards associated with EDB and evidence concerning the degree of worker exposure to EDB within California, OSHA has determined that adoption of GISO 5219 is sufficiently justified by compelling local conditions.

4. Undue Burden

The final inquiry in the analysis under section 18(c)(2) is whether the State standard results in an undue burden on interstate commerce. In this regard, OSHA has determined that there is insufficient evidence to support the conclusion that the California standard results in such a burden.

As discussed above, GISO 5219 differs from the current federal EDB standard in several respects. In addition to establishing a more stringent permissable exposure limit than the federal standard, the California standard contains requirements relating to: reporting of use; exposure monitoring; protective clothing; training; posting and notification of shipments; recordkeeping; and medical surveillance which are not included in the federal standard. On the basis of the comments, it does not appear that compliance with these requirements is either infeasible or unreasonably costly.

A number of the comments indicate that levels of EDB off-gassing from fumigated produce can feasibly be maintained below the permissible exposure level of 130 ppb. Comments of Texasweet Citrus Advertising, Inc.; Hawaii Papaya Industry Association; Papaya Administrative Committee; and the State of Hawaii Department of Agriculture. [Ex. 14, 7, 13 and 18.] Accordingly, it appears that imposition of the more stringent exposure limitation is not by itself unduly burdensome.

The most prevalent objection to GISO 5219 is that the anciliary requirements of the standard, such as the posting requirement, have resulted in a significant disruption of the interstate movement of citrus into California. It is alleged that adoption of the standard has caused California and foreign purchasers to cancel citrus orders and longshoremen in California to refuse to handle shipments of treated citrus. Comments of the State of Florida Department of Citrus; Indian River Citrus League; Hawaii Papaya Industry Association; Seald-Sweet Growers, Inc.; and DNE Sales International. [Ex. 29, 19, 26, 7, 5, 2.] Citrus industry comments suggest that resultant economic losses range between six and thirty-two million dollars; however, there is no concrete or consistent data from which to assess the actual extent of any loss.

Although OSHA does not dispute the various allegations that losses have been suffered by the citrus industry, it is unable to conclude on the basis of the record that these losses were sustained as a result of any specific provision of GISO 5219. The standard's requirements appear reasonably related to the hazard involved. Additionally, compliance with the requirements of GISO 5219 does not appear to be overly burdensome. In this regard it should be noted that OSHA received no comments suggesting that compliance with GISO 5219 is either infeasible or impractical from California employers who are actually subject to its requirements. Additionally, comments of the AFL–CIO suggest that any refusals by workers to handle EDB-fumigated fruit are in response to the hazards posed by EDB, not the Cal-OSHA standard. [Ex. 9.] On the basis of the record it appears equally likely that any losses sustained by the citrus industry were the result of general fear of the hazards associated with EDB rather than the burden of compliance with the California standard. Accordingly, based on a consideration of all the evidence in the record, OSHA concludes that GISO 5219 does not unduly burden interstate commerce.

B. Location of Supplement for Inspection and Copying

A copy of the standard supplement, comments concerning the supplement, and the approved plan may be inspected and copied during normal business hours at the Office of the Directorate of Federal Compliance and State Programs, Occupational Safety and Health Administration, Room N–3700, 200 Constitution Avenue, NW. Washington, D.C. 20210.

C. Decision

After careful consideration of the entire record, the California EDB standard, GISO 5219, is hereby approved under Part 1953.

(Sec. 18, Pub. L. 91–596, 84 Stat. 1608 (29 U.S.C. 667); Secretary of Labor's Order No. 8–76 (41 FR 25059); 29 CFR Part 1953)

Signed at Washington, D.C. this 22nd day of February 1983.

Thorne G. Auchter,

Assistant Secretary.

[FR Doc. 83-4750 Filed 2-28-83; 8:45 am]

BILLING CODE 4510-26-M

Office of Pension and Welfare Benefit Programs

Grant of Individual Exemptions

AGENCY: Pension and Welfare Benefit Programs Office, Labor.

ACTION: Grant of individual exemptions.

SUMMARY: This document contains exemptions issued by the Department of Labor (the Department) from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and/or the Internal Revenue Code of 1954 (the Code).

Notices were published in the **Federal Register** of the pendency before the Department of proposals to grant such exemptions. The notices set forth a summary of facts and representations contained in each application for exemption and referred interested persons to the respective applications for a complete statement of the facts and representations. The applications have been available for public inspection at the Department in Washington, D.C. The notices also invited interested persons to submit comments on the requested exemptions to the Department. In addition the notices stated that any interested person might submit a written request that a public hearing be held (where appropriate). The applicants have represented that they have complied with the requirements of the notification to interested persons. No public comments and no requests for a hearing, unless otherwise stated, were received by the Department.

The notices of pendency were issued and the exemptions are being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the

Treasury to issue exemptions of the type proposed to the Secretary of Labor.

Statutory Findings

In accordance with section 408(a) of the Act and/or section 4975(c)(2) of the Code and the procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975), and based upon the entire record, the Department makes the following findings:

(a) The exemptions are administratively feasible;

(b) They are in the interests of the plans and their participants and beneficiaries; and

(c) They are protective of the rights of the participants and beneficiaries of the plans.

Vern Sims Ford Profit Sharing Plan (the Plan) Located in Sedro Wooley, Washington

[Prohibited Transaction Exemption 83–26; Exemption Application No. D–300]

Exemption

The restrictions of section 406(a), 406(b)(1) and 406(b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to: (1) The past sales of leases (the Leases) of automobiles to the Plan by Vern Sims Ford, Inc. (the Employer), the sponsor of the Plan; and (2) the guarantee by the Employer in the event of a default of the obligations of the lessees under the Leases.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on December 17, 1982 at 47 FR 56576.

For Further Information Contact: Louis Campagna of the Department, telephone (202) 523–8883. (This is not a toll-free number.)

Atlantic States Construction, Inc., Profit Sharing Plan and Trust (the Plan) Located in Atlanta, Georgia

[Prohibited Transaction Exemption 83–27; Exemption Application No. D–3232]

Exemption

The restrictions of section 406(a), 406(b)(1), 406(b)(2) and 407(a) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to the proposed leases (the Leases) of office space in certain real property owned by the Plan to Wilwat Properties, Inc., Provident Security Life Insurance Company, and Waco Fire and Casualty Insurance Company, parties in interest with respect to the Plan, provided that the terms and conditions of the Leases are not less favorable to the Plan than those obtainable by the Plan in arm's length transactions with unrelated parties.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on December 14, 1982 at 47 FR 56079.

For Further Information Contact: Ms. Katherine D. Lewis of the Department, telephone (202) 523–8972. (This is not a toll-free number.)

Ely, Guess & Rudd, a Professional Corporation, Pension Plan and Ely, Guess & Rudd, a Professional Corporation, Profit Sharing Plan (Collectively, the Plans) Located in Anchorage, Alaska

[Prohibited Transaction Exemption 83–28; Exemption Application No. D–3437 and D–3438]

Exemption

The restrictions of section 406(a), 406 (b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to the loan of $86,250 by the Ely, Guess & Rudd, A Professional Corporation Pension Plan and a loan of $63,750 (collectively, the Loans) by Ely, Guess & Rudd, A Professional Corporation Profit Sharing Plan to Ely, Guess & Rudd, A Professional Corporation, a party in interest with respect to the Plans, provided the Loans by the Plans will be and remain at least as favorable to the Plans as those which the plans could receive in an arm's-length transaction with an unrelated party.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on December 17, 1982 at 47 FR 56576.

For Further Information Contact: Horace C. Green of the Department, telephone (202) 523–8881. (This is not a toll-free number.)

The Wendel Gann Corporation Employees' Defined Benefit Pension Plan (the Plan) Located in Downey, California

[Prohibited Transaction Exemption 83–29; Exemption Application No. D–3520]

Exemption

The restrictions of section 406(a), 406 (b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to a loan (the Loan) by the Plan to Wendel Gann Corporation of $150,000, provided the terms and conditions of the Loan are at least as favorable to the Plan as those obtainable in a similar transaction with an unrelated party.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on January 7, 1983 at 48 FR 905.

For Further Information Contact: Ms. Jan D. Broady of the Department, telephone (202) 523–8971. (This is not a toll-free number.)

The Northern Minnesota-Wisconsin Area Retail Clerks Pension Plan and the Northern Minnesota-Wisconsin Area Retail Food Health and Welfare Plan (collectively, the Plans) Located in Duluth, Minnesota

[Prohibited Transaction Exemption 83–30; Exemption Application Nos. D–3599 and L–3600]

Exemption

The restrictions of section 406(a) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (D) of the Code, shall not apply effective October 1, 1982, to the sublease of office space by the Plans to Plan Administrators, Inc., a fiduciary with respect to the Plans, provided the terms of the sublease are not less favorable to the Plans than the terms obtainable in an arm's length lease with an unrelated party.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on December 21, 1982 at 47 FR 56937.

Effective Date: This exemption is effective October 1, 1982.

For Further Information Contact: Mrs. Miriam Freund, of the Department, telephone (202) 523–8971. (This is not a toll-free number.)

Radiology Associates P. C. Money Purchase Plan (the Plan) Located in Vienna, Virginia

[Prohibited Transaction Exemption 83–31; Exemption Application No. D–3710]

Exemption

The restrictions of section 406(a), 406 (b) (1) and (b) (2) of the Act and the sanctions resulting from the application

of section 4975 of the Code, by reason of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to the proposed transfer of a note by the Radiology Associates Retirement Plan and Trust to the Plan resulting in an extension of credit between the Plan and VIP Associates, a party in interest with respect to the Plan, provided the terms of the transaction are no less favorable to the Plan than those available in an arm's-length transaction with an unrelated party.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on January 7, 1983 at 48 FR 902.

For Further Information Contact: Mr. David Stander of The Department, telephone (202) 523-8881. (This is not a toll-free number.)

Superior Wine & Spirits, Inc., Profit Sharing Plan (the Plan) Located in Warminster, Pennsylvania

[Prohibited Transaction Exemption 83-32; Exemption Application No. D-3711]

Exemption

The restrictions of section 406(a), 406 (b) (1) and (b) (2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to the proposed loans of money for a period of 5 years by the Plan to Superior Wine & Spirits, Inc., provided that the terms of the transactions are not less favorable to the Plan than those obtainable in an arm's length transaction with an unrelated party at the time of consummation of each transaction.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on January 7, 1983 at 48 FR 903.

Temporary Nature of Exemption

This exemption is temporary and will expire 5 years after the date of grant. Should the applicant wish to continue entering into loan transactions beyond the 5 year period, the applicant may submit another application for exemption.

For Further Information Contact: Alan H. Levitas of the Department, telephone (202) 523-8971. (This is not a toll-free number.)

The C&S Profit Sharing Plan of Citizens and Southern Georgia Corporation and Its Affiliates (the Plan) Located in Atlanta, Georgia

[Prohibited Transaction Exemption 83-33; Exemption Application No. D-3819]

Exemption

The restrictions of section 406(a), 406 (b) (1) and (b) (2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to the January 1, 1982 sale by the Plan of 3,240 shares of Citizens and Southern of Cobb County stock to Citizens and Southern Georgia Corporation for $226,800 in cash, provided such amount was not less than the fair market value of such stock at the time of the sale.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on December 14, 1982 at 47 FR 56078.

Effective Date: This exemption is effective January 1, 1982.

For Further Information Contact: Gary H. Lefkowitz of the Department, telephone (202) 523-8881. (This is not a toll-free number.)

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and/or section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions of the Act and/or the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) These exemptions are supplemental to and not in derogation of, any other provisions of the Act and/or the Code, including statutory or adminnistrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction.

(3) The availability of these exemptions is subject to the express condition that the material facts and representations contained in each application accurately describes all material terms of the transaction which is the subject of the exemption.

Signed at Washington, D.C., this 24th day of February 1983.

Alan D. Lebowitz,

Assistant Administrator for Fiduciary Standards, Pension and Welfare Benefit Programs, Labor-Management Services Administration, Department of Labor.

[FR Doc. 83-5185 Filed 2-28-83; 8:45 am]

BILLING CODE 4510-29-M

NATIONAL SCIENCE FOUNDATION

Civil and Environmental Engineering Subcommittee; Meeting

In accordance with the Federal Advisory Committee Act, Pub L. 92-463, as amended, the National Science Foundation announces the following meeting:

Name: Subcommittee for Civil and Environmental Engineering (CEE) of the Advisory Committee for Engineering

Date and time: March 17, 1983—9:30 a.m. to 5:00 p.m.; March 18, 1983—9:30 a.m. to 4:00 p.m.

Place: National Science Foundation, 1800 G Street, NW., Washington, D.C. 20550 (March 17—Room 1224, March 18—Room 643)

Type of meeting: 3/17/83—9:30 a.m. to 12:30 p.m. Open; 2:00 p.m. to 5:00 p.m. Closed; 3/18/83—9:30 a.m. to 12:30 p.m. Closed; 2:00 p.m. to 4:00 p.m. Open

Contact person: Dr. William S. Butcher, Director, Division of Civil and Environmental Engineering, Room 1132, National Science Foundation, Washington, D.C. 20550, Telephone: (202) 357-9545

Summary minutes: May be obtained from the Contact Person

Agenda

Thursday, March 17—Open—9:30 a.m. to 12:30 p.m.

9:30—General Report by Division Director

10:30—Briefing of Subcommittee on Programs of the Division

(a) Geotechnical Engineering

(b) Structural Mechanics

(c) Hydraulics, Hydrology, and Water Resources Engineering

(d) Environmental and Water Quality Engineering

(e) Civil Engineering and Building Systems

(f) Earthquake Hazard Mitigation

12:30—Recess

Thursday, March 17—Closed—2:00 p.m. to 5:00 p.m.

2:00—External Peer Oversight: Review of each individual program as prescribed in NSF Circular 147 on External Peer Oversight, which includes the examination of awarded and declined proposals, including peer review and other privileged material; drafting of panel report on the peer review process, program balance, and needed research.

5:00—Adjourn

Friday, March 18—Closed—9:30 a.m. to 12:30 p.m.

9:30—Continuation of External Peer Oversight

12:30—Recess

Friday, March 18—Open—2:00 p.m. to 4:00 p.m.

2:00—Discussion of Division-wide concerns, including growth of the Division, needed research in problems of the infrastructure, hazardous waste disposal, construction engineering, etc.

Other Business

4:00—Adjourn

Reason for closing: The Subcommittee will be reviewing grants and/or declination jackets which contain the names of applicant institutions and principal investigators and privileged information contained in declined proposals. These sessions will also include a review of peer review of documentation pertaining to applicants. These matters are within exemptions (4) and (6) of the 5 U.S.C. 552b(c) Government in the Sunshine Act.

Authority to close meeting: This determination was made by the Committee Management Officer pursuant to provisions of Section 10(d) of Pub L. 92-463. The Committee Management Officer was delegated the authority to make such determinations by the Director, NSF on July 6, 1979.

M. Rebecca Winkler,

Committee Management Coordinator.

February 24, 1983.

[FR Doc. 83-5153 Filed 2-28-83; 8:45 am]

BILLING CODE 7555-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 22859; 70-6845]

Columbia Gas System, Inc.; Adjustable Rate Preferred Stock

February 23, 1983.

In the matter of; Columbia Gas System, Inc., 20 Montchanin Road, Wilmington, Delaware 19807; (70-6845); proposed issuance and sale of adjustable rate preferred stock; request for exception from competitive bidding.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, has filed a declaration with this Commission pursuant to Sections 6(a) and 7 of the Public Utility Holding Company Act of 1935 ("Act") and Rule 50(a)(5) thereunder.

Columbia proposes to issue and sell 2,000,000 shares of Adjustable Rate Cumulative Preferred Stock, Series C, par value $50 per share ("New Preferred Stock") in March 1983. The net proceeds from the sale of the New Preferred Stock will be used for general corporate purposes, the most important being the 1983 capital expenditure program of Columbia's subsidiaries estimated at $360,000,000.

The dividend rate for the initial dividend payment period will be a fixed percentage, which is to be determined. Thereafter, the adjustable dividend rate will be determined quarterly on the basis of a certain percentage to be determined above or below ("reset amount"), generally, the highest of: (1) The average of the two most recent weekly per annum market discount rates for three-month U.S. Treasury bills, (2) the average yield to maturity for actively traded marketable U.S. Treasury 10-year fixed interest rate securities (adjusted to constant maturities of ten years), or (3) the average yield to maturity for actively traded marketable U.S. Treasury 20-year fixed interest rate securities (adjusted to constant maturities for twenty years); provided, however, that in no event will the effective annual dividend rate, as adjusted in any quarter, be less than 5% nor greater than 15%. Columbia is hereby authorized to negotiate the initial dividend period and rate, the reset amount, and the minimum and maximum dividend rate with underwriters.

The declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by March 21, 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.

George A. Fitzsimmons,

Secretary.

[FR Doc. 83-5158 Filed 2-28-83; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 19529; File No. SR-DTC-83-2]

Filing and Immediate Effectiveness of Proposed Rule Change by the Depository Trust Company

February 23, 1983.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on January 21, 1983, the Depository Trust Company ("DTC") filed with the Securities and Exchange Commission the proposed rule change as described herein. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

The proposed rule change expands DTC's existing conversion program to allow the conversion of convertible securities not DTC-eligible into the underlying securities which are DTC-eligible within the depository environment. A participant, another securities depository, or any person wanting the underlying securities to be delivered to a DTC participant's account may present the convertible securities to a duly authorized conversion agent with instructions to register the underlying securities in DTC's nominee name, Cede & Co., and to deliver the underlying securities to DTC for the account of a particular participant. The conversion agent, if it is not the principal conversion agent located in the United States, immediately will re-transmit the presentor's specific instruction to the principal conversion agent. The principal conversion agent, however, must be a bank located within the United States.

The principal conversion agent, once it is satisfied that the conversion process is in progress, will complete and submit to DTC Certificate of Conversion Form certifying that the convertible securities have been presented for conversion into the underlying securities. DTC, upon receipt of this form, credits the participant's account for the stated number of shares in the underlying securities. The underlying securities are then available for the full range of DTC services including book-entry delivery to other participants and book-entry pledge for collateral loans. Any cash in lieu of fractional shares will be credited to the participant's cash

settlement account upon receipt by DTC from the principal conversion agent.

DTC believes that the rule change is consistent with the Act in that it will facilitate the prompt and accurate exercise of conversion options of certain convertible securities through the DTC system. DTC also believes that the established safeguards for securities and funds in DTC's custody or control or for which it is responsible are adequate for the safeguarding of convertible securities and the underlying securities eligible for the above-described DTC service and are consistent with Section 17(A)(b)(3) of the Act.

The foregoing change has become effective, pursuant to Section 19(b)(3)(A) of the Act 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 Act.

Interested persons are invited to submit written data, views and arguments concerning the submission within 21 days after the date of publication in the Federal Register. Persons desiring to make written comments should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, D.C. 20549. Reference should be made to File No. SR-DTC-83-2.

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change which are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those which may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Room, 450 Fifth Street, NW., Washington, D.C. Copies of the filing and of any subsequent amendments also will be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 83-5157 Filed 2-28-83; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 19530; File No. SR-NSCC-83-1]

Filing and Immediate Effectiveness of Proposed Rule Change by National Securities Clearing Corporation ("NSCC")

February 23, 1983.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on January 28, 1983, NSCC filed with the Securities and Exchange Commission the proposed rule change as described herein. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

The proposed rule change would amend the Demand As of Service[1] of NSCC's trade comparison system rules to permit partial acceptance by NSCC participants of Regular Advisories or Demand As Of Advisories generated in respect of uncompared trades.

Under NSCC's current rule, if an OTC trade submitted to NSCC's regular comparison service remains unresolved after the advisory process,[2] a participant may submit a Demand As of form to NSCC. That form includes all the information required in an original submission of a trade.[3] If all the data submitted in the Demand As Of matches that of another Demand As Of or a Regular As Of,[4] it becomes a compared trade. If the Demand As Of does not produce a compared trade, NSCC will forward a Demand Advisory to the party against whom the Demand As Of was submitted. The participant receiving the Demand Advisory may then take one of three possible courses of action: (i) The participant may accept the Demand Advisory. This acceptance results in a compared trade; (ii) the participant may reject the Demand Advisory. A proper rejection results in the trade being dropped from the comparison system; or (iii) the participant may take no action. Under NSCC's rules, such inaction will result in a compared trade, and both parties will be required to settle the transaction.

Under NSCC's current rule, NSCC does not permit partial acceptance of either a Regulatory Advisory or a Demand As Of Advisory. That is, if a member receiving a Regular or Demand As of Advisory agrees that a trade has taken place but does not agree with the number of shares specified by the Advisory, the member must reject the Demand As Of and submit new trade data to resolve the trade. NSCC's proposed rule, however, would permit a member to accept a Regular Advisory or a Demand As Of Advisory partially when the participant agrees with all the details of the trate (*i.e.*, security identification, market place of execution, trade date, *contra* broker, executing broker and price) except the quantity.[5] Any remaining uncompared quantity would be resolved as before by a close out transaction.

In its filing, NSCC stated that the purpose of the proposed rule change is to permit a greater number of transactions to be resolved through the Regular As Of and Demand As Of advisory process. In addition, the proposed rule change would also make certain technical changes to the OTC comparison system with respect to the names of required forms and input data which is required for certain systems.

The proposed rule change would also allow NSCC to extend the time limitations pursuant to which a member may delete a Demand Withhold instruction or a Demand As Of Advisory ("Demand Delete" instruction).[6] With

[1] *See* NSCC Rule 7 and related NSCC Procedures. NSCC's Demand As of Service permits resolution of aged uncompared OTC trades or trades originating from an exchange other than the American Stock Exchange ("AMEX") or New York Stock Exchange ("NYSE").

[2] Pursuant to NSCC's regular OTC comparison service, participants submit trade information to NSCC on the evening of trade date. On the day after trade date, NSCC will identify a trade as "compared" if a purchaser and seller have submitted identical information to NSCC. A trade is reported as "uncompared" if one party to the trade did not submit data or did not submit data which agreed in all respects with the data submitted by the *contra* side to the trade. Also, the participant will receive from NSCC an "advisory" concerning trades that are submitted by another participant and that name the participant receiving the advisory as the *contra* side, but that do not match any trade the participant has submitted. If a member receives an OTC advisory, he has two days to accept the trade by stamping the advisory and returning it to NSCC. Once returned, the stamped advisory results in a compared trade. If a stamped advisory is not returned, the trade remains uncompared and is dropped from NSCC's system.

[3] This information includes quantity, security identification, identification of the market place of execution, trade date, *contra* broker, executing broker and trade value.

[4] A Regular As Of is a method for submitting a trade that originated on the NYSE or AMEX for comparison more than three days after trade date. Such trades are submitted on an "As Of" basis because they are processed outside NSCC's regular five day comparison cycle.

[5] For example, a participant that receives a Demand Advisory indicating a transaction for 300 shares may, if it agrees with the data contained in the Advisory but recognizes the quantity as 500 shares of the stated security, accept the Demand Advisory with respect to 300 shares and submit new trade data with respect to the remaining 200 shares.

[6] Under NSCC's Demand Withhold Service, a NSCC member may cancel an OTC trade previously compared in error at NSCC, absent timely objection from the *contra* party.

respect to a Demand As Of instruction, the proposed rule change would allow NSCC to accept Demand Delete instructions at any time prior to the time a Demand Withhold Advisory causes a trade to be dropped from NSCC's system. With respect to a Demand As Of instruction, the proposed rule change would allow NSCC to accept a Demand Delete instruction at any time prior to the time a Demand As Of results in a compared trade.

Finally, the proposed rule change would add additional language to NSCC's Demand Withhold System rules. That language clarifies the finality of transactions which are deleted by a participant's submission of a Don't Know (the transaction) form.

NSCC believes that the proposed rule change is consistent with the requirements of the Act because it facilitates the prompt and accurate clearance and settlement of uncompared securities transactions.

The foregoing change has become effective, pursuant to Section 19(b)(3)(A) of the Act 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 Act.

Interested persons are invited to submit written data, views and arguments concerning the submission within 21 days after the date of publication in the Federal Register. Persons desiring to make written comments should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, D.C. 20549. Reference should be made to File No. SR–NSCC–83–1.

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change which are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those which may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Room, 450 Fifth Street, NW., Washington, D.C. Copies of the filing and of any subsequent amendments also will be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 83–5159 Filed 2–28–83; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 19526; File No. SR–OCC–83–3]

Filing and Immediate Effectiveness of Proposed Rule Change by the Options Clearing Corporation

February 22, 1983.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on January 31, 1983, The Options Clearing Corporation ("OCC") filed with the Securities and Exchange Commission the proposed rule change as described herein. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

The proposed rule change amends numerous provisions of OCC's Participant Exchange Agreement, which defines the relative roles of OCC and its participant options exchanges. This Agreement has been amended only once since its execution in 1975.

OCC states in its filing that the purpose of the proposed rule change is to update the Agreement by eliminating obsolete material and where appropriate, by substituting current information. OCC further states that the amendments are largely technical and are not intended to effect any material changes in its relationship with the options exchanges.

The proposed rule change contains many changes to the Agreement, the most important of which are as follows: (1) The Philadelphia and Pacific Stock Exchanges have been included as Participant Exchanges; (2) obsolete references to "9b–1" plans have been deleted and have been replaced with a defined term, "Options Rules;" (3) reference to prospectuses have been deleted in favor of references to options disclosure documents prepared in accordance with new Rule 9b–1 (17 CFR 240.9b–1); (4) formal requirements regarding certain communications and notice requirements between OCC and Participant Exchanges have been relaxed; (5) revisions have been made to reflect the trading of options on securities and financial instruments other than options on common stocks; (6) a new procedure has been established for introducing additional "new products;" (7) obsolete requirements regarding listing guidelines have been deleted; (8) Participant Exchanges no longer are required to maintain in public files certain data on issuers of option stocks and to prepare brochures on historical market price performance of those underlying stocks; (9) obsolete requirements have been deleted regarding Participant Exchange notice to OCC when an Exchange proposes to introduce a new expiration cycle; (10) OCC has been permitted to authorize other than next-day settlement of options transactions with the consent of those Participant Exchanges on which the affected options product is traded; and (11) the provisions relating to forecasts of trading volume and the procedures for handling situations when OCC lacks operational capacity to process increased volume have been revised to reflect trading of options on securities and financial instruments other than options on common stocks. In addition, numerous non-substantive drafting changes have been made.

OCC states in its filing that it has filed the proposed rule change under Section 10(b)(3)(A)(iii) of the Act because the rule change is concerned solely with the administration of OCC, and because, under Rule 19b–4(e)(4) (17 CFR 240.19b–4(e)(4)), the proposal effects changes in an existing service that does not adversely affect the safeguarding of securities and funds in the custody or control of OCC or for which it is responsible and does not significantly affect the respective rights or obligations of OCC or its participants.

The foregoing proposed rule change has become effective, pursuant to Section 19(b)(3)(A) of the Act and subparagraph (e) of 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 Act.

Interested persons are invited to submit written data, views and arguments concerning the submission within 21 days after the date of publication in the Federal Register. Persons desiring to make written comments should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 450 Fifth Street NW., Washington, D.C. 20549. Reference should be made to File No. SR–OCC–83–3.

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change which are filed with the Commission, and all written communications relating to the proposed

rule change between the Commission and any person, other than those which may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Room, 450 Fifth Street, NW., Washington, D.C. Copies of the filing and any of any subsequent amendments also will be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 83-5150 Filed 2-28-83; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 13043; 812-5270]

Government Securities Income Fund, GNMA Series E et al.; Application

February 22, 1983.

In the matter of Government Securities Income Fund, GNMA Series E and Merrill Lynch, Pierce, Fenner & Smith Incorporated; Dean Witter Reynolds Inc.; Prudential-Bache Securities Inc.; Shearson/American Express Inc. (812-5270); filing of an application for an order pursuant to section 6(c) of the act for an exemption from section 22(d) of the act.

Notice is hereby given that The Government Securities Income Fund, GNMA Series E ("Series E") and subsequent series (collectively, the "Fund"), unit investment trusts registered or to be registered under the Investment Company Act of 1940 ("Act"), and its depositors, Merrill Lynch, Pierce, Fenner & Smith Inc., Dean Witter Reynolds Inc., Prudential-Bache Securities Inc., and Shearson/American Express Inc. ("Sponsors") (collectively, "Applicants") filed an application on August 10, 1982, and an amendment thereto on January 18, 1983, for an order pursuant to Section 6(c) of the Act, exempting Applicants from the provisions of Section 22(d) of the Act to the extent necessary to permit them to establish a reinvestment plan as described herein. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below, and are referred to the Act and the rules thereunder for further information as to the provisions to which the exemption applies.

Applicants created Series E under the laws of New York pursuant to a separate trust indenture among the Applicants, a trustee and an evaluator. According to the application, such is or will also be the case with subsquent series of the Fund. Applicants state that, pursuant to each indenture, the Sponsors initially deposit $1,000,000 or more face amount of mortgage-backed securities of the modified pass-through type fully guaranteed as to principal and interest by the Government National Mortgage Association ("Ginnie Maes") with the trustee in exchange for certificates representing ownership of all of the units of fractional undivided interest of the series. With that initial deposit, a percentage relationship is established between the principal amounts of Ginnie Maes in the portfolio having specified interest rates and ranges of maturities. The indenture of Series E permits the Sponsors to make subsequent deposits of Ginnie Maes in exchange for additional units provided the original percentage relationship is maintained so far as practicable. Such units may then be sold by the Sponsors at the then current public offering price (which includes a sales charge of 3.50%).

The Applicants propose to amend the prospectus of Series E to describe their new reinvestment plan, which would operate as follows as to that and any subsequent series for which it is established. The trustee would acquire additional units of the same series issued in subsequent deposits, by using the distributions of interest and principal to unitholders, and offer them at a reduced sales charge of 2.90% of the public offering price plus accrued interest, for immediate settlement. Applicants propose to terminate the unitholders' ability to reinvest distributions in the GNMA Fund Investment Accumulation Program, Inc. ("IAP"), a no-load, open-end investment company holding securities similar to those held by Series E. Applicants assert that unitholders normally receive cash distributions, but state that their reinvestment plan enables a unitholder to elect to reinvest distributions of either interest or principal or both on his units, with the stipulation that such election must apply to all of his units of that series. Elections, unless specified otherwise, will continue as to all subsequent distributions until changed upon notice to the trustee. As each reinvestment-plan participant will receive a prospectus describing the series and its reinvestment plan, new prospectuses would be sent only when updated. The Sponsors and the trustee reserve the right to suspend, modify, or terminate the reinvestment plan at any time. All reinvestment-plan participants would be promptly notified of such action.

Applicants submit that several benefits of their reinvestment plan amply outweigh the proposed sales charge. First, Applicants submit that unit trust expenses are significantly lower than those of IAP, the current reinvestment vehicle accompanying their unit trusts. An open-end investment company such as the IAP experiences significant administrative expenses not incurred by a unit trust. Notably, the IAP pays an annual administration fee of 0.2% of net assets, incurs substantial printing and mailing expenses for confirmations and semi-annual reports to shareholders, and incurs various other costs such as transfer agency fees. In a unit investment trust, many of these expenses ae not incurred and others (such as registration fees) are assumed by the underwriters out of the sales charge. Thus for 1981, the IAP's expenses ran 8.14% of gross investment income while the average on 22 outstanding GNMA series of unit investment trusts offered by the Sponsors was 1.71%. Moreover, Applicants assert that the percentage of expenses of unit trusts has tended to decrease in more recent series. This substantial difference in expenses should, over time, by itself compensate for the proposed 2.9% sales charge on reinvestments.

Furthermore, Applicants assert that reinvestment-plan participants will enjoy a greater yield on their reinvestments under the proposal. Unlike the IAP, which typically holds some of its assets in cash or lower-yielding, short-term securities to meet redemptions, all purchases in the unit trust context are immediately invested in Ginnie Maes. Since the Sponsors maintain a secondary market at a price above the redemption price, units are, in practice, rarely redeemed. Therefore, the unit investment trusts are always virtually fully invested in higher yielding Ginnie Maes.

Of equal importance, insist the Applicants, is the ability of reinvestment-plan participants to maintain their investment in the same portfolio of securities, so that their risk and investment performance does not change. Applicants assert that this is true reinvestment—not a mere general equivalency of investment in the same types of securities but with a great variety of different coupon rates and maturities. The anticipated rate of return from a unit trust is also more predictable because of the fixed portfolio.

Applicants maintain that their proposed 2.90% sales charge is fully justified, and submit that such a charge benefits reinvestment participants by passing along certain savings in costs under the plan. Applicants propose to grant a price concession of 1.30% of the public offering price on the sale of reinvestment units to members of the National Association of Securities Dealers, Inc. ("NASD") (such a concession provides the professional brokerage services needed yet recognizes that certain brokerage activities need not be repeated. NASD members receive a 1.9% concession on the sale of units in primary and secondary market transactions). In addition to the foregoing, applicants believe that out-of-pocket expenses related to the reinvestment plan, including such items as (a) maintaining separate trustee records of plan investments, (b) mailing, shipping, and miscellaneous delivery charges, and (c) separate printing costs, comprise approximately 0.8% of the public offering price per unit. Finally, under the indenture, the Sponsors must bear expenses incurred in the initial offering of any units, including those arising from subsequent deposits. The Applicants' prior experience indicates that normal out-of-pocket costs emanating from subsequent deposits approximate 0.8% of the public offering price. Applicants therefore conclude that their proposed 2.90% sales charge recoups expenses resulting from the reinvestment plan while giving reinvestment-plan participants an opportunity to share in the cost savings associated with such a plan.

Section 6(c) of the Act permits the Commission, among other things, to grant an exemption by order upon application from any provision or provisions of the Act provided such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is hereby given that any interested person wishing to request a hearing on the application may, not later than March 21, 1983, at 5:30 p.m., do so by submitting a written request setting forth the nature of his/her interest, the reasons for his/her request, and the specific issues, if any, of fact or law that are disputed, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of the request should be served personally or by mail upon Applicant at the address stated above. Proof of service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed with the request. Persons who request a hearing will receive any notices and orders issued in this matter. After said date an order disposing of the application will be issued unless the Commission orders a hearing upon request or upon its own motion.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 83-5100 Filed 2-28-83; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[Proposed License No. 10/10-5181]

Calista Business Investment Corp.; Application for License To Operate as a Small Business Investment Company

An application for a license to operate as a small business investment company under the provisions of Section 301(d) of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 *et seq.*) has been filed by Calista Business Investment Corporation, 516 Denali Street, Anchorage, Alaska 99501 with the Small Business Administration (SBA), pursuant to 13 CFR 107.102 (1982).

The officers, directors and stockholders of the applicant are as follows:

Name and address	Office
Alex Raider, 1436 Matterhorn Way, Anchorage, Alaska 99501.	President.
Matthew Nicolai, 516 DeNali, Anchorage, Alaska 99501.	Vice President (Corporate Affairs).
Darrel Rexwinkel, 6732 East 99th, Anchorage, Alaska 99502.	Vice President (Finance).
Philip Hendrickson, 510 Wisteria Street, Anchorage, Alaska 99502.	Vice President (Village Affairs).
John Heckel, 2214 Boniface Parkway, No. 2, Anchorage, Alaska 99504.	Comptroller.
Nelson Angapak, 1200 Redwood Court, Anchorage, Alaska 99502.	Executive Vice President.
Jed T. Holley, 10231 Lone Tree Drive, Anchorage, Alaska 99507.	Vice President (Calista Professional Services).

The applicant, an Alaskan corporation, with its principal of business at Anchorage, Alaska, will begin operations with $500,000 paid-in capital and paid-surplus.

The applicant will conduct its activities principally in the State of Alaska.

As a small business investment company under Section 301(d) of the Act, the applicant has been organized and chartered solely for the purpose of performing the functions and conducting the activities contemplated under the Small Business Investment Act of 1958, as amended, from time to time, and will provide assistance solely to small business concerns which will contribute to a well-balanced national economy by facilitating ownership in such concerns by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the applicant include the general business reputation and character of the proposed owners and management, and the probability of successful operation of the applicant under their management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act and the SBA Rules and Regulations.

Notice is hereby given that any person may, not later than 15 days from the date of publication of this notice, submit to SBA written comments on the proposed applicant. Any such communication should be addressed to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Anchorage, Alaska.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: February 18, 1983.

Robert G. Lineberry,

Deputy Associate Administrator for Investment.

[FR Doc. 83-5170 Filed 2-28-83; 8:45 am]

BILLING CODE 8025-01-M

[Application No. 01/01-0323]

Stevens Capital Corp.; Application for License To Operate as a Small Business Investment Company

An Application for a License to Operate as a Small Business Investment Company under the provisions of the Small Business Investment Act of 1958, as amended, (15 U.S.C. 661 *et seq.*) has been filed by Stevens Capital Corporation, 168 Stevens Street, Fall River, Massachusetts 02721, with the Small Business Administration (SBA) pursuant to 13 CFR 107.102 (1982).

The officers, directors and shareholders are as follows:

Edward Capuano, Beacholme, Bellevue Ave., Newport, Rhode Island 02840, President, Treasurer, Dir.; 100 percent.

Stephen Howard, Esquire, 79 Alfred Drowne Road, Barrington, Rhode Island 02806, Secretary.
Robert A. Capuano, 98 Main Street, Berkley, Mass. 02180, Director.
Paul S. Horvitz, 320 Brick Market Place, Newport, Rhode Island 02840, Director.

The Applicant, a Rhode Island corporation will begin operations with $506,000 paid-in capital and paid-in surplus, and will conduct its activities primarily in the States of Massachusetts and Rhode Island.

The Applicant intends to provide financial assistance to small business concerns for their growth, modernization and expansion and will render other mangement consulting services.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed owners and management, and the probability of successful operations of the company under their management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act of 1958, as amended, and the SBA Rules and Regulations.

Notice is further given that any person may, not later than 15 days from the date of publication of this Notice, submit written comments on the proposed Applicant. Any such communication should be addressed to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416.

A copy of this Notice will be published in a newspaper of general circulation in Fall River, Massachusetts.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: February 18, 1983.

Robert G. Lineberry,

Deputy Associate Administrator for Investment.

[FR Doc. 83-5169 Filed 2-28-83; 8:45 am]

BILLING CODE 8025-01-M

Region I—Advisory Council; Public Meeting

The Small Business Administration Region I Advisory Council, located in the geographical area of Augusta, Maine, will hold a public meeting at 12:00 noon on Monday, March 21, 1983, at the Senator Inn, Outer Western Avenue, Augusta, Maine, 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 Tom McGillicuddy, District Director, U.S. Small Business Administration, 40 Western Avenue, Augusta, Maine, (207) 622-8382.

Jean M. Nowak,

Acting Director, Office of Advisory Councils.

February 23, 1983

[83-5168 Filed 2-28-83; 8:45 am]

BILLING CODE 8025-01-M

Region IV Advisory Council Meeting

The U.S. Small Business Administration Region IV Advisory Council, located in the geographical area of Miami, Florida, will hold a public meeting at 9:30 A.M., on Thursday, March 24, 1983, at the Miami Airport Inn-Best Western, 1550 N. W. LeJeune Road, Miami, Florida, to discuss such matters as may be presented by members, staff of the U.S. Small Business Administration, or others.

For further information, write or call John L. Carey, District Director, U.S. Small Business Administration, 2222 Ponce de Leon Blvd., 5th Floor, Coral Gables, Florida 33134—(305) 350-5533.

Jean M. Nowak,

Acting Director, Office of Advisory Councils.

February 23, 1983.

[FR Doc. 83-5166 Filed 2-28-83; 8:45 am]

BILLING CODE 8025-01-M

Region VI—Advisory Council Meeting

The U.S. Small Business Administration Region VI Advisory Council, located in the geographical area of Dallas, will hold a public meeting at 9:30 a.m. on Thursday, April 7, 1983 in the Federal Emergency Management Agency, Region VI, Headquarters, Federal Center, Loop 288, Denton, Texas, to discuss such matters as may be presented by members, staff of the U.S. Small Business Administration, or others present. For further information, write or call James S. Reed, District Director, U.S. Small Business Administration, 1100 Commerce Street, Room 3C36, Dallas, Texas, 75242—(214) 767-0600.

Jean M. Nowak,

Acting Director, Office of Advisory Councils.

February 23, 1983.

[FR Doc. 83-5167 Filed 2-28-83; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF STATE

[Public Notice 849]

Agency Forms Submitted for OMB Review

AGENCY: Department of State.

ACTION: In accordance with the provisions of the Paperwork Reduction Act of 1980, the Department has submitted a proposed collection of information to the Office of Management and Budget for review.

PURPOSE: The Bureau for Refugee Programs of the Department of State plans to conduct phase II of the study of the effects of pre-entry training in the resettlement of Indochinese refugees. (See 47 FR 49912, Public Notice 830.) The final results will be used in the planning and development of future U.S. policy about the provision of training to refugees with little prior exposure to Western culture or the English language.

SUMMARY: The following summarizes the information collection proposal submitted to OMB:

(1) Type of request—new.

(2) Title of information collection—Effects of Pre-Entry Training on Resettlement of Indochinese Refugees, phase II. Questionnaires for refugee sponsors, teachers and employers.

(3) Originating Office—Bureau for Refugee Programs.

(4) Frequency—Nonrecurring.

(5) Respondents—Refugee sponsors, teachers, case workers, and employers.

(6) Estimated number of responses—840.

(7) Estimated total number of hours needed to respond—210. Section 3504(h) of Pub. L. 965-11 does not apply.

ADDITIONAL INFORMATION OR COMMENTS: Copies of the proposed study and supporting documents may be obtained from Gail J. Cook, Departmental Clearance Officer (202) 632-3602. Comments and questions should be directed to (OMB) Francine Picoult (202) 395-7231.

Dated: February 7, 1983.

Thomas M. Tracy,

Assistant Secretary for Administration.

[FR Doc. 83-5136 Filed 2-28-83; 8:45 am]

BILLING CODE 4710-22-M

UNITED STATES INFORMATION AGENCY

[Delegation Order No. 83-6]

Delegation of Authority; To the Associate Director for Management

Pursuant to the authority vested in me as Director of the United States Information Agency by Reorganization Plan No. 2 of 1977, section 303 of Pub. L. 97-241, and section 302 of title 5, United States Code, there is hereby delegated to the Associate Director for Management the following described authority:

1. The authority vested in the Director by section 3702 of title 44, United States Code, to authorize the publication of advertisements, notices, or proposals.

2. The authority to redelegate the authority granted herein together with the power of further redelegation.

Texts of all such advertisements, notices, and proposals shall be submitted to the Office of General Counsel for review and approval prior to publication.

Notwithstanding any other provision of this Order, the Director may at any time exercise any function or authority delegated herein.

This Order is effective as of February 8, 1983.

Dated: February 16, 1983.

Charles Z. Wick,

Director, United States Information Agency.

[FR Doc. 83-5171 Filed 2-25-83; 8:45 am]

BILLING CODE 8230-01-M

VETERANS ADMINISTRATION

Voluntary Service National Advisory Committee; Renewal

This is to give notice in accordance with the Federal Advisory Committee Act (Pub. L. 92-463) of October 6, 1972, that the Veterans Administration Voluntary Service National Advisory Committee has been renewed by the Administrator of Veterans Affairs for a two-year period beginning February 7, 1983 through February 7, 1985.

Dated: February 15, 1983.

By direction of the Administrator.

Rosa Maria Fontanez,

Committee Management Officer.

[FR Doc. 83-5122 Filed 2-28-83; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register
Vol. 48, No. 41
Tuesday, March 1, 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).

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	Items
Civil Aeronautics Board	1, 2
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1

CIVIL AERONAUTICS BOARD

[M-374, Amdt. 2, February 23, 1983]

Deletion From the February 24, 1983 Meeting

TIME AND DATE: 9:30 a.m. (open), 2 p.m. (closed), February 24, 1983.

PLACE: Room 1027 (open), room 1012 (closed), 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT:

14. Employee Protection Program: Applications on behalf of employees of various carriers for determinations of qualifying dislocation: docket 38885, Aeroamerica; Docket 38418, Airlift International; Docket 40201, Air New England; Docket 38570, American Airlines; Docket 38978, Braniff International Airways; Docket 38720, Continental Airlines; Docket 39700, Delta Air Lines; Docket 38586, Eastern Air Lines; Docket 39783, Mackey International Airlines; Docket 34562, Overseas National Airways; Docket 38883, Pan American World Airways; Docket 38184, Trans World Airlines; and Docket 38571, United Air Lines. (BDA, OGC, OEA)

STATUS: Open.

CONTACT PERSON FOR MORE INFORMATION: Phyllis T. Kaylor, the Secretary, (202) 673-5068.

[S-279-83 Filed 2-24-83; 4:02 pm]

BILLING CODE 6320-01-M

2

CIVIL AERONAUTICS BOARD

[M-374, Amdt. 1, February 23, 1983]

Deletion From the February 24, 1983 Meeting

TIME AND DATE: 9:30 a.m. (open), 2 p.m. (closed), February 24, 1983.

PLACE: Room 1027 (open) room 1012 (closed), 1825 Connecticut Avenue, NW., Washington, D.C. 20428.

SUBJECT:

3. Docket 40432, *Bergt-AIA-Western-Wien Acquisition and Control Case.* Air Line Pilots Association's petition that the Board issue and order making clear that any Board approval of continued common control of Western and AIA is subject to the stipulated LPP's. (OGC)

STATUS: Open.

CONTACT PERSON FOR MORE INFORMATION: Phyllis T. Kaylor, the Secretary, (202) 673-5068.

[S-279-83 Filed 2-24-83; 4:02 pm]

BILLING CODE 6320-01-M

3

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

February 23, 1983.

TIME AND DATE: 10 a.m., Wednesday, March 2, 1983.

PLACE: Room 600, 1730 K Street, NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will hear oral argument on the following:

1. Secretary of Labor, MSHA, ex rel. Kenneth Bush v. Union Carbide Corporation, Docket No. WEST 81-115-DM. (Issues include whether the judge erred in dismissing the Secretary's discrimination complaint on behalf of Kenneth Bush.)

TIME AND DATE: Following Oral Argument, March 2, 1983.

STATUS: Closed (Pursuant to 5 U.S.C. 522(c)(10)).

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the above listed case:

It was determined by a majority vote of Commissioners that the meeting be closed.

CONTACT PERSON FOR MORE INFORMATION: Jean Ellen, (202) 653-5632.

[S-283-83 Filed 2-25-83; 11:55 am]

BILLING CODE 6735-01-M

4

FEDERAL RESERVE SYSTEM

TIME AND DATE: 10 a.m., Monday, March 7, 1983.

PLACE: 20th Street and Constitution Avenue, NW., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

2. 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: February 25, 1983.

William W. Wiles,

Secretary of the Board.

[S-284-83 Filed 2-25-83; 2:51 pm]

BILLING CODE 6210-01-M

5

FOREIGN CLAIMS SETTLEMENT COMMISSION

[FCSC Meeting Notice No. 3-83]

Announcement in Regard to Commission Meetings and Hearings

The Foreign Claims Settlement Commission, pursuant to its regulations (45 CFR Part 504), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of open meetings and oral hearings for the transaction of Commission business and other matters specified, as follows:

Date, Time, and Subject Matter

Monday, March 14, 1983 at 10:30 a.m.
Consideration of decisions involving claims against the Government of the Czechoslovak Socialist Republic and decisions involving claims for Vietnam prisoner of war compensation.

Subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

All meetings are held at the Foreign Claims Settlement Commission, 1111 20th Street, NW., Washington, D.C. Requests for information, or advance notices of intention to observe a meeting, may be directed to: Administrative Officer, Foreign Claims Settlement Commission, 1111 20th Street, NW., Room 409, Washington, D.C. 20579. Telephone: (202) 653-6155.

Dated at Washington, D.C., on February 24, 1983.

Judith H. Lock,

Administrative Officer.

[S-285-83 Filed 2-25-83; 2:52 pm]

BILLING CODE 4410-01-M

6

LEGAL SERVICES CORPORATION

(Board of Directors)

TIME AND DATE: March Meeting as required by 45 CFR 1601.15(a)—first of Friday of March, 10 a.m. is *Postponed.* The meeting will be rescheduled.

CONTRACT PERSON FOR MORE INFORMATION: LeaAnne Bernstein, Office of the President, (202) 272-4040.

Dated: February 25, 1983.

Donald P. Bogard,

President.

[S-280-83 Filed 2-25-83; 9:40 am]

BILLING CODE 6820-35-M

7

NATIONAL TRANSPORTATION SAFETY BOARD

[NM-83-71]

TIME AND DATE: 9 a.m., Tuesday, March 15, 1983.

PLACE: Conference Room 8 ABC, 800 Independence Avenue, SW., Washington, D.C. 20594.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. *Special Investigation Report:* Followup Study of the U.S. Air Traffic Control System and Recommendations to the Federal Aviation Administration.

The Agenda is subject to change on short notice.

CONTACT PERSON FOR MORE INFORMATION: Sharon Flemming, (202) 382-6525.

February 25, 1983.

[S-281-83 Filed 2-25-83; 9:11 am]

BILLING CODE 4910-58-M

8

NATIONAL TRANSPORTATION SAFETY BOARD

[NM-83-6]

TIME AND DATE: 9 a.m., Tuesday, March 8, 1983.

PLACE: NTSB Board Room, 800 Independence Avenue, SW., Washington, D.C. 20594.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. *Aircraft Accident Report:* IBEX Corporation, Gates Learjet 23, N100TA, Atlantic Ocean, Near Savannah, Georgia, May 6, 1982.

The Agenda is subject to change on short notice.

CONTACT PERSON FOR MORE INFORMATION: Sharon Flemming, (202) 382-6525.

February 25, 1983.

[S-282-83 Filed 2-25-83; 9:11 am]

BILLING CODE 4910-58-M

federal register

Tuesday
March 1, 1983

Part II

Department of the Interior

National Park Service

National Register of Historic Places; Annual Listing of Historic Properties

DEPARTMENT OF THE INTERIOR

National Park Service

National Register of Historic Places Annual Listing of Historic Properties

The National Historic Preservation Act of 1966, as amended (80 Stat. 915, 16 U.S.C. 470 et seq.), authorizes the Secretary of the Interior to expand and maintain a National Register of districts, sites, buildings, structures and objects significant in American history, architecture, archeology, engineering and culture. The National Park Service expands and maintains the National Register of Historic Places for the Secretary.

It is the purpose of this notice, through publication of the information included herein, to apprise the public, as well as governmental agencies, associations, and all other organizations and individuals interested in historic preservation of the properties added to the National Register between October 1, 1981 and September 30, 1982, and of the properties determined eligible for inclusion in the National Register from December 1, 1981 to September 30, 1982 and of those omitted in the list published February 2, 1982.

For a cumulative listing comprising all properties on the National Register, we recommend that users retain the **Federal Register** listings from February 6, 1979 (Vol. 44, No. 26, Part II); March 18, 1980 (Vol. 45, No. 54, Part II); February 3, 1981 (Vol. 45, No. 54, Part II); and February 2, 1982 (Vol. 47, No. 22, Part III). Together these listings provide information for all National Register properties and for properties determined eligible for inclusion on the National Register through November, 1982. A limited number of copies of the 1979, 1980, 1981 and 1982, **Federal Register** Part II are available from the Department of the Interior, National Park Service, National Register of Historic Places, 18th and C Sts., NW., Washington, D.C. 20240.

Dated: January 18, 1983.

Russell E. Dickenson,

Director.

ALABAMA

Barbour County

Eufaula, *Kiels-McNab House*, W. Washington St. (01/21/82)

Calhoun County

Anniston, *Caldwell Building*, 1001 Noble St. (03/01/82)
Anniston, *Parker-Reynolds House*, 330 E. 6th St. (02/19/82)
Jacksonville, *First Presbyterian Church*, 200 E. Clinton St. (02/04/82)
Oxford, *Snow, Dudley, House*, 704 Snow St. (02/04/82)

Chambers County

Dudleyville Vicinity, *County Line Baptist Church*, E of Dudleyville (08/19/82)

Colbert County

Sheffield vicinity, *Tuscumbia Landing Site*, W of Sheffield (06/10/82)
Tuscumbia vicinity, *Belmont*, SE of Tuscumbia (02/23/82)
Tuscumbia, *Christian, John and Archibald, House*, Off U.S. 72 (02/04/82)
Tuscumbia, *Winston, William, House*, N. Commons St. (04/15/82)

Covington County

Andalusia, *First National Bank Building*, 101 S. Cotton St. (08/26/82)

Dale County

Ozark, *Holman, J. D., House*, 409 E. Broad St. (02/19/82)

Dallas County

Browns vicinity, *St. Luke's Episcopal Church*, S of Browns (03/25/82)
Selma vicinity, *Marshall's Grove*, AL 22 (02/04/82)
Selma, *Brown Chapel African Methodist Episcopal Church*, 410 Martin Luther King, Jr. St. (02/04/82)
Summerfield, *Summerfield District*, Selma-Summerfield and Marion Rds., Centenary and College Sts. (03/01/82)

Elmore County

Robinson Springs, *Robinson Springs United Methodist Church*, AL 14 and AL 143 (03/01/82)

Escambia County

Brewton, *Brewton Historic Commercial District*, AL 3 and US 31 (03/15/82)

Greene County

Boligee vicinity, *Boligee Hill (Myrtle Hall)*, SE of Boligee (02/19/82)
Eutaw and vicinity, *Anthony, David Rinehart, House (Antebellum Homes in Eutaw TR)*, 307 Wilson Ave. (04/02/82)
Eutaw and vicinity, *Braune, Gustave, House (Antebellum Homes in Eutaw TR)*, 236 Prairie St. (04/02/82)
Eutaw and vicinity, *Davis, Attoway, R., Home (Antebellum Homes in Eutaw TR)*, 305 Main St. (04/02/82)
Eutaw and vicinity, *Elliott, John W., House (Antebellum Homes in Eutaw TR)*, 244 Prairie St. (04/02/82)
Eutaw and vicinity, *Glenville (Jincy P. Glenn House) (Antebellum Homes in Eutaw TR)*, 200 Scears St. (04/02/82)
Eutaw and vicinity, *Gray, Rev. John H., House (Antebellum Homes in Eutaw TR)*, 709 Mesopotamia St. (04/02/82)
Eutaw and vicinity, *Gullett, Benjamin D., House (Antebellum Homes in Eutaw TR)*, 317 Main St. (04/02/82)
Eutaw and vicinity, *Hale, Stephen Fowler, House (Antebellum Homes in Eutaw TR)*, 223 Wilson St. (04/02/82)
Eutaw and vicinity, *Jones, William C., House (Antebellum Homes in Eutaw TR)*, 507 Mesopotamia St.(04/02/82)
Eutaw and vicinity, *Meriwether, Dr. Willis, House (Antebellum Homes in Eutaw TR)*, 243 Wilson Ave. (04/02/82)
Eutaw and vicinity, *Murphy, Samuel R., (Antebellum Homes in Eutaw TR)*, 1150 Mesopotamia St. (04/02/82)
Eutaw and vicinity, *Perkins, William, House (Antebellum Homes in Eutaw TR)*, 89 Spencer St. (04/02/82)
Eutaw and vicinity, *Pippen, Littleberry, House (Antebellum Homes in Eutaw TR)*, 431 Springfield St. (04/02/82)
Eutaw and vicinity, *Reese, Edwin, House (Antebellum Homes in Eutaw TR)*, 244 Wilson Ave. (04/02/82)
Eutaw and vicinity, *Rogers, William A., House (Antebellum Homes in Eutaw TR)*, 1149 Mesopotamia St.(04/02/82)
Eutaw and vicinity, *Schoppert, Phillip, House (Antebellum Homes in Eutaw TR)*, 230 Prairie St. (04/02/82)
Eutaw and vicinity, *Vaughan, Iredell P., House (Antebellum Homes in Eutaw TR)*, 409 Wilson St. (04/02/82)
Eutaw and vicinity, *Webb, William Peter, House (Antebellum Homes in Eutaw TR)*, 401 Main St. (04/02/82)
Eutaw and vicinity, *White, Asa, House (Antebellum Homes in Eutaw TR)*, 314 Mesopotamia St. (04/02/82)
Eutaw and vicinity, *Wilson, Catlin, House (Antebellum Homes in Eutaw TR)*, 237 Wilson Ave. (04/02/82)
Eutaw and vicinity, *Wright, Daniel R., (Murphy-Dunlop House) (Antebellum Homes in Eutaw TR)*, 501 Pickens St. (04/02/82)

Jackson County

Scottsboro, *Brown-Proctor House*, 208 S. Houston St. (09/16/82)
Scottsboro, *Public Square Historic District*, Roughly bounded by Appletree, Andrews, Willow and Caldwell Sts. (04/15/82)

Jefferson County

Bessemer, *Owen, Dr. Thomas McAdory, House (Kartus-Vance House)*, 510 N. 18th St. (01/21/82)
Birmingham, *Crittenden Building*, 1914 3rd Ave., N. (12/30/81)
Birmingham, *Downtown Birmingham Historic District*, Roughly bounded by 1st and 3rd Aves., 20th and 25th Sts. (02/11/82)
Birmingham, *Empire Building*, 1928 1st Avenue N (03/19/82)
Birmingham, *Fourth Avenue Historic District*, 4th Ave., 17th and 18th Sts. (02/11/82)
Birmingham, *Kress, S. H., and Company*, 3rd Ave. and 19th St. (01/04/82)
Birmingham, *Rhodes Park (Highland Avenue) Historic District*, Roughly bounded by S. 10th, S. 13th and Highland Aves. S. 28th and S. 30th Sts. (04/15/82)
Birmingham, *Whilldin Building* 513–517 21st St. N. (03/25/82)

Lauderdale County

Florence, *Coffee High School (Appleby School)*, 319 Hermitage Dr. (02/04/82)
Florence, *Coulter, George, House*, 420 S. Pine St. (01/21/82)
Florence, *Martin, James, House*, 1400 Cypress Mill Rd (12/09/81)

Limestone County

Athens, *Old Athens, Alabama Main Post Office*, 310 W. Washington St. (02/18/82)

Belle Mina vicinity, *Woodside*, SW of Belle Mina (02/19/82)
Mooresville vicinity, *Cave Place*, AL 20 (02/19/82)

Madison County

Huntsville vicinity, *Flint River Place*, 1997 Jordan Rd. (01/18/82)
Huntsville vicinity, *McCrary House*, NE of Huntsville (06/01/82)
Huntsville vicinity, *Steger House (Dr. Howard Place)* 3141 Maysville Rd. (06/01/82)
Huntsville, *Kildare-McCormick House*, 2005 Kildare St. (07/15/82)
Huntsville, *Phelps-Jones House*, 6112 Pulaski Pk. (02/19/82)
Huntsville, *Robinson, Mrs. William, House*, 401 Quietdale Dr. (02/04/82)
Huntsville, *Vaught House*, 701 Ward Ave. (12/15/81)
Meridianville vicinity, *Otey, William Madison, House*, S of Meridianville (01/19/82)
New Market, *Whitman-Cobb House*, Winchester Rd. (01/18/82)

Mobile County

Mobile, *Common Street District*, 959–1002 Dauphin St. and 7–19 Common St. (02/04/82)
Mobile, *Lower Dauphin Street Historic District*, Dauphin St. from Water to Dearborn Ave. (02/19/82)
Mobile, *Miller-O'Donnell House*, 1102 Broad St. (02/19/82)
Mobile, *Tschiener House (Damus School)*, 1120 Old Shell Rd. (01/18/82)

Montgomery County

Montgomery, *Bell Building*, 207 Montgomery St. (12/15/81)
Montgomery, *Court Square Historic District*, 21–35 Court St., 1–2 Dexter Ave., 18–24 N. Court St. and Court Sq. (03/01/82)
Montgomery, *Lower Commerce Street Historic District*, Roughly bounded by RR tracks, N. Court, Commerce, and Bibb Sts. (02/25/82)
Montgomery, *Pastorium, Dexter Avenue Baptist Church*, 309 S. Jackson St. (03/10/82)
Montgomery, *Pepperman House*, 17 Mildred St. (03/01/82)
Montgomery, *Sayre Street School*, 506 Sayre St. (02/19/82)
Mount Meigs, *Grace Episcopal Church*, Pike Rd. (02/19/82)

Morgan County

Decatur vicinity, *Westview*, S of Decatur (01/18/82)

Pickens County

Aliceville vicinity, *Ball, Parks E., House*, NW of Aliceville (01/18/82)

St. Clair County

Ashville, *Bothwell, Dr. James J., House*, Hartford Ave. (02/04/82)

Sumter County

Gainesville, *Mobley, Col. Green G., House*, Webster and Pearl Sts. (01/18/82)

ALASKA

Aleutian Islands Division

Ruby, *Ruby Roadhouse*, Olson St. (05/20/82)

Anchorage Division

Eklunta, *Alex, Mike, Cabin*, Off AK 1 (09/08/82)
Wasilla, *Wasilla Community Hall*, 215 Main St. (09/08/82)

Cordova-McCarthy Division

Cordova, *Red Dragon Historic District (AHRS #COR–170)*, Lake Ave. (08/31/82)

Fairbanks Divesion

Fairbanks vicinity, *Chena Pumphouse*, Chena Pump Rd. (03/17/82)
Fairbanks, *Davis, Mary Lee, House*, 410 Cowles St (08/31/82)

Juneau Division

Juneau, *Davis, J. M., House* (AHRS Site No. JUN–078), 202 6th St. (08/31/82)

Ketchikan Division

Ketchikan, *Burkhart-Dibrell House (AHRS Site No. KET-111)*, 500 Main St. (09/08/82)
Ketchikan, *Walker-Broderick House (AHRS Site No. KET-138)*, 541 Pine St. (08/31/82)

Matanuska-Susitna Division

Talkeetna, *Fairview Inn (AHRS Site TAL 006)*, Main St. (05/07/82)

ARIZONA

Coconino County

Grand Canyon National Park, *Grand Canyon Inn and Campground*, North Rim (09/02/82)
Grand Canyon National Park, *Grand Canyon Lodge*, North Rim on Bright Angel Point (09/02/82)
Grand Canyon National Park, *Grand Canyon North Rim Headquarters*, North Rim (09/02/82)

Graham County

Safford, *Graham County Courthouse*, 800 Main St. (05/25/82)

Maricopa County

Chandler, *San Marcos Hotel*, 1 San Marcos Pl. (04/29/82)
Mesa, *Scott, Robert, House*, 2230 E. Grandview St. (07/08/82)
Peoria, *Central School*, 10304 N. 83rd Ave. (05/12/82)
Phoenix, *First Baptist Church*, 302 W. Monroe St. (02/08/82)
Phoenix, *Hotel Westward Ho*, 618 N. Central Ave. (02/19/82)
Phoenix, *Kenilworth Elementary School*, 1210 N. 5th Ave. (03/25/82)
Phoenix, *Ong's, Jun, Market*, 1110 E. Washington St. (07/08/82)
Phoenix, *Phoenix Union High School Historic District*, 512 E. Van Buren (07/15/82)
Scottsdale, *Titus, Frank, House*, 1310 N. Hayden Rd. (05/13/82)
Wickenburg, *Garcia School*, Yavapai St. and US 89 (04/01/82)

Navajo County

Snowflake, *Stinson-Flake House*, Freeman Ave and Stinson St. (03/10/82)

Pima County

Tucson, *Hotel Heidel*, 345 Toole Ave. (07/15/82)
Tucson, *Smith, Professor George E.P., House*, 1195 E. Speedway (06/03/82)

Yavapai County

Prescott, *Goldwater, Henry, House*, 217 E. Union St. (03/25/82)
Prescott, *Sisters of Mercy Hospital Convent*, 220 Grove Ave. (02/19/82)

ARKANSAS

Ashley County

Crossett, *Wiggens Cabin*, City Park (09/30/82)

Baxter County

Norfolk vicinity, *Old Joe (Rock Art Sites in Arkansas TR)*, (05/04/82)

Benton County

Rogers, *Applegate Drugstore*, 116 1st St. (06/23/82)

Bentonville County

Bentonville, *Terry Block Building*, 101—103 N. Main St. (05/13/82)

Clark County

Arkadelphia vicinity, *Hudson-Jones House*, E of Arkadelphia on SR 2 (09/30/82)

Clay County

Piggott, *Pfeiffer House and Carriage House*, 10th and Cherry Sts. (06/10/82)

Columbia County

Magnolia, *Longino, Dr. H.A., House*, 317 W. Main St. (06/14/82)
Magnolia, *Turner, Kate, House*, 709 W. Main St. (06/28/82)

Conway County

Oppelo vicinity, *Grotto, Petit Jean No. 8 (Rock Art Sites in Arkansas TR)*, (05/04/82)
Oppelo vicinity, *Hardison Shelter, Petit Jean No. 3 (Rock Art Sites in Arkansas TR*, (05/04/82)
Oppelo vicinity, *Indian Cave, Petit Jean No. 1 (Rock Art Sites in Arkansas TR*, (05/04/82)
Oppelo vicinity, *Petit Jean No. 10 (Rock Art Sites in Arkansas TR)*, (05/04/82)
Oppelo vicinity, *Petit Jean No. 11 (Rock Art Sites in Arkansas TR)*, (05/04/82)
Oppelo vicinity, *Petit Jean No. 4 (Rock Art Sites in Arkansas TR)*, (05/04/82)
Oppelo vicinity, *Petit Jean No. 5 (Rock Art Sites in Arkansas TR)*, (05/04/82)
Oppelo vicinity, *Petit Jean No. 6 (Rock Art Sites in Arkansas TR)*, (05/04/82)
Oppelo vicinity, *Petit Jean No. 7 (Rock Art Sites in Arkansas TR)*, (05/04/82)
Oppelo vicinity, *Petit Jean No. 9 (Rock Art Sites in Arkansas TR)*, (05/04/82)
Oppelo vicinity, *Rockhouse Cave, Petit Jean No. 2 (Rock Art Sites in Arkansas TR)*, (05/04/82)
Rudy vicinity, *High Rock Petroglyph Shelter (High Rock No. 2) (Rock Art Sites in Arkansas TR)*, (05/04/82)

Crittenden County

West Memphis, *Dabbs Store*, 1320 S. Avalon (05/17/82)

Drew County

Monticello, *Hardy, Robert Lee, House*, 207 S. Main St. (04/26/82)

Franklin County

Ozark, *Franklin County Jail*, 3rd and River Sts. (06/23/82)

Independence County

Batesville, *Warner, Capt. John T., House*, 822 E. College St. (09/02/82)
Desha vicinity, *Wyatt Petroglyphs (Rock Art Sites in Arkansas TR)*, (05/04/82)
Salado vicinity, *Goff Petroglyph Site (Rock Art Sites in Arkansas TR), (05/04/82)*

Jefferson County

Pine Bluff, *Lee, R. E., House*, 1302 W. 2nd Ave. (06/08/82)

Johnson County

Clarksville vicinity, *King's Canyon Petroglyhs (Rock Art Sites in Arkansas TR)*, (05/04/82)
Clarksville vicinity, *Serpent Cave (Rock Art Sites in Arkansas Tr)*, (05/04/82)

Lonoke County

Lonoke, *Lonoke County Courthouse*, N. Center St. (06/08/82)

Madison County

Kingston, *Bank of Kingston*, 101 Public Sq. (03/25/82)

Marion County

Summit vicinity, *Sunburst Shelter (Rock Art Sites in Arkansas TR)*, (05/04/82)

Miller County

Texarkana,, *Bottoms House*, 500 Hickory (06/08/82)
Texarkana, *Foulke, Claude, House*, 501 Pecan St. (04/22/82)
Texarkana, *Garrison, Augustus M. House*, 600 Pecan St. (03/25/82)

Pope County

Dover vicinity, *Crow Mountain Petroglyph (Rock Art Sites in Arkansas TR), (05/04/83)*

Prairie County

Des Arc, *Frith-Plunkett House*, 8th and Main Sts. (06/10/82)

Pulaski County

Little Rock, *LaFayette Hotel*, 525 S. Louisiana St. (09/30/82)
Little Rock, *Peoples Building & Loan Building*, 213–217 W. 2nd St. (09/02/82)
Little Rock, *Taborian Hall*, 9th and State Sts. (04/29/82)
Little Rock, *Terminal Warehouse Building*, 500 E. Markham St. (04/29/82)

Searcy County

Snowballs vicinity, *Cooper's Bluff (Jacobs's Rock) (Rock Art Sites in Arkansas TR)*, (05/04/82)

Sharp County

Evening Shade, *Cochran Store (Evening Shade MRA)*, Main St. (06/02/82)
Evening Shade, *Coger House (Evening Shade MRA)*, Main St. (06/02/82)
Evening Shade, *Davidson, Sam, House (Evening Shade MRA)*, Cammack St. (06/02/82)
Evening Shade, *Edwards, W. A., House (Evening Shade MRA)*, Main St. (06/02/82)
Evening Shade, *McCaleb, John, House (Evening Shade MRA)*, Main St. (06/02/82)
Evening Shade, *Metcalf House (Evening Shade MRA)*, Gin Dr. (06/02/82)
Evening Shade, *Shaver, Charles W., House (Evening Shade MRA)*, Court St. (09/30/82)
Evening Shade, *Shaver, John W., House (Evening Shade MRA)*, Main St. (06/02/82)
Evening Shade, *Stokes House (Evening Shade MRA)*, Cammack St. (06/02/82)
Evening Shade, *Wilkerson House (Evening Shade MRA)*, Sidney Rd. (06/02/82)

Stone County

Fox vicinity, *Fox Pictograph (Rock Art Sites in Arkansas TR), (05/04/82)*
Mountain View vicinity, *Pictograph Cave (Rock Art Sites in Arkansas TR)*, (05/4/82)

Union County

El Dorado, *Bank of Commerce*, 200 N. Washington St. (03/25/82)

Van Buren County

Shirley vicinity, *Edgemont Shelter (Indian Rock House) (Rock Art Sites in Arkansas TR)*, (05/04/82)
Shirley vicinity, *Lynn Creek Shelter (Rock Art Sites in Ardansas TR), (05/04/82)*

Washington County

Fayetteville, *Hemingway House and Barn*, 3310 Old Missouri Rd. (06/12/82)
Fayetteville, *Jackson House*, 1500 Mission Hwy. (AR 45) (08/17/82)
Fayetteville, *Mount Nord Historic District*, Mount Nord Ave. (09/16/82)

Yell County

Dardanelle, *Kimball House*, 713 N. Front St. (06/23/82)

CALIFORNIA

Alameda County

Alameda, *Masonic Temple and Lodge*, 1329–31 Park St. and 2312 Alameda Ave. (03/25/82)
California Hall (Berkeley, University of California MRA), Oxford St. (03/25/82)
Doe Memorial Library (Berkeley, University of California MRA), Oxford St. (03/25/82)
Durant Hall (Berkeley, University of California MRA), Oxford St. (03/25/82)
Faculty Club (Berkeley, University of California MRA), Oxford St. (03/25/82)
Founders' Rock (Berkeley, University of California MRA), Oxford St. (03/25/82)
Giannini Hall (Berkeley, University of California MRA), Oxford St. (03/25/82)
Hearst Greek Theatre (Berkeley, University of California MRA), Oxford St. (03/25/82)
Hearst Gymnasium for Women (Berkeley, University of California MRA), Oxford St. (03/25/82)
Hearst Memorial Mining Building (Berkeley, University of California MRA), Oxford St. (03/25/82)
Hilgard Hall (Berkeley, University of California MRA), Oxford St. (03/25/82)
North Gate Hall (Berkeley, University of California MRA), Oxford St. (03/25/82)
Sather Gate and Bridge (Berkeley, University of California MRA), Oxford St. (03/25/82)
Sather Tower (Berkeley, University of California MRA), Oxford St. (03/25/82)
South Hall (Berkeley, University of California MRA), Oxford St. (03/25/82)
University House (Berkeley, University of California MRA), Oxford St. (03/25/82)
Wellman Hall (Berkeley, University of California MRA), Oxford St. (03/25/82)
Wheeler Hall (Berkeley, University of California MRA), Oxford St. (03/25/82)
Alameda, *Alameda Free Library*, 2264 Santa Clara Ave. (06/25/82)
Alameda, *Park Street Historic Commercial District*, Roughly bounded by Oak St., Park, Lincoln, and Encinal Aves. (05/12/82)
Albany, *Peterson House*, 1124 Talbot Ave. (03/11/82)
Berkeley, *Berkeley Public Library*, 2090 Kittredge St. (06/25/82)
Berkeley, *College Women's Club*, 2680 Bancroft Way (01/21/82)
Berkeley, *Corder Building, (Whitecotton Building and Witter Building)*, 2300–2350 Shattuck Ave. (01/11/82)
Berkeley, *First Unitarian Church*, 2401 Bancroft Way (12/10/81)
Berkeley, *Fox Court*, 1472–1478 University Ave. (02/04/82)
Berkeley, *Garfield Intermediate School*, 1414 Walnut St. (06/14/82)
Berkeley, *Haviland Hall*, University of California Campus (02/01/82)
Berkeley, *Masonic Temple*, 2105 Bancroft Way and 2295 Shattuck Ave. (07/15/82)
Berkeley, *Tupper and Reed Building*, 2275 Shattuck Ave. (01/21/82)
Fremont, *Washington Union High School*, 38442 Fremont Blvd. (10/05/81)
Oakland, *Madison Park Apartments*, 100 9th St. (04/01/82)
Oakland, *McCrea House*, 3500 Mountain Blvd. (02/11/82)
Oakland, *Security Bank and Trust Company Building (Key System Building)*, 1000 Broadway (07/26/82)
Oakland, *Trinity Church*, 525 29th St. (02/04/82)
San Leandro, *Casa Peralta*, 384 W. Estudillo Ave. (01/04/82)

Amador County

Jackson, *Depue, Grace Blair, House and Indian Museum*, 215 Court St. (05/07/82)

Butte County

Chico, *Chapman, A. H., House*, 256 E. 12th St. (01/28/82)
Chico, *St. John's Episcopal Church*, 230 Salem St. (01/21/82)
Magalia, *Magalia Community Church*, Stirling Hwy. (01/11/82)
Oroville, *Lee, Fong, Company*, (03/11/82)

El Dorado County

Placerville, *Confidence Hall*, 487 Main St. (01/04/82)

Fresno County

Coalinga, *Coalinga Polk Street School*, S. 5th and E. Polk Sts. (05/06/82)
Fresno, *Maulbridge Apartments*, 2344 Tulare St. (05/06/82)
Fresno, *Rehorn House*, 1050 S St. (01/06/82)

Fresno, *Romain, Frank, House*, 2055 San Joaquin St. (01/11/82)

Glenn/Butte Counties

Hamilton City, *Gianella Bridge*, CA 32 (07/08/82)

Humboldt County

Bald Hills, Archeological District, (07/09/82)
Arcata, *Jacoby Building*, 791 8th St. (06/17/82)
Eureka, *Bank of Eureka Building*, 240 E St. (04/12/82)
Eureka, *Eureka Inn*, 7th and F Sts. (02/11/82)
Eureka, *Humboldt Bay Woolen Mill (Eureka Woolen Mills)*, 1400 Broadway (06/25/82)
Ferndale, *Rectory, Catholic Church of the Assumption*, 563 Ocean Ave. (02/11/82)
Fortuna, *Gushaw-Mudgett House*, 820 Ninth St. (01/11/82)

Imperial County

Plaster City vicinity, *Yuha Basin Discontiguous District*, S of Placer City (05/24/82)

Inyo County

Bishop vicinity, *Laws Narrow Gauge Railroad Historic District*, NE of Bishop (10/01/82)

Joaquin County

Woodbridge, *I.O.O.F Hall (Independent Order of Odd Fellows)*, Main St. (04/22/82)

Kern County

Shafter, *Santa Fe Passenger and Freight Depot*, 150 Central Valley Hwy. (01/19/82)

Kings County

Hanford, *Hanford Carnegie Library*, 109 E. 8th St. (12/17/81)

Los Angeles County

Saddle Rock Ranch Pictograph Site (4-LAN-717), (02/12/82)
Claremont, *Atchison, Topeka, and Santa Fe Railroad Station*, 110 W. 1st St., (07/15/82)
Hollywood, *Whitley Heights Historic District*, Roughly bounded by Franklin, Highland, Cahuenga, and Fairfield Aves. (08/19/82)
Los Angeles, *Colonial House*, 1416 N. Havenhurst Dr. (04/15/82)
Los Angeles, *Congregation B'nai B'rith*, 3663 Wilshire Bld. (12/21/81)
Los Angeles, *Garfield Building*, 403 W. 8th St. (06/25/82)
Los Angeles, *Golden Gate Theater*, 5170-5188 E. Whittier Blvd. (02/23/82)
Los Angeles, *Venice Canal Historic District*, consists of public right of way of Carroll, Linnie, Howland, Sherman, Eastern Canals, and that portion between Canal St. and Grand Canal (08/30/82)
Pasadena, *Bowen Court*, 539 E. Villa St. (06/17/82)
Pasadena, *Haskett Court*, 824-834 E. California Blvd. (02/25/82)
Pasadena, *Hotel Green*, 99 S. Raymond Ave. (03/23/82)
Pasadena, *Longfellow-Hastings House*, 85 S. Allen Ave. (03/02/82)
Pasadena, *Newcomb House*, 675-677 N. El Molino Ave. (09/02/82)
Pasadena, *South Marengo Historic District*, S. Marengo Ave. (06/02/82)
Pedro, *Battery, John Barlow, and Saxton*, Fort MacArthur (05/04/82)
Pomona, *Pomona Fox Theater*, 102-144 3rd St. (02/19/82)
South Pasadena, *South Pasadena Historic District*, Roughly bounded by Mission and El Centro Sts., and Fairview and Meridian Aves. (07/21/82)

Marin County

Belvedere, *Rey, Valentine, House*, 428 Golden Gate Ave. (04/22/82)
San Rafael, *McNear, Erskine, B., House*, 121 Knight Dr. (01/11/82)

Mariposa County

Coulterville, *Coulterville Main Street Historic District*, Main St. (03/12/82)

Merced County

Merced, *Kaehler-Rector House*, 408 W. 25th St. (01/04/82)
Merced, *Leggett, Thomas H., House*, 346 W. 21st St., (07/08/82)

Monterey County

Pacific Grove, *Trimmer Hill*, 230 6th St., (06/28/82)
Salinas, *Krough House*, 146 Central Ave. (01/18/82)
Salinas, *Nesbitt, Sheriff William Joseph, House*, 66 Capitol St. (02/19/82)

Napa County

Calistoga, *Mount View Hotel*, 1457 Lincoln Ave. (04/12/82)
Napa vicinity, *Kreuzer Ranch*, 167 Kreuzer Lane (02/11/82)
Napa, *Alexandria Hotel and Annex*, 840-844 Brown St. (01/11/82)
Napa, *Old Napa Register Building*, 1202 1st St. (02/19/82)
St. Helena vicinity, *Larkmead Winery*, NW of St. Helena at 1091 Larkmead Lane (02/01/82)
St. Helena, *Taylor, Duckworth and Company Foundry Building*, 1345 Railroad Ave. (01/21/82)
St. Helena, *William Tell Saloon and Hotel*, 1228 Spring St. (05/07/82)
Yountville, *Groezinger Wine Cellars*, 6525 Washington St. (02/04/82)
Yountville, *Webber, John Lee, House*, 6610 Webber St. (01/19/82)

Nevada County

Truckee, *Kruger House*, 10292 Donner Pass Rd. (06/17/82)

Orange County

Orange, *Plaza Historic District*, Roughly bounded by Maple and Almond Aves., Orange and Olive Sts. (03/19/82)
San Juan Capistrano, *Yorba, Domingo Adobe and Casa Manuel Garcia*, 31781 Camino Capistrano (02/04/82)
Santa Ana, *Builders Exchange Building*, 202-208 N. Main St. (04/29/82)
Santa Ana, *Walkers Orange County Theater*, 308 N. Main St. (02/19/82)

Placer County

Newcastle vicinity, *Newcastle Portuguese Hall*, Taylor Rd. (03/25/82)

Riverside County

Blythe vicinity, *McCoy Spring Petroglyphs*, (05/10/82)
Riverside, *Old YMCA Building*, 3425 7th St. (01/28/82)

Sacramento County

Sacramento, *I Street Bridge*, CA 16 (also Yolo County) (04/22/82)
Folsom, *Cohn House*, 305 Scott St. (01/21/82)
Folsom, *Folsom Depot*, 200 Wool St. (02/19/82)
Sacramento, *Goethe House*, 3731 T St. (02/19/82)
Sacramento, *Greene, John T., House*, 3200 H St. (04/15/82)
Sacramento, *Howe, Edward P., Jr., House*, 2215 21st St. (02/19/82)
Sacramento, *Kuchler Row*, 608-614 10th St. (06/25/82)
Sacramento, *Libby McNeil and Libby Fruit and Vegetable Cannery*, 1724 Stockton Blvd. (03/02/82)
Sacramento, *Mesick House*, 517 8th St. (01/21/82)
Sacramento, *Ruhstaller Building*, 900 J St. (01/21/82)
Sacramento, *Sacramento Bank Building*, 3418 Broadway (01/21/82)

San Benito County

San Juan Bautista, *Rozas House*, 31 Polk St. (04/12/82)
San Juan Bautista, *Wilcox, Benjamin, House*, 315 The Alameda (02/19/82)

San Bernardino County

Baker vicinity, *Aiken's Wash National Register District*, E of Baker (05/24/82)
Barstow vicinity, *Rodman Mountains Petroglyphs Archeological District*, (05/10/82)
Johannesburg vicinity, *CA-SBr-1008A, CA-SBr-1008B, CA-SBr-1008C*, (05/24/82)
Ontario, *Ontario State Bank Block*, 300 S. Euclid Ave. (01/08/82)

San Diego County

San Diego, *Hawthorne Inn*, 2121 First Ave. (03/30/82)
San Diego, *Ruiz-Alvarado Ranch Site (Rancho Penasquitos)*, Penasquitos Valley Regional Park (01/22/82)

San Francisco County

San Francisco, *Fillmore-Pine Building*, (01/11/82)
San Francisco, *Griffing's, Frederick, Ship*, Battery St. (02/01/82)
San Francisco, *Pioneer Woolen Mills and D. Ghirardelli Company*, 900 N. Point St. (04/29/82)
San Francisco, *St. Joseph's Church and Complex*, 1401-1415 Howard St. (01/15/82)
San Francisco, *St. Paulus Lutheran Church*, 999 Eddy St. (02/11/82)
San Francisco, *Trinity Presbyterian Church*, 3261 23rd St. (03/02/82)

San Joaquin County

Lockford, *Locke's Meat Market*, 13480 CA 88 (02/19/82)
Stockton, *Sperry Office Building*, 146 W. Weber Ave. (02/19/82)
Tracy vicinity, *Ohm, John, House*, 31524 S. Kasson Rd. (02/04/82)
Woodbridge, *I.O.O.F. Hall (Independent Order of Odd Fellows)*, Main St. (04/22/82)

Stockton, *Holt, Benjamin, House*, 548 Park St. (03/02/82)

San Luis Obispo County

Archeological Site 4–SLO–834, (02/25/82)

San Mateo County

Burlingame, *Kohl Mansion (The Oaks)*, 2750 Adeline Dr. (02/03/82)
Pescadero vicinity, *Dickerman Barn*, Cabrillo Hwy. (01/11/82)
Pescadero, *Methodist Episcopal Church of Pescadero*, 108 San Gregorio St. (03/10/82)

Santa Barbara County

Santa Barbara, *Faith Mission*, 409 State St. (01/11/82)
Santa Barbara, *St. Vincent Orphanage and School Building*, 925 De La Vina St. (06/02/82)

Santa Clara County

Gilroy, *Christian Church of Gilroy*, 160 5th St. (04/01/82)
Gilroy, *Holloway, Edgar, House*, 7539 Eigleberry St. (01/28/82)
Gilroy, *Live Oak Creamery*, 88 Martin St. (03/11/82)
Palo Alto, *Dunker House*, 420 Maple St. (02/19/82)
San Jose, *Building at 27–29 Fountain Alley*, 27–29 Fountain Alley (03/02/82)
San Jose, *De Anza Hotel*, 233 W. Santa Clara St. (01/21/82)
San Jose, *Roma Bakery*, 655 Almaden Ave. (01/21/82)
San Jose, *Troy Laundry*, 722 Almaden Ave. (01/28/82)
Santa Clara, *Landrum, Andrew J., House*, 1219 Santa Clara St. (02/19/82)
Santa Clara, *Lick, James, Mill*, 305 Montague Expwy. (03/02/82)

Santa Cruz County

Santa Cruz, *Bank of Santa Cruz County*, 1502 Pacific Ave. (03/15/82)
Santa Cruz, *Cope Row Houses*, 412–420 Lincoln St. (01/28/82)

Siskiyou County

Macdoel, *Hotel Macdoel*, Montezuma Ave. and Mt. Shasta St. (02/11/82)

Sonoma County

Cloverdale, *Pinschower, Simon, House*, 302 N. Main St. (02/25/82)
Santa Rosa, *Chopius House*, 726 College Ave. (04/12/82)

Tehama County

Red Bluff, *Saint Mary's Parish*, 515 Main St. (02/04/82)

Tulare County

Springville, *Elster, C. A., Building*, CA 190 and Tule River Dr. (03/25/82)
Visalia, *Bank of Italy Building*, 128 E. Main St. (04/01/82)

Tuolumne County

Sonora, *Cady House*, 72 N. Norlin St. (02/25/82)

Ventura County

Ventura, *Franz, Emmanuel, House*, 31 N. Oak St. (06/25/82)

Yolo County

Woodland, *Beamer, R. H., House*, 19 3rd St. (08/02/82)
Woodland, *I.O.O.F. Building*, 723 Main St. (02/25/82)

Yolo and Sacramento Counties

Sacramento, *Tower Bridge*, CA 275 across the Sacramento River, (06/24/82)

Yuba County

Marysville, *Hart Building*, 423–425 4th St. (01/28/82)

COLORADO

Boulder County

Boulder, *Williams, Wilbur, House*, 1434 Baseline Rd. (06/03/82)

Denver County

Denver, *Building at 1389 Stuart Street (West Colfax TR)*, (07/19/82)
Denver, *Building at 1390 Stuart Street (West Colfax TR)*, (07/19/82)
Denver, *Building at 1435 Stuart Street (West Colfax TR)*, (07/19/82)
Denver, *Building at 1444 Stuart Street (West Colfax TR)*, (07/19/82)
Denver, *Building at 1471 Stuart Street (West Colfax TR)*, (07/19/82)
Denver, *Chapel No. 1 (5 DV 193)*, Reeves St. on Lowry AFB (05/06/82)
Denver, *Chappell, Delos Allen, House (5DV320)*, 1555 Race St. (06/03/82)
Denver, *Dow-Rosenzweig House*, 1129 E. 17th Ave. (06/03/82)
Denver, *St. Joseph's Roman Catholic Church of Denver*, 600 Galapago (06/03/82)
Denver, *Sterns House*, 1030 Logan St. (06/03/82)
Denver, *Union Warehouse*, 1514 17th St. (06/03/82)
Denver, *Zang Barn and Stable Rocky Mountain Hotel*, 2263 and 2301–7th St. (06/07/82)

Eagle County

Basalt vicinity, *Archeological Site 5EA484*, (05/10/82)

El Paso County

Colorado Springs, *City Hall of Colorado City*, 2902 W. Colorado Ave. (06/03/82)
Colorado Springs, *St. Mary's Catholic Church*, 26 W. Kiowa St. (06/03/82)

Larimer County

Estes Park vicinity, *Rocky Mountain National Park Utility Area Historic District*, Beaver Meadows Entrance Rd. (03/18/82)
Loveland, *Colorado and Southern Railway Depot*, 405 Railroad Ave. (06/14/82)

Logan County

Sterling, *First United Presbyterian Church (First Presbyterian Church)*, 130 S. 4th St. (06/03/82)
Sterling, *I and M Building*, 223 Main St. (06/03/82)
Sterling, *St. Anthony's Roman Catholic Church*, 329 S. 3rd St. (06/03/82)

Mesa County

Clifton, *Clifton Community Center and Church*, F and Main St. (06/03/82)

Montrose County

Montrose, *Denver and Rio Grande Depot*, 20 N. Rio Grande Ave. (06/03/82)
Montrose, *Montrose City Hall*, 433 S. 1st St. (06/03/82)

Morgan County

Brush, *All Saints Church of Eben Ezer*, 120 Hospital Rd. (06/03/82)

Pueblo County

Pueblo, *Galligan House*, 501 Colorado Ave. (06/03/82)
Pueblo, *Gast Mansion*, 1001 Greenwood St. (06/03/82)

Teller County

Florissant vicinity, *Hornbek House*, SR 1 (12/08/81)

CONNECTICUT

Fairfield County

Bridgeport, *Bishop, William D., Cottage Development Historic District*, Cottage Pl., and Atlantic, Broad, Main and Whiting Sts. (06/28/82)
Bridgeport, *Division Street Historic District*, Roughly bounded by State St., Iranistan, Black Rock and West Aves. (06/03/82)
Bridgeport, *Fairfield County Courthouse*, 172 Golden Hill St. (01/21/82)
Bridgeport, *Marina Park Historic District*, Marina Park, Park and Waldemere Aves. (04/27/82)
Bridgeport, *Seaside Institute*, 299 Lafayette Ave. (06/14/82)
Bridgeport, *Seaside Park*, Long Island Sound. (07/01/82)
Fairfield, *Birdcraft Sanctuary*, 314 Unquowa Rd. (06/23/82)
Newton, *Glover House*, 50 Main St. (02/11/82)
Newton, *New York Belting and Packing Co.*, 45–71 and 79–89 Glen Rd. (06/02/82)
Redding, *Barlow, Aaron, House*, Umpawaug Rd. (04/29/82)
Ridgefield, *Branchville Railroad Tenement*, Old Main Highway. (08/12/82)
Ridgefield, *Keeler Tavern (Benjamin Hoyt House, Ridgefield Hotel, Cannonball House*, 132 Main St. (04/29/82)
Stamford, *Davenport, Deacon John, House*, 129 Davenport Ridge Rd. (04/29/82)
Stamford, *Marion Castle, Terre Bonne*, 1 Rogers Rd., (07/01/82)
Stamford, *Curtis, Nathaniel, House*, 600 Housatonic Ave. (04/15/82)
Westport, *Town Hall*, 90 Post Rd. E. (06/18/82)
Wilton, *Sloan-Raymond-Fitch House*, 249 Danbury Rd. (04/29/82)

Hartford County

Bloomfield, *Gillette, Francis, House*, 511 Bloomfield Ave. (03/25/82)
Bristol, *Beleden House*, 50 Bellvue Ave. (03/15/82)
Bristol, *Terry-Hayden House*, 125 Middle St. (03/25/82)
Burlington vicinty, *Wiard, John, House*, CT 4 (03/25/82)
Burlington, *Treadwell House*, George Washington Tpke. (04/27/82)
East Granby, *Phelps, Ezekiel, House*, 38 Holcomb St. (02/25/82)

East Hartford, *Benmont, Makens, House*, 307 Burnside Ave. (03/25/82)
East Hartford, *First Congregational Church of East Hartford and Parsonage*, 829–837 Main St. (03/25/82)
Farmington, *Cowles, General George, House*, 130 Main St. (05/11/82)
Granby, *Holcomb, Nathaniel, III, House*, 45 Bushy Hill Rd. (04/29/82)
Hartford, *Capen-Clark Historic District*, Capen, Clark, Elmer, Barbour, Martin, and Main Sts. (04/27/82)
Hartford, *Charter Oak Place*, (Boundary increase) 1–3 Charter Oak Pl. (05/12/82)
Hartford, *Children's Village of the Hartford Orphan Asylum*, 1680 Albany Ave. (06/28/82)
Hartford, *Dillion Building*, 69–71 Pratt St. (02/11/82)
Hartford, *Fourth Congregational Church*, Albany Ave. and Vine St. (04/12/82)
Hartford, *Hartford Seminary Foundation*, 55 Elizabeth St. and 72–120 Sherman St. (06/22/82)
Hartford, *House at 140 and 144 Retreat Avenue*, 140 and 144 Retreat Ave. (02/25/82)
Hartford, *Isham-Terry House*, 211 High St. (02/11/82)
Hartford, *Little Hollywood Historic District*, Farmington Ave., Owen, Frederick and Denison Sts. (04/29/82)
Hartford, *Mather Homestead*, 2 Mahl Ave. (04/29/82)
Hartford, *Northam Memorial Chapel and Gallup Memorial Gateway*, 453 Fairfield Ave. (06/29/82)
Hartford, *Pomeroy, Arthur G., House*, 490 Ann St. (02/04/82)
Hartford, *U.S. Post Office and Federal Building*, 135–149 High St. (10/19/81)
Hartford, *Washington Street School*, 461 Washington St. (02/19/82)
Hartford, *Webster Memorial Building*, 36 Trumbull St. (04/12/82)
Manchester, *Burnham, Edward L., Farm*, 580 Burnham St. (04/12/82)
Newington, *Kelsey, Enoch, House*, 1702 Main St. (06/28/82)
Rocky Hill, *Rocky Hill Congregational Church*, 805–817 Main St. (05/07/82)
Suffield vicinity, *Fuller, John, House*, 463 Halliday Ave. (03/15/82)
Suffield vicinity, *King's Field House*, 827 North St. (03/11/82)
Suffield, *Gothic Cottage*, 1425 Mapelton Ave. (02/25/82)
Warehouse Point, *St. John's Episcopal Church*, 93 Main St. (04/27/82)
Windsor, *Mills, Oliver W., House*, 148 Deerfield Rd. (02/19/82)

Litchfield County

Bethehem, *Bellamy, Joseph, House*, N. Main and West Sts. (04/12/82)
Canaan, *Holabird House*, Kellog Rd., corner of Rte. 126 (06/28/82)
New Milford, *Schoverling, Carl F., Tobacco Warehouse*, 1 Wellsville Ave. (06/28/82)
New Milford, *United Bank Building*, 19–21 Main St. (04/12/82)
Norfolk, *Braman Camp (Taylor, Alfredo, S. G., TR)*, Doolittle Lake. (08/02/82)
Norfolk, *Farnam House (Taylor, Alfredo, S. G., TR)*, Litchfield Rd. (08/02/82)
Norfolk, *Gould House (Taylor, Alfredo, S. G., TR)*, Golf Dr. (08/02/82)
Norfolk, *Hillside (Taylor, Alfredo, S. G., TR)*, Litchfield Rd. (08/02/82)
Norfolk, *Mead Camp (Taylor, Alfredo, S. G., TR)*, Doolittle Lake. (08/02/82)
Norfolk, *Moss Hill (Taylor, Alfredo, S. G., TR)*, Litchfield Rd. (08/02/82)
Norfolk, *Norfolk Country Club House (Taylor, Alfredo, S. G., TR)*, Golf Dr. (08/02/82)
Norfolk, *Rectory and Church of the Immaculate Conception (Taylor, Alfredo, S. G., TR)*, North St. (08/02/82)
Norfolk, *Rockwell House (Taylor, Alfredo, S. G., TR)*, Laurel Way, W. (08/02/82)
Norfolk, *Shepard, John, House (Taylor, Alfredo, S. G., TR)*, Shepard Park Rd. (08/02/82)
Norfolk, *Starling, Childs Camp (Taylor, Alfredo, S. G., TR)*, Dollittle Lake (08/02/82)
Norfolk, *Stoeckel, Robbins, House (Taylor, Alfredo, S. G., TR)*, Litchfield Rd. (08/02/82)
Salisbury, *Scoville Memorial Library*, Main St. (04/29/82)
Sharon, *Gov. Smith Homestead*, South Main St. (03/25/82)
Sharon, *Sharon Valley Historic District*, Jct. of Sharon Valley and Sharon Station Rds. (09/09/82)
Thomaston, *Hose and Hook and Ladder Truck Building*, Main St. (01/04/82)
Torrington, *Alldis, James, House*, 355 Prospect St. (04/15/82)
Winsted, *Winsted Green National Register Historic District*, 86 Main St. (boundary increase) (04/29/82)

Middlesex County

Cromwell, *Sage-Kirby House*, 93 Shunpike Rd. (04/29/82)
Essex, *Steamboat Dock Site*, Main St. (04/01/82)
Ivorvton, *Comstock-Cheney Hall*, Main and Summit Sts. (04/15/82)
Middletown, *Highland Historic District*, Atkins St. and Country Club Rd. (06/28/82)
Middletown, *Hubbard, Nehemiah, House*, Laurel Grove Rd and Wadsworth St. (05/11/82)
Middletown, *Middletown Alms House*, 53 Warwick St. (04/29/82)
Middletown, *Pledger, Jacob, House*, 717 Newfield St. (03/15/82)
Middletown, *Russell, Edward Augustus, House*, 318 High St. (04/29/82)
Middletown, *Saint Luke's Home for Destitute and Aged Women*, 135 Pearl St. (04/29/82)
Middletown, *U.S. Post Office*, 291 Main St. (04/12/82)
Old Saybrook, *Dudley, Jedidiah, House*, Springbrook Rd. (04/12/82)
Old Saybrook, *Tully, William, House*, 135 N. Cove Rd. (03/15/82)

New Haven County

Derby, *Wood, Harcourt, Memorial Library*, 313 Elizabeth St. (01/04/82)
East Haven, *First Congregational Church of East Haven*, 251 Main St. (03/25/82)
Hamden vicinity, *Farmington Canal Lock No. 13*, Brooksvale Ave. (05/06/82)
Hamden, *Dickerman II, Jonathan, House*, 106 Mt. Carmel Ave. (04/15/82)
Madison, *Allis-Bushnell House*, 853 Boston Post Rd. (02/25/82)
Madison, *Madison Green Historic Distict*, 446–589 Boston Post Rd. and structures surrounding the green (06/28/82)
Madison, *Murray, Jonathan, House*, 76 Scotland Rd. (04/12/82)
Middlebury vicinity, *Tranquillity Farm*, W of Middlebury on CT 64 (09/23/82)
Middlebury, *Bronson, Josiah, House*, Breakneck Hill Rd. (02/25/82)
Seymour, *Sanford-Humphreys House*, 61–63 West St. (05/11/82)
Wallingford, *Parsons, Samuel, House*, 180 S. Main St. (04/12/82)
Waterbury, *Abbott, George S., Building (Wheeler and Wilson Building)*, 235–247 N. Main St. (06/14/82)
Waterbury, *Kendrick, John, House*, 119 W. Main St. (04/12/82)
Waterbury, *Webster School*, Easton Ave. at Aetna St. (06/14/82)
Waterbury, *Wilby High School*, 260 Grove St. (06/14/82)
Wolcott, *Southwest District School (Woodtick School) (Stone School)*, 155 Nichols Rd. (04/12/82)

New London County

Colchester, *Bacon Academy*, S. Main St. (04/27/82)
Ledyard, *Bill, Gurdon, Store*, 15 Church Hill Rd. (04/12/82)
Lisbon, *Lathrop-Mathewson-Ross House*, Ross Hill Rd. (04/15/82)
Montville vicinity, *Raymond-Bradford Homestead*, Raymond Hill Rd. (04/16/82)
New London, *Harris, Jonathan Newton, House*, 130 Broad St. (04/27/82)
New London, *Huntington Street Baptist Church (First Universalist Meetinghouse)*, 29 Huntington St. (04/12/82)
New London, *Woodworth, Nathan A., House*, 28 Channing St. (06/01/82)
Norwich, *Buckingham, William A., House*, 307 Main St. (04/29/82)
Old Lyme, *Peck Tavern*, 1 Sill Lane. (04/12/82)
Salem, *Fish, Abel H., House*, Buckley Hill and Rathbun Hill Rds. (03/02/82)

Tolland County

Coventry, *Brigham's Tavern*, 12 Boston Tpke. (03/25/82)
Coventry, *Capron-Phillips House*, 1129 Main St. (04/27/82)
Coventry, *Parker-Hutchinson Farm*, Parker Bridge Rd. (04/29/82)
Hebron, *Post, Augustus, House*, 4 Main St. (06/28/82)
Somers, *Somers Historic District*, Main and Battle Sts., Bugbee Lane, and Springfield Rd., (09/23/82)
Tolland, *Cady, John, House*, 484 Mile Hill Rd. (04/12/82)

Windham County

Brooklyn vicinity, *Putnam Farm*, Spaulding Rd. (03/11/82)
Brooklyn, *Brooklyn Green Historic District*, CT 169, 205, and 6, Wolf Den, Brown, Prince Hill, and Hyde Rds. (09/23/82)
Canterbury, *Wheeler, Jonathan, House*, N. Society Rd. (02/11/82)
East Killingly vicinity, *Elliottville Lower Mill*, Peep Toad Rd. (04/15/82)

Hampton, *Hampton Hill Historic District*, Main St., Old Route 6, Cedar Swamp Rd. (09/23/82)
Willimantic, *Main Street Historic District*, 21–65 Church St.; 667–1009 Main St.; 24–28 N. St.; and 20–22 Walnut St. (06/28/82)
Willimantic, *Willimantic Freight House and Office*, Bridge St. (06/14/82)

DELAWARE

Kent County

Felton vicinity, *Coombe Historic District*, W of Felton on DE 12 and SR 281 (04/08/82)
Leipsic, *Fennimore Store (Leipsic and Little Creek MRA)*, Main, Lombard, and Front Sts. (05/24/82)
Leipsic, *Sipple House (Leipsic and Little Creek MRA)*, Denny and Front Sts. (05/24/82)
Little Creek, *Woodley, Jonathan, House (Leipsic and Little Creek MRA)*, Main St. (05/24/82)
Little Creek, *Little Creek Methodist Church (Leipsic and Little Creek MRA)*, Main St. (05/24/82)
Little Creek, *Stubbs, Elizabeth, House (Leipsic and Little Creek MRA)*, Main St. (05/24/82)
Magnolia, *Lowber, Matthew, House*, Main St. (Move approved April 9, 1982) (04/09/82)
Milford vicinity, *Archeological Site No. 7K–F–4 and 23*, (06/03/82)
Milford, *Lofland, Peter, House (Milford MRA)*, 417 N. Walnut St. (04/22/82)
Milford, *Milford New Century Club (Milford MRA)*, 6 S. Church Ave. (04/22/82)
Milford, *Watson, Gov. William T., Mansion (Milford MRA)*, 600 N. Walnut St. (04/22/82)

New Castle County

Claymont, *Ivyside Farm*, 1301 Naaman's Rd. (01/04/82)
Delaware City vicinity, *Chelsea (Red Lion Hundred MRA)* DE 9 (04/08/82)
Delaware City vicinity, *Fairview (Red Lion Hundred MRA)*, US 13 (04/08/82)
Kirkwood, vicinity, *Dragon Run Farm (Red Lion Hundred MRA)*, McCoy Rd. (04/08/82)
Kirkwood vicinity, *Old Cann Mansion House (Red Lion Hundred MRA)*, DE 71 (04/08/82)
Kirkwood vicinity, *Point Farm (R.T. Cann House) (Red Lion Hundred MRA)*, US 301 South (04/08/82)
Kirkwood, *Correll's Farm and Lawn Supply (Red Lion Hundred MRA)*, DE 71 (04/08/82)
Kirkwood, *Old Post Ofice (Red Lion Hundred MRA)*, Kirkwood and St. Georges Rd. (04/08/82)
Middletown vicinity, *Hanson, B. F., House*, W of Middletown (04/27/82)
New Castle vicinity, *New Castle Ice Piers*, (02/04/82)
Newark, *Aetna Hose, Hook and Ladder Company Fire Station No. 2 (Newark MRA)*, 31 Academy St. (05/07/82)
Newark, *Aetna Hose, Hook and Ladder Company, Fire Station No. 1 (Newark MRA)*, 26 Academy St. (05/07/82)
Newark, *Bailey House (Newark MRA)*, 166 W. Main St. (05/07/82)
Newark, *Building at 140 W. Main Street (Newark MRA)*, 140 Main St. (05/07/82)
Newark, *Building at 28–34½ Academy Street (Newark MRA)*, 28–34½ Academy St. (05/07/82)
Newark, *Curtis Mansion (Newark MRA)*, W. Main St. (05/07/82)
Newark, *Curtis Paper Mill Workers' Houses (Newark MRA)*, Curtis Lane (05/07/82)
Newark, *Deer Park Hotel (Newark MRA)*, 108 W. Main St. (05/07/82)
Newark, *Evans, George, House (Newark MRA)*, 5 W. Main St. (05/07/82)
Newark, *Exchange Building (Newark MRA)*, 154–158 E. Main St. (05/07/82)
Newark, *Memorial Hall (Newark MRA)*, University of Delaware campus (05/07/82)
Newark, *Newark Opera House (Newark MRA)*, 95 E. Main St. (05/07/82)
Newark, *Newark Passenger Station (Newark MRA)*, S. College Ave. and Amtrak Conrail RR (05/07/82)
Newark, *Old First Presbyterian Church (Dougherty Hall) (Newark MRA)*, W. Main St. (05/07/82)
Newark, *Old Newark Comprehensive School (Newark MRA)*, 83 E. Main St. (05/07/82)
Newark, *St. John the Baptist Roman Catholic Church (Newark MRA)*, 200 E. Main St (05/07/82)
Newark, *St. Thomas Episcopal Church (Newark MRA)*, 21 Elkton Rd. (05/07/82)
Newark, *Wilmington Trust Company Bank (Newark MRA)*, 82 E. Main St. (05/07/82)
Newark, *Wright House (Newark MRA)*, 47 Kent Way (05/07/82)
Odessa, *Old St. Paul's Methodist Episcopal Church*, High St.(05/13/82)
St. Georges vicinity, *Bloomfield (Red Lion Hundred MRA)*, US 13 (04/08/82)
St. Georges vicinity, *Casperson, W., House (Red Lion Hundred MRA)*, Kirkwood Rd. (04/08/82)
St. Georges vicinity, *Linden Hill (Red Lion Hundred MRA)*, US 13 (04/08/82)
St. Georges vicinity, *St. Georges Cemetery Caretaker's House (Red Lion Hundred MRA)*, Kirkwood and St. Georges Rd. (04/08/82)
St. Georges vicinity, *Starl House (Red Lion Hundred MRA)*, US 13 (04/08/82)
St. Georges, *Vernacular Frame House (Red Lion Hundred MRA)*, Delaware St. (04/08/82)

Sussex County

Bridgeville vicinity, *Richards House–Linden Hall*, E of Bridgeville on US 13 (08/26/82)
Georgetown vicinity, *Short Homestead*, W of Georgetown at DE 526 and DE 529 (04/01/82)
Laurel vicinity, *Spring Garden*, NE of Laurel on Delaware Ave. (08/26/82)
Lewes vicinity, *Cool Spring Presbyterian Church*, W of Lewes on SR 247 (08/31/82)
Milford, *Carlisle House (Milford MRA)*, 205 S. Front St. (04/22/82)
Milford, *Draper House (Milford MRA)*, 200 Lakeview Ave. (04/22/82)
Milton, *Milton Historic District*, DE 5 (06/25/82)
Rehoboth Beach vicinity, *Dodd Homestead*, W of Rehoboth Beach on DE 1 (08/26/82)
Seaford, *Robinson, Jesse, House*, High Street (08/26/82)

DISTRICT OF COLUMBIA

Washington, *Potomac Palisades Site*, Off Foxhall Rd. and MacArthur Blvd. (04/15/82)

FLORIDA

Alachua County

Gainesville, *Dixie Hotel, Hotel Kelley*, 408 W. University Ave. (06/16/82)
Gainesville, *McKenzie, Mary Phifer, House*, 617 E. University Ave. (04/26/82)

Collier County

Naples, *Palm Cottage*, 137–12th Ave., S. (05/24/82)

Escambia County

Pensacola vicinity, *Fort Barrancas Historical District*, Pensacola Naval Air Station (06/08/82)
Pensacola, *Pensacola, Hospital*, N. 12th Ave. (02/16/82)
Pensacola, *San Carlos Hotel*, 1 N. Palafox St. (01/20/82)

Hillsborough County

Tampa, *Anderson-Frank House*, 341 Plant Ave. (04/22/82)

Jefferson County

Monticello, *Denham-Lacy House*, 555 Palmer Mill Rd. (05/06/82)

Monroe County

Sugarloaf Key, *Bat Tower/Sugarloaf Key*, (05/13/82)

Orange County

Winter Park, *Brewer, Edward Hill, House*, 240 Trismen Terrace (04/22/82)

Polk County

Bartow, *Swearingen, John J., House*, 690 E. Church St. (05/13/82)

Santa Rosa County

Milton, *St. Mary's Episcopal Church and Rectory*, 300–301 Oak St. (05/06/82)

GEORGIA

Appling County

Baxley, *Deen, C. W., House*, 413 N. Main St. (09/30/82)

Banks County

Homer, *Banks County Jail*, Silver Sholas Rd. (07/26/82)

Ben Hill County

Fitzgerald, *Ben Hill County Jail (County Jails of Ben Hill, Berrien, Brooks, and Turner Counties TR)*, Pine St. (08/26/82)

Berrien County

Nashville, *Berrien County Jail (County Jails of Ben Hill, Berrien, Brooks, and Turner Counties TR)*, N. Jefferson St. (08/26/82)

Bibb County

Macon, *Cherokee Heights District*, Pio Nono, Napier, Inverness, and Suwanee Aves. (07/08/82)

Brantley County

Waynesville vicinity, *Mumford, Sylvester, House*, Off U.S. 84 (06/28/82)

Brooks County

Quitman, *Brooks County Jail (County Jails of Ben Hill, Berrien, Brooks, and Turner Counties TR)*, 200 S. Madison St. (08/26/82)

Quitman, *Quitman Historic District*, US 84 (07/08/82)

Bulloch County

Statesboro, *Joeckel Hotel*, 50 E. Main St. (06/17/82)
Statesboro, *McDougald, John A., House*, 121 S. Main St. (06/21/82)

Chatham County

Burroughs, *St. Bartholomew's Church*, Cheves Rd. (06/17/82)
Savannah, *Savannah Victorian District (Boundary Increase)*, bounded by Gwinnet, Anderson and 31st Sts. (05/20/82)
Tybee Island, *Fort Screven Historic District*, Tilton, Butler, Van Horn, Railroad and Alger Aves., and Pulaski Rd. (05/25/82)

Clarke County

Athens, *Parr, Calvin W., House*, 277 Bloomfield St. (09/09/82)

Coffee County

Douglas, *Pope, Lonnie A., House*, Jackson St. and Central of Georgia RR tracks (06/17/82)

Colquitt County

Moultrie vicinity, *Tucker, Henry Crawford, Log House and Farmstead*, Off GA 37 (07/26/82)
Moultrie, *Ashburn, W. W., House*, 609 1st Ave. (07/15/82)
Moultrie, *Carnegie Library of Moultrie*, 39 N. Main St. (07/15/82)
Moultrie, *Moultrie High School*, 7th Ave. (06/17/82)

Coweta County

Newnan, *Cole Town District*, Roughly bounded by Washington, Thompson, and Davis Sts., and Hooligan Alley (09/30/82)
Newnan, *Northwest Newnan Residential Historic District*, Roughly bounded by RR tracks, Jefferson, Cavender, Duncan, and Browns Sts. (05/28/82)

DeKalb County

Atlanta vicinity, *Cameron Court District*, E of Atlanta at Braircliff Rd. (09/30/82)
Atlanta, *Smith-Benning, House*, 520 Oakdale Rd., NE (06/28/82)
Decatur, *Pythagoras Lodge No. 41*, 136 E. Ponce de Leon Ave. (06/19/82)
Decatur, *Scottish Rite Hospital for Crippled Children*, 321 W. Hill St. (06/17/82)
Decatur, *Steele-Cobb House*, 2632 Fox Hills Dr. (06/17/82)

Dougherty County

Albany, *Albany Housefurnishing Company*, 226 W. Broad Ave. (06/17/82)
Albany, *Albany Railroad Depot Historic District*, E. Roosevelt Ave. (05/20/82)
Albany, *Carnegie Library of Albany*, 215 N. Jackson St. (07/15/82)
Albany, *New Albany Hotel*, 245 Pine St. (06/17/82)
Albany, *Rosenberg Brothers Department Store*, 128 N. Washington St. (08/19/82)

Early County

Jakin, *Harrell, Jane Donalson, House*, SR 1975 off U.S. 84 (06/17/82)

Effingham County

Guyton, *Guyton Historic District*, Bounded by city limits on the E, S, and W, and Alexander Ave., on the N (09/30/82)

Elbert County

Elberton, *Chandler, Asa, House*, 1003 Old Petersburg Rd. (06/22/82)
Elberton, *Elberton Commercial Historic District*, Church, Elbert, Oliver, and McIntosh Sts., and Public Sq. (05/20/82)
Elberton, *Elberton Residential Historic District*, Roughly bounded by Elbert, Oliver, Adams, Thomas, Edwards, and Heard Sts. (08/11/82)

Evans County

Hagan, *DeLoach, George W., House*, S. Railroad Ave., and Strickland St. (06/28/82)

Fannin County

Blue Ridge, *Blue Ridge Depot*, Depot St. (07/15/82)

Floyd County

Rome, *Battey, Dr. Robert, House*, 725 E. 2nd Ave. (06/17/82)

Fulton County

Atlanta, *Briarcliff Hotel (The 750)*, 1050 Ponce de Leon Ave. (09/09/82)
Atlanta, *Fairlie-Poplar Historic District*, Roughly bounded by Peachtree, Luckie, Cone, and Marietta Sts. (09/09/82)
Atlanta, *Forlinger*, 343 Peachtree St., NE (09/30/82)
Atlanta, *Glenridge Hall*, 6615 Glenridge Dr. (06/17/82)
Atlanta, *Omega Chapter of the Chi Phi Fraternity*, 720 Fowler St., NW (06/17/82)
Atlanta, *Temple, The*, 1589 Peachtree St. (09/09/82)
Atlanta, *Tyree Building*, 679 Durant Pl., NE (07/15/82)

Fulton, DeKalb Counties

Atlanta, *Atkins Park District*, St. Augustine, St. Charles, and St. Louis Pls. between N. Highland Ave. and Briarcliff Rd. (08/30/82)

Gordon County

Calhoun, *Calhoun Depot*, Between Court and Oothcaloga Sts. (08/26/82)

Gwinnett County

Lawrenceville vicinity, *Terrell, William, Homeplace*, E of Lawrenceville off US 29 (06/26/82)
Lawrenceville, *Ware, Clarence R., House*, 293 N. Perry St. (06/17/82)

Habersham County

Clarkesville, *Asbury, Henry, House (Clarkesville MRA)*, 211 E. Waters St. (08/18/82)
Clarkesville, *Baron-York Building (Clarkesville MRA)*, 714 N. Washington St. (08/18/82)
Clarkesville, *Church Furniture Store (Clarkesville MRA)*, N. Washington St. (08/18/82)
Clarkesville, *Church, Cornelius House (Clarkesville MRA)*, 304 N. Washington St. (08/18/82)
Clarkesville, *Clarkesville Garage (Clarkesville MRA)*, 304 N. Washington St. (08/18/82)
Clarkesville, *Daes Chapel Methodist Church (Clarkesville MRA)*, N. Washington St. (08/18/82)
Clarkesville, *Furr-Lambert House (Clarkesville MRA)*, 223 Grant St. (08/18/82)
Clarkesville, *Griggs-Erwin House (Clarkesville MRA)*, Bridge St. (08/18/82)
Clarkesville, *Hill, A.P., House (Clarkesville MRA)*, N. Washington St. (08/18/82)
Clarkesville, *Jackson Building (Clarkesville MRA)*, 710 N. Washington St. (08/18/82)
Clarkesville, *Jackson Pharmacy(Clarkesville MRA)*, 712 N. Washington St. (08/18/82)
Clarkesville, *Lewis, J. A., House (Clarkesville MRA)*, N. Washington St. (08/18/82)
Clarkesville, *Market Building (Clarkesville MRA)*, N. Washington St. (08/18/82)
Clarkesville, *Mauldin House (Clarkesville MRA)*, 102 E. Water St. (08/18/82)
Clarkesville, *McMillan, Robert, House (Clarkesville MRA)*, Allen Lane (08/18/82)
Clarkesville, *McMillan-Garrison House (Clarkesville MRA)*, 403 S. Washington St. (08/18/82)
Clarkesville, *Porter-York House (Clarkesville MRA)*, Bridge St. (08/18/82)
Clarkesville, *Reeves Building (Clarkesville MRA)*, N. Washington St. (08/18/82)
Clarkesville, *South Washington Street Historic District (Clarkesville MRA)*, (08/18/82)
Clarkesville, *Washington-Jefferson Street Historic District (Clarkesville MRA)*, Washington, Jefferson, and Wilson Sts. between Green St. and Laurel Dr. (08/18/82)
Cornelia, *Cornelia Community House*, U.S. 123 at LaVista Lane (06/21/82)
Hollywood vicinity, *Acoa*, Mathis Rd. (06/22/82)

Hall County

Gainesville, *Candler Street School*, Candler St. (09/30/82)

Harris County

Hamilton, *Hamilton Baptist Church and Pastorium*, State Highway 116 and Clay St. (08/19/82)

Liberty County

Flemington, *Flemington Presbyterian Church*, Off Old Sunbury Rd. (06/17/82)

Lincoln County

Lincolnton, *Lamar-Blanchard House*, N. Washington and Ward Sts. (09/30/82)
Lincolnton, *Lincolnton Presbyterian Church and Cemetery*, N. Washington St. (08/26/82)

Lumpkin County

Dahlonega *Seven Oaks (Col. William P. Price House), 403 S. Park St. (07/15/82)*

Meriwether County

Greenville, *Hill, Burwell O., House*, La Grange St. (06/17/82)
Hogansville vicinity, *Phillips, William D., Log Cabin*, GA 54 (06/28/82)
Warm Springs vicinity, *Oakland*, GA 41 (06/28/82)

Murray County

Chatsworth, *Wright Hotel*, 201 E. Market St. (06/17/82)

Muscogee County

Columbus, *Hofflin & Greentree Building (Columbus MRA)*, 1128–1130 Broadway (09/30/82)

Pike County

Concord, *Strickland, R. F., Company*, Railroad and McLendon Sts. (08/26/82)

Rabun County

Mountain City vicinity, *York House*, N of Mountain City off US 23/441 (09/09/82)

Randolph County

Cuthbert, *Henderson, Fletcher, House*, 1016 Andrew St. (06/17/82)

Richmond County

Augusta, *Springfield Baptist Church*, 112 12th St. (06/17/82)
Augusta, *Meadow Garden—George Walton House*, 1230 Nelson St. (12/21/81) (NHL)

Rockdale County

Conyers, *Rockdale County Jail*, 967 Milstead Ave. (08/26/82)

Seminole County

Donaldsonville *Southeastern Holiness Institute (Chason's Hospital)*, 102 Hospital Circle (06/21/82)

Stephens County

Toccoa vicinity, *Riverside*, N of Toccoa on GA 3 (09/21/82)
Toccoa, *Walters-Davis House, 429 E. Tugalo St. (06/17/82)*

Stewart County

Lumpkin, *Armstrong House (Lumpkin, Georgia MRA)*, Broad St. (06/29/82)
Lumpkin, *Bush-Usher House (Lumpkin, Georgia MRA)*, E. Main St. (06/29/82)
Lumpkin, *Dr. Miller's Office (Lumpkin, Georgia MRA)*, E. Main St. (06/29/82)
Lumpkin, *East Main Street Residential Historic District (Lumpkin, Georgia MRA)*, E. Main St.(06/29/82)
Lumpkin, *Grier, Dr. R. L., House (Lumpkin, Georgia MRA)*, Broad St. (06/29/82)
Lumpkin, *Harrell, George Y., House (Lumpkin, Georgia MRA)*, Broad St. (06/29/82)
Lumpkin, *Irwin, Jared, House (Lumpkin, Georgia MRA)*, E. Main St. (06/29/82)
Lumpkin, *Lumpkin Commercial Historic District (Lumpkin, Georgia MRA)*, Main, Broad, Cotton, and Mulberry Sts. (06/29/82)
Lumpkin, *Mathis House (Lumpkin, Georgia MRA)*, E. Main St. (06/29/82)
Lumpkin, *Pigtail Alley Historic District (Lumpkin, Georgia MRA)*, Old Chestnut Rd. (06/29/82)
Lumpkin, *Rockwell, Stoddard, House (Lumpkin, Georgia MRA)*, Rockwell St. (06/29/82)
Lumpkin, *Second Methodist Church (Lumpkin, Georgia MRA)*, Mulberry St. (06/29/82)
Lumpkin, *Tucker, John A., House (Lumpkin, Georgia MRA)*, Florence St. (06/29/82)
Lumpkin, *Uptown Residential Historic District (Lumpkin, Georgia MRA)*, Broad and Main Sts. (06/29/82)
Lumpkin, *Usher House (Lumpkin, Georgia MRA)*, Florence St. (06/29/82)

Tattnall County

Reidsville, *Alexander Hotel*, 204 W. Brazell St. (06/17/82)

Taylor County

Reynolds, *Ricks, Ferdinand A., House*, S. Collins and E. Calhoun Sts. (06/17/82)

Terrell County

Bronwood, *Bronwood Calaboose*, GA 118 (06/22/82)
Dawson, *Dawson Woman's Clubhouse*, 311 6th Ave. (06/17/82)

Thomas County

Ochlocknee, *Anderson, D. B., and Company Building*, E. Railroad and Brayton Sts. (06/19/82)

Toombs County

Vidalia vicinity, *McLemore-Sharpe Farmstead*, SW of Vidalia on GA 130 (06/19/82)
Vidalia, *Brazell, Crawford W., House*, 607 Jackson St. (06/17/82)

Troup County

LaGrange, *College Home (Smith Hall)*, LaGrange College campus (08/26/82)
Mountville vicinity, *May-Boddie House*, GA 109 (06/28/82)

Turner County

Ashburn, *Turner County Jail (County Jails of Ben Hill, Berrien, Brooks, and Turner Counties TR)*, 200 College St. (06/26/82)

Twiggs County

Jeffersonville vicinity, *Chapman, John, Plantation*, SE of Jeffersonville on GA 96 (08/11/82)
Jeffersonville vicinity, *Wimberly Plantation*, Jeffersonville Rd., GA 96 (06/17/82)
Jeffersonville , *Richland Baptist Church*, Richland Rd. (06/22/82)

Walton County

Campton, *Harris, William, Family Farmstead*, GA 11, (06/22/82)
Monroe, *Walton Hotel*, Broad and Court Sts. (07/15/82)
Walnut Grove, *Brodnax, Samuel H., House*, GA 81 (06/17/82)

Whitfield County

Dalton,, *Martin, William C., House*, 101 S. Selvidge St. (07/15/82)

Wilkinson County

Gordon, *Elam-Camp House*, 216 Jackson St. (06/17/82)

Worth County

Poulan, *Possum Poke*, US 82 (08/26/82)

HAWAII

Honolulu County

Honolulu, *Bishop, Bernice P., Museum*, 1355 Kalihi St. (07/26/82)
Honolulu, *Lihiwai*, 51 Kepola Pl. (07/26/82)
Honolulu, *Van Tassel, Ernest Shelton, House*, 3280 Round Top Dr. (12/16/81)
Makaha vicinity, *Ukanipo Heiau (Site 50-80-03-181)*, N. of Makaha on SR 90 (08/13/82)

Kauai County

Lihue, *Lihue Civic Center Historic District*, Off HI 50 (12/17/81)

Maui County

Kalaupapa, *U.S. Coast Guard Molokai Light*, (03/25/82)

IDAHO

Ada County

Boise, *Murphy, Daniel F., House*, 1606 N. 9th St. (05/17/82)

Bannock County

Pocatello, *Pocatello Historic District*, Roughly bounded by RR tracks, W. Fremont, W. Bonneville and Garfield Sts. (06/03/82)

Blaine County

Bellevue, *Bellevue Historic District*, Roughly bounded by U.S. 93, Cedar, 4th, and Oak Sts. (06/16/82)

Bonner County

Coolin vicinity, *Vinther and Nelson Cabin*, Eight Mile Island (07/21/82)
Sandpoint, *Tanner, Dan, House*, 602 N. 4th Ave. (07/15/82)

Canyon County

Caldwell, *Caldwell Historic District*, Roughly bounded by Railroad and Arthur Sts., 7th and 9th Aves. (07/19/82)
Caldwell, *Strahorn, Carrie Adell, Memorial Library*, College of Idaho (04/15/82)

Elmore County

Glenns Ferry, *Amustutz Apartments*, 320 S. Ada St. (09/23/82)

Idaho County

Riggins vicinity, *Aitken Barn*, SW of Riggins on US 95 (08/09/82)

Nez Perce County

Lewiston, *Garfield School*, 2912 5th Ave. (04/15/82)

Owyhee County

Wickahoney, *Wickahoney Post Office and Stage Station*, (05/27/82)

Valley County

McCall vicinity, *Elo School (Long Valley Finnish Structures TR)*, SE of ID 55 on Farm to Market Rd. (07/26/82)

ILLINOIS

Adams County

Quincy, *Newcomb, Richard F., House*, 1601 Maine St. (06/03/82)
Quincy, *Wood, Ernest M., Office and Studio*, 126 N. 8th St. (08/12/82)

Calhoun County

Michael, *Klunk, Michael, Farmstead*, (06/23/82)

Clark County

Marshall, *Lewis, John W., House*, 503 Chestnut St. (02/26/82)

Marshall, *Manly-McCann House*, 402 S. 4th St. (03/05/82)

Coles County

Charleston vicinity, *Airtight Bridge (Coles County Highway Bridges Over the Embarras River TR)*, NE of Charleston (11/30/81)
Charleston vicinity, *Blakeman Bridge (Coles County Highway Bridges Over the Embarras River TR)*, SE of Charleston (11/30/81)
Charleston vicinity, *Harrison St. Bridge (Coles County Highway Bridges Over the Embarras River TR)*, E of Charleston (11/30/81)
Charleston vicinity, *Stone Quarry Bridge (Coles County Highway Bridges Over the Embarras River TR)*, NE of Charleston (11/30/81)
Charleston, *Pemberton Hall and Gymnasium*, Lincoln Ave. and 4th St. (08/26/82)
Mattoon, *Unity Church*, 220 Western Ave. (03/19/82)
Oakland, *Rutherford, Dr. Hiram, House and Office*, 14 S. Pike St. (06/03/82)

Cook County

Berwyn, *Dunham, Arthur J., House*, 3131 S. Wisconsin Ave. (02/11/82)
Blue Island, *Young, Joshua P., House*, 2445 High St. (06/12/82)
Brookfield, *Grossdale Station*, 8820 S Brookfield Ave. (06/15/82)
Chicago Heights, *Bloom Township High School*, 10th St., Dixie Hwy. and Chicago Heights St. (06/03/82)
Chicago, *Griffiths, John W., Mansion*, 3806 S. Michigan Ave. (03/05/82)
Chicago, *Old Main Building*, 3235 W. Foster Ave. on North Park College Campus (02/11/82)
Chicago, *Railway Exchange Building*, 80 E. Jackson Blvd. and 224 S. Michigan Ave. (06/03/82)
Chicago, *Warner, Seth, House*, 631 N. Central Ave. (06/03/82)
Oak Park, *Masonic Temple Building*, 119–137 N. Oak Park Ave. (02/11/82)
Wilmette, *Bailey-Michelet House*, 1028 Sheridan Rd. (08/12/82)

DuPage County

West Chicago vicinity, *McAuley School District No. 27*, Roosevelt Rd. (06/03/82)

Fayette County

Vandalia, *First Presbyterian Church*, 301 W. Main St. (03/24/82)

Franklin County

Sesser, *Sesser Opera House*, 106 W. Franklin St. (03/12/82)

Greene County

Whitehall vicinity, *Tillery, Virginia, Round Barn (Round Barns in Illinois TR)*, W of Whitehall on CR 728 (08/26/82)

Henderson County

Oquawka, *Phelps, Alexis, House*, (04/28/82)

Henry County

Galva, *Galva Opera House (Blue Ribbon Temperance Hall)*, 334–348 Front St. (02/11/82)
Galva, *Johnson, Olof, House*, 408 NW 4th St. (02/11/82)

Jackson County

Murphysboro, *Hamilton, Robert W., House*, 203 S. 13th St. (03/05/82)

Jersey County

Chautauqua, *New Piasa Chautauqua Historic District*, Off McAdams Pkwy. (06/15/82)
Grafton vicinity, *Duncan Farm (Jy7)*, (08/24/82)

Kane County

Aurora, *Graham Building*, 33 S. Stolp Ave. (03/19/82)
Aurora, *Hotel Aurora*, 2 N. Stolp Ave. (06/03/82)
Aurora, *Masonic Temple*, 104 S. Lincoln Ave. (03/19/82)
Batavia vicinity, *Stearns-Wadsworth House*, 1 S 570 Bliss Rd. (03/19/82)
Batavia, *First Methodist Church of Batavia*, 355 1st St. (03/19/82)
Elgin, *Pelton, Ora, House*, 214 S. State St. (08/12/82)
Geneva, *North Geneva Historic District*, Roughly bounded by RR tracks, Fox River, Stevens and W. State Sts. (03/25/82)
St. Charles, *Weisel, Andrew, House*, 312 N. 2nd Ave. (02/26/82)

Kankakee County

Kankakee, *Swannell, Charles E., House*, 901 S. Chicago (06/03/82)

Lake County

Highland Park, *Adams, Mary W., House (Highland Park MRA)*, 1923 Lake Ave. (09/29/82)
Highland Park, *Beatty, Ross J., House (Halcyon hall) (Highland Park MRA)*, 344 Ravine Dr. (09/29/82)
Highland Park, *Beatty, Ross, House (Highland Park MRA)*, 1499 Sheridan Rd. (09/29/82)
Highland Park, *Braeside School (Highland Park MRA)*, 124 Pierce Rd. (09/29/82)
Highland Park, *Campbell, Albert, House (Highland Park MRA)*, 434 Marshman (09/29/82)
Highland Park, *Churchill, Richard, House (Highland Park MRA)*, 1214 Green Bay Rd. (09/29/82)
Highland Park, *Dubin, Henry, House (Highland Park MRA)*, 441 Cedar (09/29/82)
Highland Park, *Evert House (Highland Park MRA)*, 2687 Logan (09/29/82)
Highland Park, *Florsheim, Harold, House (Highland Park MRA)*, 650 Sheridan Rd. (09/29/82)
Highland Park, *Geyso, Mrs. Frank, Houses (Highland Park MRA)*, 450 and 456 Woodland Rd. (09/29/82)
Highland Park, *Granville-Mott House (Highland Park MRA)*, 80 Laurel Ave. (09/29/82)
Highland Park, *Hazel Avenue/Prospect Avenue Historic District (Highland Park MRA)*, St. Johns, Hazel, Dale, Forest, and Prospect Aves. (09/29/82)
Highland Park, *Highland Park Water Tower (Highland Park MRA)*, N of Central Green Bay Rd. (09/29/82)
Highland Park, *Holmes, Samuel, House (Highland Park MRA)*, 2693 Sheridan Rd. (09/29/82)
Highland Park, *Humer Building (Highland Park MRA)*, 1894 Sheridan Rd. (09/29/82)
Highland Park, *James, Jean Butz, Museum of the Highland Park Historical Society (Highland Park MRA)*, 326 Central Ave. (09/29/82)
Highland Park, *Lanzl, Haerman, House (Highland Park MRA)*, 1635 Linden (09/29/82)
Highland Park, *Lichtstern House (Highland Park MRA)*, 105 S. Deere Park Dr. (09/29/82)
Highland Park, *Maple Avenue/Maple Lane Historic District (Highland Park MRA)*, Maple Ave. and Maple Lane between St. Johns Ave. and Sheridan Rd. (09/29/82)
Highland Park, *Millard, George Madison, House (Highland Park MRA)*, 1689 Lake Ave. (09/29/82)
Highland Park, *Millard, Sylvester, House (Highland Park MRA)*, 1623 Sylvester Pl. (09/29/82)
Highland Park, *Obee House (Highland Park MRA)*, 1642 Green Bay Rd. (09/29/82)
Highland Park, *Pick, George, House (Highland Park MRA)*, 970 Sheridan Rd. (09/29/82)
Highland Park, *Ravinia Park Historic District (Highland Park MRA)*, Roughly bounded by Lambert Tree Ave., Sheridan Rd., St. Johns Ave., Rambler Lane, and Ravinia Park Ave. (09/29/82)
Highland Park, *Rosewood Park (Highland Park MRA)*, Roger Williams Ave. (09/29/82)
Highland Park, *Soule, C. S., House (Highland Park MRA)*, 304 Laurel Ave. (09/29/82)
Lake Forest, *Armour, J. Ogden, House*, 1500 W Kennedy Rd. (06/28/82
Libertyville, *Lewis, Lloyd, House*, 153 Little St. Mary's Rd. (06/15/82)

Lee County

Dixon, *Reagan's Ronald, Boyhood Home*, 816 S. Hennepin Ave. (03/26/82)
Dixon, *Van Epps, William H., House*, 212 S. Ottawa Ave. (02/11/82)

Livingston County

Pontiac vicinity, *Schultz, Raymond, Round Barn (Round Barns in Illinois TR)*, S of Pontiac off US 66 (08/26/82)

Madison County

Alton, *Middletown Historic District*, 3rd St. between Market and Piasa St. (Boundary increase) (09/16/82)
Alton, *Rutherford House*, 1006 Pearl St. (03/19/82)
Alton, *Yakel House and Union Brewery*, 1421–1431 Pearl St. (05/11/82)

McDonough County

Colchester vicinity, *Kleinkopf, Clarence, Round Barn (Round Barns in Illinois TR)*, N of Colchester (08/26/82)

McHenry County

McHenry, *Count's House*, 3803 Waukegan (06/03/82)

McLean County

Ellsworth vicinity, *Bane, Warren, Site (M1–5)*, (03/19/82)

Mercer County

Aledo, *Mercer County Courthouse*, SE 3rd St. (IL 17) (06/17/82)

Peoria County

Bartonville, *Peoria State Hospital*, Ricketts Ave. and U.S. 24 (02/17/82)
Peoria, *Gale, Judge Jacob, House*, 403 NE Jefferson St. (03/19/82)
Peoria, *Peoria Cordage Company*, (03/19/82)
Peoria, *Peoria Mineral Springs (Springs Hill)*, 701 W. 7th Ave. (03/05/82)
Peoria, *Pere Marquette Hotel*, 501 Main St. (08/12/82)

Randolph County

Sparta, *Sparta Historic District*, S. St. Louis, W. 3rd and S. James Sts. (06/03/82)

Rock Island County

Rock Island, *Rock Island Lines Passenger Station*, 3029 5th Ave. (06/03/82)
Rock Island, *Stauduhar House*, 1609 21st St. (03/05/82)

Sangamon County

Springfield, *Boult, H. P., House*, 1123 S. 2nd St. (06/03/82)
Springfield, *Bressmer-Baker, House*, 913 6th St. (06/29/82)
Springfield, *Hickox, Virgil, House*, 518 E. Capitol Ave. (03/05/82)

Tazewell County

Pekin, *Pekin Theatre*, 21–29 S. Capitol St. (08/12/82)

Whiteside County

Tampico, *Main Street Historic District*, S. Main St. (06/03/82)

Will County

Joliet, *Christ Episcopal Church*, 75 W. Van Buren St. (08/12/82)
Joliet, *Joliet Township High School*, 201 E. Jefferson St. (08/12/82)
Peotone, *Rathje, H. A., Mill*, 433 W. Corning Ave. (03/19/82)

Williamson County

Marion, *Allen, Willis, House*, 514 S. Market St. (02/11/82)

Winnebago County

Rockford, *Jacoby, Lysander, House*, 2 Jacoby Pl. (03/05/82)
Rockford, *Svea Music Hall*, 326 7th St. (03/19/82)

INDIANA

Adams County

Decatur, *Bowers, John S., House*, 104 Marshall St. (03/05/82)

Allen County

Fort Wayne, *Bass, John H., Mansion (Brookside)* 2701 Spring St. (06/02/82)
Fort Wayne, *Saint Paul's Evangelical Lutheran Church*, 1126 Barr St. (03/1/82)

Cass County

Logansport, *Kendrick-Baldwin House*, 706 E. Market St. (09/09/82)

Dearborn County

Lawrenceburg, *Hamline Chapel, United Methodist Church*, High and Vine Sts. (09/09/82)

Decatur County

Westport vicinity, *Westport Covered Bridge*, E. of Westport (06/25/82)

Dekalb County

Auburn, *Eckhart Public Library and Park*, 603 S. Jackson St. (11/20/81)

Delaware County

Muncie, *Johnson, J. C., House* 322 E. Washington (07/15/82)
Muncie, *Roberts Hotel*, 420 S. High St. (07/15/82)

Dubois County

Ireland vicinity, *Shiloh Meeting House and Cemetery*, SE of Ireland on 150 North Rd. (07/29/82)

Fayette County

Bentonville vicinity, *Lowry, William, House*, Kniese Rd. (02/11/82)
Connersville vicinity, *Longwood Covered Bridge*, W of Connersville (12/29/81)

Floyd County

Bridgeport vicinity, *Farnsley, Gabriel, House*, N of Bridgeport off IN 111 (09/23/82)

Franklin County

Brookville vicinity, *Shafer, Joseph, Farm*, NE of Brookville on Flinn Road (08/26/82)

Fulton County

Akron vicinity, *Prill School*, NW of Akron (12/10/81)

Grant County

Marion, *Grant County Jail and Sheriff's Residence*, 215 E. 3rd St. (06/17/82)

Hancock County

Greenfield, *Greenfield High School*, North and Pennsylvania Sts. (04/22/82)

Huntington County

Huntington vicinity, *LaFolier, Madame Margaret, House*, W of Huntington on U.S. 24 (02/19/82)
Huntington, *Taylor-Zent House*, 715 N. Jefferson St. (02/11/82)

Jackson County

Seymour vicinity, *Sand Hill Archeological Site 12J62*, (09/07/81)

Jasper County

Wheatfield vicinity, *Independence Methodist Church*, SE of Wheatfield (03/05/82)

Jefferson County

Hanover, *Hendricks, Thomas A., Library*, College Dr. (Campus Rd.) (02/26/82)

Johnson County

Franklin, *Herriott House*, 696 N. Main St. (07/15/82)

Knox County

Vincennes vicinity, *Fort Knox II Site*, N of Vincennes (03/24/82)

Kosciusko County

Warsaw, *Warsaw Courthouse and Jail Historic District*, Bounded by Center, N. Lake, Main, and Indiana Sts. (03/01/82)

Lake County

Hobart, *Hobart Carnegie Library*, 706 E. 4th St. (07/15/82)

Lawrence County

Williams vicinity, *Williams Bridge*, SW of Williams (11/09/81)

Marion County

Indianapolis, *Fletcher Place Historic District*, Roughly bounded by RR tracks, 165–70, East St. and Virginia Ave. (02/01/82)
Indianapolis, *Glossbrenner, Alfred M., Mansion*, 3202 N. Meridian St. (02/19/82)
Indianapolis, *Graham, William H. H., House*, 5432 University Ave. (07/15/82)
Indianapolis, *Indianapolis Wholesale District*, Roughly bounded by Capitol Ave., Maryland, Delaware and South Sts. (07/14/82)
Indianapolis, *Lombard Building*, 22–28 E. Washington St. (06/01/82)
Indianapolis, *Marott Hotel*, 2625 N. Meridian St. (06/25/82)
Indianapolis, *Meier, George Philip, House*, 3128 N. Pennsylvania St. (09/23/82)
Indianapolis, *Merchants National Bank and Annex*, II S. Meridian St. and 7 Washington St. (02/19/82)
Indianapolis, *Roberts Park Methodist Episcopal Church*, 401 N. Delaware St. (08/19/82)
Indianapolis, *Thompson, William N., House*, 4343 N. Meridian St. (06/01/82)

Monroe County

Bloomington, *Abel, Elias, House*, 317 N. Fairview St. (02/19/82)
Ellettsville vicinity, *St. John's Lutheran Church, Old Dutch Church Rd.* (06/29/82)

Montgomery County

Crawfordsville, *Elston, Col. Isaac C., House*, 400 E. Wabash Ave. (04/15/82)
Crawfordsville, *Lane, Henry S., House*, 212 S. Water St. (11/23/81)

Owen County

Spencer, *Spencer Town Hall and Fire Station*, 84 S. Washington St. (08/19/82)

Porter County

Chesterton vicinity, *Weller House*, 1200 North Rd. (04/22/82)
Valparaiso, *Immanuel Lutheran Church*, 308 N. Washington St. (02/19/82)

Ripley County

Napoleon, *Central House*, IN 229 (09/23/82)

Rush County

Rushville, *Durbin Hotel*, 137 W. 2nd St. (02/19/82)

Shelby County

Waldron vicinity, *Cooper-Alley House*, S of Waldron (07/07/82)

St. Joseph County

South Bend, *Chapin Park Historic District*, Roughly bounded by St. Joseph River, Main, Madison, Rex, Lindsay and William Sts., Leland and Portage Aves. (02/04/82)

Steuben County

Fremont, *Michael, Enos, House*, 200 E. Toledo St. (02/19/82)

Sullivan County

Merom, *Union Christian College*, 3rd and Philip Sts. (06/25/82)

Switzerland County

Vevay, *Old Hoosier Theatre*, Cheapside and Ferry Sts. (03/01/82)

Tippecanoe County

Lafayette, *Falley Home*, 601 New York St. (07/15/82)
Lafayette, *Temple Israel*, 17 S. 7th St. (02/19/82)
West Lafayette, *Pierce, James, Jr., House*, 4623 N., 140 W. (06/17/82)

Union County

Liberty, *Grove, Dr. John, House and Office*, 23–27 S. Market St. (02/11/82)

Vanderburgh County

Evansville, *Albion Flats (Downtown Evansville MRA)*, 701 Court St. (07/01/82)
Evansville, *American Trust and Savings Bank (Indiana Bank) (Downtown Evansville MRA)*, 524–530 Main St. (07/01/82)
Evansville, *Bacon, Hillary, Store (Woolworth's) (Downtown Evansville MRA)*, 527 Main St. (07/01/82)
Evansville, *Buckingham Apartments (Downtown Evansville MRA)* 314–316 SE 3rd St. (07/01/82)
Evansville, *Building at 223 Main Street (Downtown Evansville MRA)*, 223 Main St. (07/01/82)
Evansville, *Busse House (Downtown Evansville MRA)*, 120 SE 1st St. (07/01/82)
Evansville, *Cadick Apartments (Plaza Building) (Downtown Evansville MRA)*, 118 SE 1st St. (07/01/82)
Evansville, *Central Library (Downtown Evansville MRA)*, 22 SE 5th St. (07/01/82)
Evansville, *Citizens National Bank (Downtown Evansville MRA), 329 Main St.* (07/01/82)
Evansville, *Court Building (Furniture Building) (Downtown Evansville MRA)*, 123–125 NW 4th St. (07/01/82)
Evansville, *Daescher Building (Downtown Evansville MRA)*, 12–12½ SE 2nd St. (07/01/82)
Evansville, *Eagles Home (Downtown Evansville MRA)*, 221 NW 5th St. (07/01/82)
Evansville, *Evansville Brewing Company (Downtown Evansville MRA)*, 401 NW 4th St. (07/01/82)
Evansville, *Evansville Journal News (Downtown Evansville MRA)*, 7–11 NW 5th St. (07/01/82)
Evansville, *Geiger, Fred, and Sons National Biscuit Company (Downtown Evansville MRA)*, 401 NW 2nd St. (07/01/82)
Evansville, *German Bank (Downtown Evansville MRA)*, 301–303 Main St. (07/01/82)
Evansville, *Harding and Miller Music Company (Downtown Evansville MRA)*, 518–520 Main St. (07/01/82)
Evansville, *Hose House No. 12*, 1409 First Ave. (06/17/82)
Evansville, *Hose House No. 10*, 119 E. Columbia St. (02/11/82)
Evansville, *Hutchinson, Andrew, House (Downtown Evansville MRA)*, 410 Fulton Ave. (07/01/82)
Evansville, *Independence Historic District*, W. Franklin St. and Wabash Ave. (02/01/82)
Evansville, *Indiana Bell Building (Downtown Evansville MRA)*, 129–133 NW 5th St. (07/01/82)
Evansville, *Ingle Terrace (Downtown Evansville MRA)*, 609–619 Ingle St. (07/01/82)
Evansville, *Kuehn, August, House (Downtown Evansville MRA)*, 608–610 Ingel St. (07/01/82)
Evansville, *Leich, Charles, and Company (Downtown Evansville MRA)*, 420 NW 5th St. (07/01/82)
Evansville, *Masonic Temple (Downtown Evansville MRA)*, 301 Chestnut St. (07/01/82)
Evansville, *McCurdy Hotel (Downtown Evansville MRA)*, 101–111 SE 1st St. (07/01/82)
Evansville, *Morris Plan (Central Union Bank) (Downtown Evansville MRA)*, 20 NW 4th St. (07/01/82)
Evansville, *National City Bank (Downtown Evansville MRA)*, 227 Main St. (07/01/82)
Evansville, *Newman, M. G., Building (Downtown Evansville MRA)*, 211–213 SE 4th St. (07/01/82)
Evansville, *Nienaber, Damron, Commercial Block (Downtown Evansville MRA)*, 325 SE 8th St. (07/01/82)
Evansville, *O'Donnell Building (Downtown Evansville MRA)*, 22 NW 6th St. (07/01/82)
Evansville, *Old Hose House No. 4 (Downtown Evansville MRA)*, 623 Ingle St. (07/01/82)
Evansville, *Orr Iron Company (Downtown Evansville MRA)*, 1100 Pennsylvania St. (07/01/82)
Evansville, *Parson and Scoville Building (Downtown Evansville MRA)*, 915 Main St. (07/01/82)
Evansville, *Puster, L., and Company Furniture Manufactory (Downtown Evansville MRA)*, 326 NW 6th St. (07/01/82)
Evansville, *Richardt, Patrick Henry, House (Downtown Evansville MRA)*, 213 NW 5th St. (07/01/82)
Evansville, *Rose Terrace (Downtown Evansville MRA)*, 301–313 NW 7th St. (07/01/82)
Evansville, *Salem's Baptist Church (Downtown Evansville MRA)*, 728 Court St. (07/01/82)
Evansville, *Schaeffer, Michael, House*, 118 E. Chandler Ave. (02/11/82)
Evansville, *Siegel's Department Store (Downtown Evansville MRA)*, 101–105 SE 4th St. (07/04/82)
Evansville, *Skora Building (Downtown Evansville MRA)*, 101–103 NW 2nd St. (07/01/82)
Evansville, *St. John's Evangelical Protestant Church (Downtown Evansville MRA)*, 314 Market St. (07/01/82)
Evansville, *Van Cleave Flats (Downtown Evansville MRA)*, 704–708 Court St. (07/01/82)
Evansville, *Victory Theater and Hotel Sonntag (Downtown Evansville MRA)*, 600–614 Main St. (07/01/82)
Evansville, *Wabash Valley Motor Company (Downtown Evansville MRA)*, 206–208 SE 8th St. (07/01/82)
Evansville, *Walnut Street School (Downtown Evansville MRA)*, Walnut and 9th Sts. (07/01/82)
Evansville, *YMCA (Downtown Evansville MRA)*, 118 Vine St. (07/01/82)
Evansville, *YMCA (Downtown Evansville MRA)*, 203 NW 5th ST. (07/01/82)
Evansville, *Zion Evangelical Church (Downtown Evansville MRA)*, 415 NW 5th St. (07/01/82)

Vigo County

Terre Haute, *Collett Park*, N. 7th St. and Maple Ave. (12/10/81)

Wabash County

North Manchester, *North Manchester Covered Bridge*, S. Mill St. at Eel River (09/30/82)
North Manchester, *North Manchester Planning and Band Saw Mill (J.A. Browne Co. Mill)*, 705 W. Main St. (mill), (houses) 706–708 W. Grant St. and 202 N. High St. (03/05/82)

Wayne County

Richmond, *Murray Theater*, 1003 Main St. (03/25/82)

White County

Monticello, *Reynolds, James Culbertson, House*, 417 N. Main St. (06/17/82)

IOWA

Boone County

Madrid, *Cassel, Carl and Ulrika Dalander, House*, 415 W. 2nd St. (04/12/82)

Cedar County

West Branch, *Gruwell and Crew General Store, 109 W. Main St. (09/09/82)*

Cerro Gordo County

Clear Lake, *Elks-Rogers Hotel*, 223 Main Ave. (06/21/82)
Clear Lake, *Rogers-Knutson House*, 315 N. 3rd St. (09/09/82)
Mason City, *Kirk, The*, 206 North Federal Ave. (04/12/82)

Clayton County

McGregor, *Reynolds, Joseph "Diamond Jo", Office Building and House*, A and Main Sts. (02/19/82)

Des Moines County

Burlington, *Church of St. John the Baptist*, 712 Division St. (02/26/82)
Burlington, *Jagger-Churchill House*, 201 Spring St. (03/05/82)

Dubuque County

Dubuque, *Central High School*, 1500 Locust St. (09/16/82)
Dubuque, *Dredge William M. Black*, E. 2nd St. (04/12/82)

Hamilton County

Webster City, *Webster City Post Office*, 801 Willson Ave. (07/06/82)

Henry County

Salem, *Lewelling, Henderson, House*, W. Main St. (06/21/82)

Howard County

Riceville, *Fellows, James C., House*, Main St. (06/21//82)

Iowa County

Millersburg, *Baird, E.J., House*, Jackson and Fremont Sts. (02/25/82)

Johnson County

Iowa City, *Carson, Thomas C., House*, 906 E. College St. (09/09/82)
Iowa City, *Letovsky-Rohret House*, 515 East Davenport St. (04/12/82)

Jones County

Wyoming, *Caulkins, Dr. Martin H., House and Office*, Washington and Main Sts. (03/05/82)

Keokuk County

Thornburg vicinity, *Bruce Goldfish Fisheries*, E of Thornburg off IA 22 (09/20/82)

Lee County

Fort Madison, *Schlapp, George E., House*, 639 Avenue C (02/04/82)

Linn County

Cedar Rapids, *Douglas, George B., House*, 800 2nd Ave. SE. (09/09/82)
Marion, *Mentzer, Joseph P., House*, 2233 3rd Ave. (04/12/82)
Mt. Vernon vicinity, *Beach School*, NW of Mt. Vernon off US 30 (09/16/82)

Madison County

Earlham, *Earlham Public School*, 809 Main St. (06/02/82)

Mahaska County

Oskaloosa vicinity, *Voorhees, John K., House*, NW of Oskaloosa on IA 163 (03/05/82)

Polk County

Des Moines, *Case, Larnerd, House*, 3111 Easton Blvd. (06/21/82)
Des Moines, *Cummins, Albert baird, House*, 2404 Forest Dr. (06/30/82)
Des Moines, *Homestead Building*, 303 Locust St. (03/05/82)
Des Moines, *Hotel Fort Des Moines*, 10th and Walnut Sts. (09/16/82)

Pottawattamie County

Council Bluffs, *Reverend Little's Young Ladies Seminary*, 541 6th Ave. (02/04/82)

Scott County

Davenport, *Central Fire Station*, 331 Scott St. (04/22/82)
Davenport, *Davenport City Hall*, 226 West 4th St. (04/22/82)
Davenport, *Hillside*, 1 Prospect Dr. (02/04/82)
Davenport, *Iowa Soldiers' Orphans' Home*, 2800 Eastern Ave. (04/26/82)
Pleasant Valley, *Spencer, Roswell, House*, Off U.S. 67 (04/22/82)
Riverdale, *Brown, James, House*, 424 State St. (03/05/82)

Story County

Ames, *Marston Water Tower*, Iowa State University Campus (05/27/82)

Winneshiek County

Decorah vicinity, *Jacobson Farm*, SE of Decorah on Rt. 1 (06/14/82)

Woodbury County

Sioux City, *Badgerow Building*, 622 4th St. (03/24/82)
Sioux City, *Franz, Margaretta, House*, 215 Kansas St. (06/21/82)
Sioux City, *Spencer, Knapp, Warehouse*, 3rd and Nebraska Sts. (06/21/82)

Wright County

Dows, *Exchange Building*, Ellsworth St. (04/12/82)

KANSAS

Anderson County

Garnett, *Shelley-Tipton House*, 812 W. 4th St. (05/06/82)

Atchison County

Atchison, *Benedictine College North Campus Historic Complex*, 2nd and Division Sts. (03/17/82)

Bourbon County

Fort Scott vicinity, *Marmaton Bridge*, 1 mile NE of Fort Scott (05/11/82)

Comanche County

Archeological Site Number 14CM305 (Big Gyp Cave) (Kansas Rock Art TR), (07/09/82)

Dickinson County

Abilene, *Old Belle Springs Creamery and Produce Building*, Court and Cottage Sts. (04/12/82)
Chapman vicinity, *Prospect Park Farm*, SE of Chapman (02/19/82)

Douglas County

Lawrence, *Stephens, Judge Nelson T., House*, 340 N. Michigan St. (02/19/82)
Lawrence, *Taylor, Lucy Hobbs, Building*, 809 Vermont (02/19/82)

Ellis County

Hays, *Madden Elevator*, 117 East 9th St. (06/29/82)
Hays, *Phillip Hardware Store*, 719 Main St. (03/16/82)

Ellsworth County

Archeological Site Number 14EW1 (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14EW17 (Ward) (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14EW303 (Haystack Mound) (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14EW33 (Cave Hollow) (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14EW401 (Katzenmeier) (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14EW403 (Owl's Nest) (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14EW404 (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14EW405 (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14EW406 (Kansas Rock Art TR), (07/09/82)

Franklin County

Ottawa, *Tauy Jones Hall*, Ottawa University Campus 10th and Cedar Sts. (06/14/82)

Graham County

Penokee, *Penokee Stone Figure*, (06/23/82)

Greenwood County

Archeological Site Number 14GR320 (Indian Spring) (Kansas Rock Art TR), (07/09/82)

Harvey County

Newton, *Neal, Jairus, House*, 301 E. 4th St. (05/06/82)
Newton, *Old Railroad Savings and Loan Building*, 500 Main St. (05/06/82)

Kiowa County

Archeological Site Number 14KW301 (Star) (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14KW302 (Roth) (Kansas Rock Art TR), (07/09/82)

Leavenworth County

Leavenworth, *Old Union Depot*, 201 S. Main St. (03/11/82)

Lincoln County

Archeological Site Number 14LC306 (Hildebrandt) (Kansas Rock Art TR), (07/09/82)

Linn County

Prescott, *Prescott School*, 3rd and Main Sts. (05/06/82)

Lyon County

Emporia, *Old Emporia Public Library*, 118 East Sixth St. (11/02/81)

McPherson County

Marquette, *Hanson, Hans, House*, 211 E. 5th St. (02/19/82)

Montgomery County

Archeological Site Number 14 MY 1320 (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14MY1 (Treaty Rocks) (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14MY1365 (Lookout Station) (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14MY365 (Kansas Rock Art TR), (07/09/82)
Coffeyville, *Terminal Building*, 717 Walnut (06/14/82)

Morris County

Council Grove, *Farmers and Drovers Bank and Indicator Building*, 201 and 203 West Main (boundary increase) (02/19/82)

Ottawa County

Archeological Site Number 14OT4 (Kansas Rock Art TR), (07/09/82)

Rice County

Archeological Site Number 14RC10 (Peverley) (Kansas rock Art TR), (07/09/82)
Archeological Site Number 14RC11 (Kansas Rock Art TR), (07/09/82)

Russell County

Archeological Site Number 14RU10 (Circle Rock) (Kansas Art TR), (07/09/82)

Archeological Site Number 14RU313 (Russell) (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14RU314 (Haberer) (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14RU315 (Hampl) (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14RU316 (Purma) (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14RU324 (S & S Ranch) (Kansas Rock Art TR), (07/09/82)
Archeological Site Number 14RU5 (Paradise Creek) (Kansas Rock Art TR), (07/09/82)

Sedgwick County

Wichita, *Clapp, L. W., House*, 1847 Wellington Pl. (06/14/82)
Wichita, *Munger, Darius Sales, House*, Sim Park (06/14/82)
Wichita, *Occidental Hotel*, 300 N. Main St. (06/14/82)
Wichita, *Old Wheeler-Kelly-Hagny Building*, 120 S Market St. (03/11/82)

Shawnee County

Topeka, vicinit, *England Farm*, 4619 SE of 37th St. (05/07/82)
Topeka, *Cedar Crest*, Cedar Crest Rd. (05/06/82)
Topeka, *Central Motor and Finance Corporation Building*, 222 W. 7th St. (02/19/82)
Topeka, *Jayhawk Hotel, Theater and Walk*, 700 Jackson Ave. (03/11/82)
Topeka, *Woman's Club Building*, 420 W. 9th St. (02/19/82)

Sumner County

Oxford vicinity, *Old Oxford Mill*, NE of Oxford (04/26/82)

Wabaunsee County

Eskridge, *Security State Bank*, Main and 2nd Sts. (05/06/82)

Wyandotte County

Kansas City, *Westheight Manor Historic District*, Roughly bounded by State and Wood Aves., 18th and 25th Sts. (boundary increase) (02/19/82)

KENTUCKY

Boone County

Anderson Ferry, Off KY 8 (see also Ohio) (06/10/82)

Christian County

Hopkinsville, *Grace Episcopal Church*, 220 E. 6th St. (01/28/82)

Clark County

Pine Grove vicinity, *Martin, Major John, House (Clark County MRA)*, Basin Springs Rd. (04/29/82)
Winchester, *Winchester Downtown Commercial District*, Roughly bounded by RR tracks, KY 627, Maple and Highland Sts. (04/28/82)

Crittenden County

Marion, Fohs Hall, 143 N. Walker St. (04/29/82)

Davies County

Owensboro vicinity, *Willow Hill (Jesse Jones House)* Jones Rd. (06/09/82)

Fayette County

Lexington vicinity, *Grimes House and Mill Complex*, Grimes Mill Rd. (06/21/82)
Lexington vicinity, *McCann, Benjamin, House (Castlelawn)*, Old Richmond Pike (06/03/82)
Lexington vicinity, *McCann, Neal, House*, 5364 Todds Rd. (06/03/82)
Lexington, *Bates Log House*, 5143 Spurr Rd. (06/28/82)
Lexington, *Beck, James Burnie, House*, 209 E. High St. (08/26/82)
Lexington, *Cloud House*, 3740 Versailles Rd. (06/17/82)
Lexington, *Constitution Historic District*, Roughly bounded by E. 3rd., Limestone, Walnut and Pleasant Stone St. (08/30/82)
Lexington, *Kinkead House*, 362 Walnut St. (06/29/82)
Lexington, *Mansfield (Thomas Hart Clay House)*, Richmond Rd. (08/19/82)
Lexington, *Northside Residential Historic District*, (boundary increase) 337–371 N. Limestone, 400–465 N. Limestone, and 356 Morris St. (05/24/82)
Lexington, *Poplar Grove*, 2088 Parkers Mill Rd. (08/19/82)
Lexington, *Randall Building/Bogaert's Jewelry Store*, 127–129 W. Main St. (09/09/82)
Lexington, *Sayre Female Institute*, 194 N. Limestone St. (08/19/82)
Lexington, *Watkins, Thomas B., House*, 1008 S. Broadway (06/29/82)

Fleming County

Flemingsburg Junction vicinity, *Johnson, Ben, House*, KY 161 (03/1/82)

Franklin County

Frankfort Block (Willa Cather TR), Webster Street (08/11/82)
Frankfort, *South Frankfort Neighborhood Historic District*, Roughly bounded by US 60, Rockland Ct., and the Kentucky River (08/19/82)

Gallatin County

Warsaw, *Warsaw Historic District*, Roughly bounded by W. High, E. Franklin, Washington, Market, Main, 3rd, 4th and Cross Sts. (07/29/82)

Greenup County

Greenup vicinity, *Stuart, Jesse, House*, Stuarts Lane off W-Hollow Rd. (06/01/82)

Henderson County

Henderson vicinity, *McCallister, John E., House*, 839 N. Green St. (09/21/82)

Jefferson County

Louisville, *Adath Israel Cemetery*, 2716 Preston St. (06/22/82)
Louisville, *Adath Jeshurun Temple and School*, 749—757 S. Brook St. (01/28/82)
Louisville, *Almsted Brothers Building*, 425 W. Market St. (03/01/82)
Louisville, *Ancient and Accepted Scottish Rite Temple*, 200 E. Gray St. (04/29/82)
Louisville, *Belknap, Willam R., School*, 1800 Sils Ave. (06/12/82)
Louisville, *Bullock-Clifton House*, 1824 Rosedale Ave. (05/06/82)
Louisville, *Bush, Cornelia, House*, 316 Kenwood Dr. (05/06/82)
Louisville, *Commodore Apartment Building*, 2140 Bonnycastle Ave. (04/29/82)
Louisville, *Emerson School*, 1100 Sylvia Ave. (05/03/82)
Louisville, *Gordon, Cornelia, House*, 308 Kenwood Hill Rd. (05/06/82)
Louisville, *Holy Name Church Rectory, Convent and School*, 2920 and 2914 S. 3rd St. and 2911 and 2921 S. 4th St. (05/13/82)
Louisville, *Montgomery Street School*, 2500—2506 Montgomery St. (05/06/82)
Louisville, *Norton Company Building*, 400 W. Market St. (05/06/82)
Louisville, *Olmstead Park System*, Algonquin, Cherokee, Eastern, Southern, North, and South Western Pkwys. (05/17/82)
Louisville, *Rauchfuss Houses*, 837–847 S. Brood St. (08/12/82)
Louisville, *Repton*, 314 Ridgedale Rd. (05/13/82)
Louisville, *Republic Building*, 429 W. Muhammad Ali Blvd. (08/12/82)
Louisville, *Roosevelt, Theodore, Elementary School, (Duncan Street School)*, 222 N. 17th St. (03/22/82)
Louisville, *St. Anthony's Roman Catholic Church, Rectory, Convent, and School*, 2222—2233 W. Market St. (03/01/82)
Louisville, *St. Elizabeth of Hungary Roman Catholic Church*, 1024—1028 E. Burnett St. (05/06/82)
Louisville, *St. James Roman Catholic Church, Rectory, and School*, 1430 Bardstown Rd., 1826 and 1818 Edenside Ave. (03/01/82)
Louisville, *St. Patrick's Roman Catholic Church, Rectory, and School*, 1301—1305 W. Market St. (03/01/82)
Louisville, *St. Paul's German Evangelical Church and Parish House*, 213 E. Broadway (02/25/82)
Louisville, *Stewart's Dry Goods Company Building*, 501 S. 4th Ave. (06/12/82)
Louisville, *Theater Building*, 625–33 S. 4th Ave. (08/12/82)
Louisville, *Vogt, Henry, Machine Company Shop*, 10th St and Ormsby Ave. (02/11/82)

Johnson County

Volga vicinity, *McKenzie, David, Log Cabin*, McKenzie Branch (06/26/82)

Kenton County

Covington, *John W. Hubbard (Sternwheeler)*, Greenup St. (05/20/82)
Covington, *Trinity Episcopal Church*, 328 Madison Ave. (03/01/82)

Knox County

Barbourville, *Speed Hall*, College St. (04/29/82)

Livingston County

Smithland, *Olive, Richard, House*, Court St. (04/29/82)

Mason County

Mays Lick, *Mays Lick Consolidated School*, U.S. 68 and KY 324 (04/29/82)

Mason County

Maysville, *Maysville Downtown Historic District*, Roughly bounded by McDonald Pkwy., Front, Wall, Limestone and 3rd Sts. (03/01/82)

McCracken County

Paducah, *Jefferson Street-Fountain Avenue residential District*, Jefferson and Madison Sts., Broadway, Fountain Ave., and Harahan Blvd. (07/14/82)
Paducah, *Lower Town Neighborhood District*, Roughly bounded by Park Ave., Jefferson, 5th and 9th Sts. (03/15/82)
Paducah, *Paducah Downtown Commercial District*, Roughly bounded by 7th, 1st, Clark and Monroe Sts. (04/20/82)

McLean County

Livermore vicinity, *Archeological Site 15-McL-18*, (03/15/82)

Oldham County

Crestwood vicinity, *Carpenter-Smith House (Forest Home Farm)*, Covered Bridge Rd. (02/25/82)
Goshen vicinity, *Yager House (Pine Grove Stock Farm)*, SE of Goshen on Covered Bridge Rd. (06/17/82)
LaGrange, *McMahan House*, 203 Washington St. (05/13/82)

Pulaski County

Somerset, *Somerset Downtown Commercial District*, 108–236 and 201–223 E. Mt. Vernon St. (08/27/82)

Scott County

Georgetown, *Main Street Historic Commercial District, Expanded*, (Boundary increase) N. Hamilton, Court Alley, N Broadway, S Broadway W Main and Court Sts. (04/15/82)

Shelby County

Shelbyville vicinity, *Undulata (Weissinger Farm)*, S of Shelbyville on Old Zaring Mill Rd. (06/22//82)

Woodford County

Archeological Site 15–Wd–61, (06/02/82)
Midway vicinity, *Payne, Lewis, House*, Lansing Lane (04/29/82)

LOUISIANA

Acadia Parish

Crowley, *Crowley Historic District*, LA 13 and U.S. 90 (03/12/82)

Ascension Parish

Donaldsonville, *Landry Tomb*, Ascension Catholic Church Cemetery, St. Vincent and Claiborne Sts. (08/11/82)
Donaldsonville, *Lemann Store*, 314 Mississippi St. (08/11/82)

Avoyelles Parish

Hamburg, *Calliham Plantation House*, Old Hwy 1 (07/22/82)
Marksville, *Joffrion House*, 605 N. Monroe (08/11/82)

Beauregard Parish

DeRidder, *Beauregard Parish Jail*, Courthouse Sq. (12/17/82)

Bossier Parish

Elm Grove vicinity, *Cashpoint Plantation House*, N of Elm Grove off LA 71 (08/11/82)

Caddo Parish

Shreveport, *Caspiana House*, Louisiana State University campus (12/10/81)
Shreveport, *Dodd College President's Home*, 601 Ockley Dr. (07/22/82)
Shreveport, *Old Commercial National Bank Building*, 509 Market St. (03/11/82)
Shreveport, *Shreveport Commercial Historic District*, Roughly bounded by Commerce, Crockett, Common and Travis Sts. (03/11/82)
Shreveport, *Shreveport Municipal Building*, 724 McNeil St. (05/05/82)

Calcasieu Parish

Lake Charles, *Charleston Hotel*, Ryan and Broad Sts. (05/27/82)
Vinton, *Lyons House*, 1335 Horridge St. (04/27/82)

Caldwell Parish

Columbia, *First United Methodist Church*, LA 165 and Church St. (08/12/82)

Cameron Parish

Cameron vicinity, *Sabine Pass Lighthouse*, Lighthouse Bayou (12/17/81)

Claiborne Parish

Homer, *Claiborne Parish Courthouse*, Courthouse Sq. (10/07/82)
Summerfield vicinity, *Wasson, Alberry, Homeplace*, 1½ mi. S. of Summerfield (06/25/82)

Concordia Parish

Feriday vicinity, *Canebrake*, NE of Ferriday on LA 901 (08/29/82)

East Baton Rouge Parish

Baton Rouge, *French House, The*, Louisiana State University Campus (01/13/82)
Baton Rouge, *McKinley High School*, 1500 East Blvd. (11/16/81)
Baton Rouge, *Roseland Terrace Historic District*, Bounded by Government, 18th, Myrtle, and 22nd Sts. (03/11/82)
Baton Rouge, *Heidelberg Hotel*, 201 Lafayette St. (05/20/82)

Evangeline Parish

Ville Platte, *Dardeau Building*, 224 W. Main (06/01/82)

Franklin Parish

Baskin, *Baskin High School Building*, LA 857 (10/07/82)
Winnsboro, *Jackson House*, 703 Jackson St. (09/21/82)
Winnsboro, *Winnsboro Commercial Historic District*, Prairie St. (07/09/82)

Iberville Parish

Rosedale, *Church of the Nativity*, Laurel St. (08/11/82)

Jefferson Davis Parish

Jennings, *Jennings Carnegie Public Library*, 303 Cary Ave. (01/08/82)
Jennings, *Jennings Post Office*, 118 W. Plaquemine St. (05/20/82)

Lafayette Parish

Lafayette, *Gordon Hotel*, 108—110 E. Vermilion St. (06/25/82)

Lincoln Parish

Ruston vicinity, *Calhoun Farmhouse*, NE of Ruston on LA 821 (05/03/82)
Ruston, *Townsend House*, 410 N. Bonner St. (06/25/82)

Morehouse Parish

Bastrop, *Christ Episcoal Church*, 206 S. Locust (07/22/82)

Orleans Parish

New Orleans, *Bullitt-Longenecker, House*, 3627 Carondelet St. (10/22/82)
New Orleans, *Central City Historic District*, Roughly bounded by Pontchartrain Expwy., Louisiana, St. Charles and Claiborne Aves. (07/09/82)
New Orleans, *Hernsheim, Simon, House (Columns Hotel)*, 3811 St. Charles Ave. (06/24/82)
New Orleans, *Jung Hotel*, 1500 Canal St. (09/27/82)
New Orleans, *Lowe-Forman House*, 5301 Camp St. (06/29/82)
New Orleans, *Orpheum Theatre*, 125–129 University Pl. (08/11/82)
New Orleans, *Pessou House*, 6018 Benjamin St. (06/15/82)

Pointe Coupee Parish

Livonia vicinity, *El Dorado Plantation House*, Bayou Maringouin, LA 77 (03/24/82)
New Roads, *Pointe Coupee Parish Courthouse*, Main St. (10/07/82)

Ouachita Parish

West Monroe vicinity, *Allen-Barringer House*, SW of W Monroe off Elkins Rd. (05/03/82)
Monroe, *Masur House*, 901 3rd St. (07/22/82)

Rapides Parish

Boyce vicinity, *Blanchard House*, W of Boyce on Bayou Jean de Jean (07/22/82)
Lecompte vicinity, *St. John Baptist Church*, off LA 456 (06/25/82)

St. Landry Parish

Grand Coteau vicinity, *Frozard Plantation House*, S of Grand Coteau off LA 93 (08/12/82)
Grand Coteau, *Burleigh House*, Burleigh Lane (08/11/82)
Opelousas, *St. Landry Catholic Church*, 900 N. Union St. (05/03/82)
Washington vicinity, *Arlington Plantation House*, N of Washington off LA 103 (08/11/82)

St. Martin Parish

St. Martinville, *St. Martin Parish Courthouse*, S. Main St. (11/19/81)

St. Mary Parish

Baldwin vicinity, *Birg House*, off LA 182 (06/24/82)
Balwin, *Darby House*, 102 Main St. (08/11/82)
Baldwin, *Tillandsia*, 202 Charenton Rd. (08/11/82)
Centerville, *Cary, Joshua B., House*, US 90 and LA 317 (08/11/82)

St. Tammany Parish

Abita Springs, *Abita Springs Historic District*, LA 435, LA 36 and LA 59 (03/12/82)
Abita Springs, *Longbranch Hotel Complex*, Rangeline Rd. (06/24/82)
Covington, *Frederick House*, 238 Vermont St. (08/11/82)

Tangipahoa Parish

Amite, *Blythewood*, 205 Elm St. (06/25/82)
Hammond vicinity, *Carter House*, S of Hammond on Happywoods Rd. (06/11/82)
Tangipahoa, *Green Shutters*, Franklin St. (06/11/82)

Tensas Parish

Waterproof vicinity, *Burn, The*, N of Waterproof off LA 65 (06/11/82)

Terrebonne Parish

Houma, *Wesley House*, 1210 E. Main St. (06/11/82)

Vermilion Parish

Erath vicinity, *LeBlanc House*, N of Erath on LA 339 (04/15/82

Washington Parish

Angie vicinity, *Magee, Robert D., House*, W of Angie off SR 438 (06/11/82)
Mt. Hermon vicinity, *Magee, Nehemiah, House*, SW of Mt. Hermon (06/12/82)

Winn Parish

Winnfield, *Long, George Parker, House*, 1401 Maple St. (06/11/82)

MAINE

Androscoggin County

Auburn, *Rock Building*, 144–170 Main St. (01/28/82)

Aroostook County

Caribou, *McElwain House*, 2 Main St. (04/12/82)
Island Falls, *Sewall, William, House*, Main St. (04/12/82)

Cumberland County

Bar Harbor, *Sproul's Cafe*, 128 Main St. (02/04/82)
Freeport, *Mallett, E. B., Office Building*, Mill St. (02/19/82)
Gray, *Pennell Institute*, Lewiston Rd. (07/12/82)
Portland, *Lancaster Block*, 474 Congress St. (09/29/82)
Portland, *Leighton, Adam P., House*, 261 Western Promenade (02/11/82)
Portland, *Masonic Temple*, 415 Congress St. (02/11/82)
Portland, *North School*, 248–264 Congress Street (04/12/82)

Franklin County

Kingfield, *Norton, William F., House*, 1 Stanley Ave. (07/08/82)

Hancock County

Bar Harbor, *Reverie Cove*, Harbor Lane (02/19/82)
Bar Harbor, *Sproul's Cafe*, 126 Main St. (02/04/82)
Dedham vicinity, *Lucerne Inn*, Bar Harbor Rd., Rte 1A (06/18/82)

Kennebec County

Reed, G. W., Travellers Home, (02/11/82)
Augusta, *Bangs, Algernon, House*, 16 E. Chestnut St. (02/19/82)
Augusta, *Maine Insane Hospital*, Hospital St. (07/19/82)
Augusta, *Tappan-Viles House*, 154 State St. (02/11/82)
East Vassalboro, *East Vassalboro Grist and Saw Mill*, ME 32 (01/29/82)
Readfield, *Readfield Union Meeting House*, Church Rd. (07/08/82)
Waterville, *Lombard, Alvin O., House*, 65 Elm St. (02/19/82)
Waterville, *Professional Building*, 177 and 179 Main St. (02/19/82)
Winslow, *Shrewsbury Round Barn*, 109 Benton Ave. (02/19/82)

Knox County

Camden, *American Boathouse*, Atlantic Ave. (02/19/82)
Camden, *Norumbega Carriage House*, High St. (02/19/82)
North Haven and vicinity, *Amesbury, Joe, Place (Prehistoric Sites in North Haven TR)*, (03/11/82)
North Haven and vicinity, *Bartz-Lewis Site (Prehistoric Sites in North Haven TR)*, (03/11/82)
North Haven and vicinity, *Bull Rock (Prehistoric Sites in North Haven TR)*, (03/11/82)
North Haven and vicinity, *Cabot I Site (Prehistoric Sites in North Haven TR)*, (03/11/82)
North Haven and vicinity, *Crocker Site (Prehistoric Sites in North Haven TR)*, (03/11/82)
North Haven and vicinity, *Turner Farm II (Prehistoric Sites in North Haven TR)*, (03/11/82)
Vinalhaven, *Star of Hope Lodge*, Maine St. (02/19/82)

Lincoln County

Waldoboro, *Hutchins House*, 77 Main St. (02/19/82)
Wiscasset vicinity, *Parsons, Josiah K., Homestead*, Greenleaf Cove Rd. (02/04/82)

Oxford County

Fryeburg, *Barrows-Steadman Homestead*, 134 Main St. (04/12/82)
Paris, *Robinson-Parsons Farm*, Town Farm Brook Rd. (02/04/82)
Stow, *Brickett Place*, US 113 (07/26/82)

Penobscot County

Bangor, *Hammond Street Congregation Church*, Hammond and High Sts. (07/08/82)
Kingman, *Kingman, Romanzo, House*, Main St. (02/19/82)

Piscataquis County

Guilford, *Straw House*, Golda Ct. (02/19/82)

Sagadahoc County

Woolwich, *Reed, Robert, House*, ME 128 and Chop Point Rd. (02/11/82)

Somerset County

Evergreens, The, (02/08/82)
Norridgewock, *Norridgewock Free Public Library*, Sophie May Lane (02/04/82)
Skowhegan, *Bloomfield Academy*, Main St. (02/19/82)
Skowhegan, *Gould House*, 31 Elm St. (02/19/82)
Skowhegan, *Skowhegan Historic District*, Madison Ave., Water and Russell Sts. (02/19/82)

Waldo County

Archeological Site No. 29-64, (02/22/82)
Belfast, *Black Horse Tavern*, Searsport Ave. (02/11/82)

Washington County

Calais, *Hamilton, Thomas, House*, 78 South St. (02/04/82)
Calais, *St. Anne's Episcopal Church*, Church St. (07/08/82)
Calais, *Washburn, George, House*, 318 Main St. (02/11/82)
Cherryfield, *Campbell, Col. Samuel, House*, U.S. 1 (02/04/82)
Cherryfield, *Cherryfield Academy*, Main St. (02/19/82)
Eastport, *Eastport Historic District*, Water St. (06/01/82)
West Pembroke, *Best, Charles, House*, County Rd. (03/02/82)

York County

Kennebunk, *Smith, James, Homestead*, ME 35 (02/04/82)
Kennebunkport vicinity, *Clock Farm*, ME 9 and Goose Rocks Rd. (02/19/82)
North Berwick, *Hobbs, Thomas, Jr., House*, Wells St. (02/11/82)
Ocean Park, *Ocean Park Historic Buildings*, Temple Ave. (03/02/82)
Parsonsfield, *Blaxo-Leavitt House*, ME 160 (02/19/82)
Saco, *Deering, J. G., House*, 371 Main St. (02/17/82)
Saco, *Jacobs Houses and Store*, 9–17 Elm St. (03/02/82)

MARYLAND

Baltimore (Independent City)

Hooper, James E., House, 100 E. 23rd St. (03/15/82)
Krug Iron Works, 415 W. Saratoga St. (04/29/82)
Little Montgomery Street Historic District, West Montgomery and Leadenhall Sts. (04/15/82)
Sharp Street Memorial United Methodist Church, 506–516 Dolphin St. (07/21/82)
St. James The Less Roman Catholic Church, Aisquith St. (03/15/82)
St. John the Evangelist Roman Catholic Church, 901 E. Eager St. (03/15/82)

Allegany County

Cumberland, *Haley, Francis, House*, 634 Maryland Ave. (07/08/82)
Cumberland, *Koon Thomas, House*, 221 Baltimore Ave. (07/08/82)

Baltimore County

Rushford, *Rushford City Mill (D. J. Tew Mill) (Fillmore County MRA)*, 301 Winona St. (04/27/82)
Ruxton, *St. John's Church*, 7538 Bellona Ave. (03/15/82)

Calvert County

Wallville vicinity, *Patterson's Archeological District*, Mackall Rd. (04/12/82)

Cecil County

Calvert vicinity, *Kirk, Elisha, House*, MD 273 (07/21/82)
Earleville vicinity, *St. Stephen's Episcopal Church*, N of Earleville on MD 282 (04/29/82)

Frederick County

Buckeystown, *Buckeystown Historic District*, MD 85 (04/06/82)
Buckeystown, Buckingham House and Industrial School Comples, Off MD 80 and MD 85 (05/20/82)
Jefferson vicinity, *Lewis Mill Complex*, 3205 Poffenberger Rd. (05/06/82)

Harford County

Fallston vicinity, *Rockdale*, N of Fallston at 1724 Carrs Mill Rd., (06/30/82)
Havre de Grace, *Havre de Grace Historic District*, Roughly bounded by Chesapeake, Bay, Susquehanna River, US 40, Stokes, Juniata and Superior Sts. (03/25/82)

Kent County

Still Pond, *Harper, George, Store*, MD 292 and Main St. (07/09/82)

Montgomery County

Brookville, *Clover Hill*, 21310 Zion Rd. (07/20/82)
Poolesville vicinity, *Valhalla*, 19010 White's Ferry Rd. (03/15/82)

Prince Georges County

District Heights vicinity, *Concord*, 8000 Walker Mill Rd. (05/12/82)
Hyattsville, *Hyattsville Historic District*, Off US 1 (03/25/82)

Talbot County

Oxford vicinity, *Otwell*, Otwell Rd. (03/15/82)
St. Michaels, *Saint Michaels Mill*, 100 Chew Ave. (07/15/82)
Tilghman Island vicinity, *Sharps Island Light*, (07/22/82)

Washington County

Hagerstown vicinity, *Wilson's Bridge*, U.S. 40 (03/15/82)

MASSACHUSETTS

Barnstable County

Chatham, *Port Royal House*, 606 Main St. (04/15/82)

Berkshire County

Adams, *Armory Block*, 39–45 Park St. (04/01/82)
Adams, *Barett, P. J., Block*, 70–76 Park St. (04/01/82)
Adams, *Berkshire Mill No. 1*, Hoosac St. (NE corner of Columbia St.), (04/01/82)
Adams, *Jones Block*, 49–53 Park St. (04/01/82)
Adams, *Mausert Block*, 19–27 Park St. (04/01/82)
Adams, *Park Street Firehouse*, 47 Park St. (01/28/82)
Adams, *Phillips Woolen Mill*, 71 Grove St. (09/30/82)
Adams, *Pittsfield & North Adams Passenger Station and Baggage & Express House*, 10 Pleasant St. (04/01/82)
Adams, *Simmons Block*, 86–90 Park St. (04/01/82)
Becket, *Becket Center Historic District*, MA 8, Hamilton and YMCA Rds. (08/11/82)
Great Barrington, *Searles Castle*, Main St. (04/15/82)
Lenox, *Church on the Hill*, Main St. (09/30/82)
Lenox, *Lenox Academy*, 75 Main St. (09/30/82)
Monterey, *Bidwell, Rev. Adonijah, House*, Royal Hemlocks and Art School Rds. (08/26/82)
New Marlborough, *New Marlborough Village*, MA 57, New Marlborough, Monterey and Southfield Rds. (09/30/82)
Pittsfield, *Wollison-Shipton Building*, 142-156 North St. (09/30/82)
Richmond, *Goodwood*, Summit Rd. (04/15/82)
Sandisfield, *Sage, Philemon, House*, MA 183 (08/31/82)
Stockbridge vicinity, *Wheatleigh*, West Hawthorne Rd. (04/06/82)
Stockbridge, *Glendale Power House*, MA 183 (06/24/82)

Bristol County

Fall River, *Unitarian Society, The*, 309 N. Main St. (05/13/82)
Fall River, *Fall River Waterworks*, Bedford St. (12/07/81)
Fall River, *Lafayette-Durfee House, 94 Cherry St. (04/15/82)*
New Bedford, *Dawson Building*, 1851 Purchase St. (09/30/82)
North Attleborough, *Fire Barn*, Commonwealth Ave. (01/28/82)

Essex County

Andover, *Abbot Tavern (Town of Andover MRA)* 70 Elm St. (06/10/82)
Andover, *Abbot, J. T., House (Town of Andover MRA)* 34 Essex St. (06/10/82)
Andover, *Abbot-Baker House (Town of Andover MRA)* 5 Argilla Rd. (06/10/82)
Andover, *Abbot-Battles House (Town of Andover MRA)* 31 Lowell St. (06/10/82)
Andover, *Abbot, Asa and Sylvester, House (Town of Andover MRA)* 15—17 Porter Rd. (06/10/82)
Andover, *Andover National Bank (Town of Andover MRA)* 23 Main St. (06/10/82)
Andover, *Andover Town Hall (Town of Andover MRA)* 20 Main St. (06/10/82)
Andover, *Arden (Town of Andover MRA)* 278 N. Main St. (06/10/82)
Andover, *Bailey, Timothy P., House (Town of Andover MRA)* 210 Chandler Rd. (06/10/82)
Andover, *Barnard Block (Town of Andover MRA)* 10—16 Main St. (06/10/82)
Andover, *Bradlee School (Town of Andover MRA)* 147 Andover St. (06/10/82)
Andover, *Chandler-Bigsby-Abbot House (Town of Andover MRA)* 88 Lowell St (06/10/82)
Andover, *Chandler-Hidden House (Town of Andover MRA)* 17 Hidden Rd. (06/10/82)
Andover, *Chickering House (Town of Andover MRA)* 28 Essex St. (06/10/82)
Andover, *Cochran, Jehiel, House (Town of Andover MRA)* 63 Burnham Rd. (06/10/82)
Andover, *Dascomb House (Town of Andover MRA)* 125 Dascomb Rd. (06/10/82)
Andover, *Flint Farm (Town of Andover MRA)* 85 Osgood St. (06/10/82)
Andover, *Follansbee House (Town of Andover MRA)* 459 Lowell St. (06/10/82)
Andover, *Frye, Nathan, House (Town of Andover MRA)* 166 N. Main St. (06/10/82)
Andover, *Gray, David, House (Town of Andover MRA)* 232 Salem St. (06/10/82)
Andover, *Harding, Sarah H., House (Town of Andover MRA)* 6—8 Harding St (06/10/82)
Andover, *Harnden Farm (Town of Andover MRA)* 261 Salem St. (06/10/82)
Andover, *Holt Farm (Town of Andover MRA)* 89 Prospect Rd. (06/10/82)
Andover, *Holt-Cummings-Davis House (Town of Andover MRA)* 67 Salem St. (06/10/82)
Andover, *Jenkins, Benjamin, House (Town of Andover MRA)* 362 Salem St. (06/10/82)
Andover, *Lincolnshire, The (Town of Andover MRA)* 22 Hidden Rd. and 28 Hidden Way (06/10/82)
Andover, *Manning House (Town of Andover MRA)* 37 Porter Rd. (06/10/82)
Andover, *Memorial Hall Library (Town of Andover MRA)* 2 N. Main St. (06/10/82)
Andover, *Musgrove Block (Town of Andover MRA)* 2 Main St. (06/10/82)
Andover, *Orlando (Town of Andover MRA)* 260 N. Main St. (06/10/82)
Andover, *Osgood Farm (Town of Andover MRA)* 116 Osgood St. (06/10/82)
Andover, *Pearson, Abiel, House (Town of Andover MRA)* 33 High St. (06/10/82)
Andover, *Perrin, William, House (Town of Andover MRA)* 464 River Rd. (06/10/82)
Andover, *Pillsbury-French House (Town of Andover MRA)* 103 Dascomb Rd. (06/10/82)
Andover, *Punchard, Benjamin, House (Town of Andover MRA)* 8 High St. (06/10/82)
Andover, *Rogers-Downing House (Town of Andover MRA)* 289 Highland Rd. (06/10/82)
Andover, *Russell House (Town of Andover MRA)* 28 Rocky Hill Rd. (06/10/82)
Andover, *Third Railroad Station (Town of Andover MRA)* 100 School St. (06/10/82)
Andover, *Ward, Richard, House (Town of Andover MRA)* 71 Lowell St. (06/10/82)
Andover, *Woodbridge House (Town of Andover MRA)* 293 Salem St. (06/10/82)
Danvers, *Rea-Proctor Homestead*, 180 Conant Farm (06/02/82)
Gloucester, *Central Gloucester Historic District*, Roughly bounded by Middle, Main, Center, Hancock, Short, Prospect and Pleasant Sts. (07/08/82)
Gloucester, *Stacy, George O., House*, 107 Atlantic Rd. (04/15/82)
Lawrence, *American Woolen Mill Housing District*, 300—328 Market St. (04/08/82)
Lawrence, *Gleason Building*, 349—351 Essex St. (04/15/82)
Lynn, *Fabens Building*, 312—314 Union St. (02/25/82)
Lynn, *Lynn Bank Block*, 21–29 Exchange St. (08/26/82)
Lynn, *Mowers' Block*, 7 Willow St. and 67—83 Blake St. (02/25/82)
Newburyport, *Dodge Building*, 19–23 Pleasant St. (08/26/82)
Peabody, *Felton, Nathaniel, Houses*, 43 Felton St. (Jr.) and 47 Felton St. (Sr.) (04/01/82)
Rockport, *Sewall-Scripture House*, 40 King St. (09/30/82)

Franklin County

Northfield, *King Philip's Hill*, (12/16/81)
Northfield, *Northfield Main Street Historic District*, Full length of Main St. from Millers Brook to Pauchaug Brook, (07/08/82)
Turner Falls, *Turner Falls Historic District*, Roughly bounded by CT River, Power Canal, 9th and L St. (05/02/82)

Hampden County

Springfield, *Forest Park Heights Historic District*, Off MA 21 (08/31/82)
Westfield, *Landlord Fowler Tavern*, 171 Main St. (08/11/82)
Westfield, *Octagon House, 28 King St. (04/01/82)*

Hampshire County

Belchertown, *Belchertown Center Historic District*, Main, Maple, Walnut, Park, and Jabish Sts. (06/02/82)
Belchertown, *Walker-Collis House*, 1 Stadler St. (09/30/82)
Hatfield, *Old Mill Site Historic District*, 48 and 50 Prospect St. (06/02/82)
Northampton, *Grove Hill Mansion (Dimock Estate)*, Florece Rd. and Front St. (08/11/82)
Ware, *Otis Company Mill No. 1*, E. Main St. (05/02/82)

Middlesex County

Billerica, *Manning Manse*, 56 Chelmsford Rd. (08/11/82)
Cambridge, *Aborn, John, House (Cambridge MRA)*, 41 Orchard St. (04/13/82)
Cambridge, *Almshouse (Cambridge MRA)*, 41 Orchard St (04/13/82)
Cambridge, *American Net and Twine Company Factory (Cambridge MRA)*, 155 2nd St. (04/01/82)
Cambridge, *Ash Street Historic District (Cambridge MRA)*, Ash St. and Ash St. Place between Brattle and Mount Auburn Sts. (04/13/82)
Cambridge, *Athenaeum Press (Cambridge MRA)*, 215 1st St. (04/13/82)
Cambridge, *B and B Chemical Company (Cambridge MRA)*, 780 Memorial Dr. (04/13/82)
Cambridge, *Barnes, James B., House (Cambridge MRA)*, 200 Monsignor O'Brien Hwy. (04/13/82)
Cambridge, *Berkeley Street Historic District (Cambridge MRA)*, Berkeley St. (04/13/82)
Cambridge, *Beth Israel Synagogue (Cambridge MRA)*, 238 Columbia St. (04/13/82)
Cambridge, *Bigelow Street Historic District (Cambridge MRA)*, Bigelow St. (04/13/82)
Cambridge, *Billings, Frederick, House (Cambridge MRA)*, 45 Orchard St. (04/13/82)
Cambridge, *Bottle House Block (Cambridge MRA)*, 204–214 3rd St. (04/13/82)
Cambridge, *Brattle Hall (Cambridge MRA)*, 40 Brattle St. (04/13/82)
Cambridge, *Building at 10 Follen Street (Cambridge MRA)*, 10 Follen St. (04/13/82)
Cambridge, *Building at 106–108 Inman St (Cambridge MRA)*, 106–108 Inman St. (04/13/82)
Cambridge, *Building at 42 Edward J. Lopez Avenue (Cambridge MRA)*, 42 Edward J. Lopez Ave. (04/13/82)
Cambridge, *Buildings at 110–112 Inman St. (Cambridge MRA)*, 110–112 Inman St. (04/13/82)
Cambridge, *Buildings at 15–17 Lee St. (Cambridge MRA)*, 15–17 Lee St. (04/13/82)
Cambridge, *Cambridge Public Library (Cambridge MRA)*, 449 Broadway St. (04/13/82)
Cambridge, *City Hall Historic District (Cambridge MRA)*, Massachusetts Ave., Bigelow and Temple Sts, Inman and Richard Allen Dr. (04/13/82)
Cambridge, *Colburn, Sara Foster, House (Cambridge MRA)*, 7 Dana St. (04/13/82)
Cambridge, *Conventual Church of St. Mary and St. John (Cambridge MRA)*, 980 Memorial Dr. (04/13/82)
Cambridge, *Cook, William, House (Cambridge MRA)*, 71 Appleton St. (04/13/82)
Cambridge, *Day, Anna, House (Cambridge MRA)*, 139 Cushing St. (04/13/82)
Cambridge, *Deane-Williams House (Cambridge MRA)*, 21–23 Fayette St. (04/13/82)
Cambridge, *Dodge, Edward, House (Cambridge MRA)*, 70 Sparks St. (04/13/82)
Cambridge, *East Cambridge Savings Bank (Cambridge MRA)*, 292 Cambridge St. (04/13/82)
Cambridge, *Farwell, R.H., House (Cambridge MRA)*, 2222–2224 Massachusetts Ave. (04/13/82)
Cambridge, *Fresh Pond Hotel (Cambridge MRA)*, 234 Lakeview Ave. (04/13/82)
Cambridge, *Frost, Robert, House (Cambridge MRA)*, 29–35 Brewster St. (04/13/82)
Cambridge, *Frost, Walter, House (Cambridge MRA)*, 10 Frost St. (04/13/82)
Cambridge, *Greek revival Cottage (Cambridge MRA)*, 59 Rice St. (04/13/82)
Cambridge, *Harvard Square Historic District (Cambridge MRA)*, Massachusetts Ave., Boylston and Brattle Sts. (04/13/82)
Cambridge, *Harvard Street Historic District (Cambridge MRA)*, Harvard St. Between Ellery and Hancock Sts. (04/13/82)
Cambridge, *Hastings Square Historic District (Cambridge MRA)*, Roughly bounded by Rockingham, Henry, Chestnut and Brookline Sts. (04/13/82)
Cambridge, *Henderson Carriage Repository (Cambridge MRA)*, 2067–2089 Massachusetts Ave. (04/13/82)
Cambridge, *Higginson, Colonel Thomas Wentworth, House (Cambridge MRA)*, 29 Buckingham St. (04/13/82)
Cambridge, *Howells, William Dean, House (Cambridge MRA)*, 37 Concord Ave. (04/13/82)
Cambridge, *Hoyt, Benjamin, House (Cambridge MRA)*, 134 Otis St. (04/13/82)
Cambridge, *Hubbard Park Historic District (Cambridge MRA)*, Hubbard Park, Mercer Circle and Sparks St. (04/13/82)
Cambridge, *Inman Square Historic District (Cambridge MRA)*, Hampshire, Cambridge, and Inman Sts. (04/13/82)
Cambridge, *Kidder-Sargent-McCrehan House (Cambridge MRA)*, 146 Rindge Ave. (04/13/82)
Cambridge, *Kingsley, Chester, House (Cambridge MRA)*, 10 Chester St. (04/13/82)
Cambridge, *Lamson, Rufus, House (Cambridge MRA)*, 72–74 Hampshire St. (04/13/82)
Cambridge, *Larches, The (Cambridge MRA)*, 22 Larch Rd. (04/13/82)
Cambridge, *Lechmere Point Corporation Houses (Cambridge MRA)*, 45–51 Gore St. and 25 3rd St. (04/13/82)
Cambridge, *Lowell School (Cambridge MRA)*, 25 Lowell St. (04/13/82)
Cambridge, *Mason, Josiah, Jr., House (Cambridge MRA)*, 11 Market St. (04/13/82)
Cambridge, *McLean, Isaac, House (Cambridge MRA)*, 2218 Massachusetts Ave. (04/13/82)
Cambridge, *Mead, Alpheus, House (Cambridge MRA)*, 2200 Massachusetts Ave. (04/13/82)
Cambridge, *Melvin, Isaac, House (Cambridge MRA)*, 19 Centre St. (04/13/82)
Cambridge, *Newman, Andrew, House (Cambridge MRA)*, 23 Fairmont St. (04/13/82)
Cambridge, *Norfolk Street Historic District (Cambridge MRA)*, Norfolk St. between Suffolk and Austin Sts. (04/13/82)
Cambridge, *Noyes, J.A., House (Cambridge MRA)*, 1 Highland St. (04/13/82)
Cambridge, *Odd Fellows Hall (Cambridge MRA)*, 536 Massachusetts Ave. (04/13/82)
Cambridge, *Old Cambridge Baptist Church (Cambridge MRA)*, 398 Harvard St. (04/13/82)
Cambridge, *Opposition House (Cambridge MRA)*, 2–4 Hancock Pl. (04/13/82)
Cambridge, *Prospect Congregational Church (Cambridge MRA)*, 99 Prospect St. (04/13/82)
Cambridge, *Read, Cheney, House (Cambridge MRA)*, 135 Western Ave. (04/13/82)
Cambridge, *Reardon, Edmund, House (Cambridge MRA)*, 195 Erie St. (04/13/82)
Cambridge, *River Street Firehouse (Cambridge MRA)*, 176 River St. (04/13/82)
Cambridge, *Sacred Heart Church, Rectory, School and Convent (Cambridge MRA)*, 6th and Thorndike Sts. (04/13/82)
Cambridge, *Salem-Auburn Streets Historic District (Cambridge MRA)*, Salem and Auburn Sts. (04/13/82)
Cambridge, *Sands, Ivory, House (Cambridge MRA)*, 145 Elm St. (04/13/82)
Cambridge, *Slowey, Patrick, House (Cambridge MRA)*, 73 Bolton St. (04/13/82)
Cambridge, *Soule, Lawrence House (Cambridge MRA)*, 11 Russell St. (04/13/82)
Cambridge, *Taylor Square Firehouse (Cambridge MRA)*, 113 Garden St. (04/13/82)
Cambridge, *Union Railway Car Barn (Cambridge MRA)*, 613–621 Cambridge St. (04/13/82)
Cambridge, *Upper Magazine Street Historic District (Cambridge MRA)*, Cottage, Magazine, William and Perry Sts. (04/13/82)
Cambridge, *Urban Rowhouse (Cambridge MRA)*, 40–48 Pearl St. (04/13/82)
Cambridge, *Urban Rowhouse (Cambridge MRA)*, 30–38 Pearl St. (04/13/82)
Cambridge, *Watson, Abraham, House (Cambridge MRA)*, 181–183 Sherman St. (04/13/82)
Cambridge, *Willis, Stillman, House (Cambridge MRA)*, 1 Potter Park (04/13/82)
Cambridge, *Winter Street Historic District (Cambridge MRA)*, Winter St. (04/13/82)
Cambridge, *Wyeth Brickyard Superintendent's House (Cambridge MRA)*, 336 Rindge Ave. (04/13/82)
Cambridge, *Wyeth, John, House (Cambridge MRA)*, 56 Aberdeen Ave. (04/13/82)
Cambridge, *Wyeth-Smith House (Cambridge MRA)*, 152 Vassal Lane (04/13/82)
Hudson, *Mossman, Col. Adelbert, House*, 76 Park St. (09/30/82)

Lowell, *Allen House*, 57 Rolfe St. (08/11/82)
Lowell, *South Common Historic District*, Roughly bounded by Summer, Gorham, Horndike, and Highland Sts. (08/10/82)
Lowell, *Wamesit Canal-Whipple Mill Industrial Complex*, 576 Lawrence St. (08/11/82)
Lowell, *Washington Square Historic District*, Roughly bounded by Merrimack, Park, Andover, Oak, Harrison, and Willow Sts. (08/11/82)
Melrose, *Melrose Town Center Historic District*, Main St. (04/01/82)
Newton, *Farlow and Kendrick Parks Historic District*, Roughly bounded by Franklin, Park, Church, Center and Wesley Sts. and Maple Ave. (07/08/82)
Newton, *First Baptist Church in Newton*, 848 Beacon St. (04/15/82)
Weston, *Hobbs, Isaac, House*, 87 North Ave. (06/01/82)
Winchester, *Sanborn House*, 15 High St. (12/14/81)

Norfolk County

Milton, *Belcher-Rowe House*, 26 Governor Belcher Lane (04/01/82)
Needham, *Lewis, Joshua, House*, 178 South St. (04/01/82)
Needham, *Mills, Davis, House*, 945 Central Ave. (04/01/82)
Needham, *Tolman-Gay House*, 1196 Central Ave. (06/01/82)
Needham, *Townsend House*, 980 Central Ave. (04/01/82)
Quincy, *Hancock Cemetery*, Hancock St. in Quincy Sq. (01/28/82)
Walpole, *Walpole Town Hall*, Main St. (10/08/81)
Weymouth, *Old South Union Church*, 25 Columbian St. (04/01/82)

Plymouth County

Brockton, *Curtis Building*, 105–109 Main St. (04/15/82)
Brockton, *Forest Avenue School*, Concord Ave. (07/15/82)
Brockton, *Goldthwaite Block*, 99–103 Main St. (04/15/82)
Brockton, *Howard Block*, 93–97 Main St. (04/15/82)
Brockton, *Lyman Block*, 83–91 Main St. (04/15/82)
Norwell, *Norwell Village Area Historic Distict*, MA 123 (06/02/82)
Plymouth, *Harlow, Sgt. William, Family Homestead*, 8 Winter St. (04/15/82)
Plymouth, *Plymouth Village Historic District*, Roughly bounded by Water, Main and Brewster Sts. (06/02/82)

Suffolk County

Boston (Charlestown), *Roughan Hall*, 15–18 City Sq. (04/15/82)
Boston (East Boston), *McKay, Donald, House*, 78–80 White St. (06/02/82)
Boston (Jamaica Plain), *Haffenreffer Brewery*, Germania St. (05/02/82)
Boston, *Adams-Nervine Asylum*, 990–1020 (06/01/82)
Boston, *Fields Corner Municipal Building*, 1 Arcadia St., 195 Adams St. (11/12/81)
Chelsea, *Chelsea Square Historic District*, Broadway, Medford, Tremont, Winnisimmett, Cross, Park and Beacon Sts. (04/08/82)
Chelsea, *Kimball, C. Henry, House*, 295 Washington St. (04/15/82)

Worcester County

Upton, *Knowlton Hat Factory*, 134 Main St. (06/01/82)
Grafton, *Willard House and Clock Museum*, 11 Willard St. (06/01/82)
Holden, *Rogers House*, 28 Boyden Rd. (06/01/82)
Leominster, *Monument Square Historic District*, Main and Water Sts., and Grove Ave. (07/08/82)
Leominster, *Wachusett Shirt Company*, 97–100 Water St. (07/08/82)
North Brookfield, *Camp Atwater (David Fisher Atwater Camp)*, Shore Rd. (04/15/82)
Petersham, *Petersham Common Historic District*, MA 32/122 (05/11/82)
Sturbridge, *Wight, Oliver, House*, Main St. (06/01/82)
Webster, *Main Street Historic District*, 175–299 and 228–274 Main St. (04/06/82)

Essex County

Andover, *Follansbee House (Town of Andover MRA)* 459 Lowell St. (06/10/82)

MICHIGAN

Arenac County

Omar, *Second Arsenac County Courthouse*, Central Ave. (04/15/82)

Baraga County

L'Anse vicinity, *Hebard–Ford Summer House*, NE of L'Anse (05/05/82)

Bay County

Bay City, *Bay County Building*, 515 Center Ave. (03/25/82)
Bay City, *Center Avenue Neighborhood Residential District*, Roughly bounded by Green and N. Madison Aves, 5th and 6th Sts. (04/22/82)
Bay City, *Midland Street Commercial District*, Roughly bounded by John, Vermont, Catherine and Litchfield Sts. (04/22/82)
Bay City, *Pere Marquette Railroad Depot, Bay City Station*, 919 Boutell Pl. (04/15/82)

Berrien County

Berrien Springs, *Old Berrien County Courthouse Complex*, (boundary increase, previously listed as Berrien Springs Courthouse), Cass, Kimmel, Madison, and Union Sts. (04/29/82)

Calhoun County

Marshall, *Prindle, William, Livery Stable (Marshall Town Hall)*, 323 W. Michigan Ave. (06/19/82)

Cass County

Marcellus vicinity, *Newton, George, House*, 20689 Marcellus Hwy. (05/12/82)

Chippewa County

Sault Ste. Marie, *Church of Our Saviour, Friend of Children*, Payment Settlement and Sugar Island (07/08/82)

Clare County

Farwell, *Hitchcock, George and Martha, House*, 205 E. Michigan St. (06/21/82)

Genessee County

Flint, *Knight, Morris A., House*, 1105 Church ST. (07/29/82)

Gogebic County

Ironwood, *Curry, Solomon S., House*, 631 E. McLeod Ave. (04/22/82)

Grand Traverse County

Traverse City vicinity, *Hedden Hall-(Porter Hotel)*, 18599 Old Mission Rd. (04/15/82)

Hillsdale County

Hillsdale vicinity, *Kirby, William R., Sr., House*, 377 State Rd. (07/20/82)
Hillsdale, *Hillsdale County Courthouse*, Howell St (06/11/82)

Houghton County

Houghton, *Douglass House*, Sheldon Ave. and Isle Royale St. (05/13/82)
Houghton, *Shelden-Dee Block*, Shelden Ave. and Isle Royale St. (04/22/82)
Lake Linden, *Bosch, Joseph, Building*, 302 Calumet Ave. (04/22/82)
Lake Linden, *Lake Linden Village Hall and Fire Station*, 401 Calumet Ave. (10/26/81)
South Range, *Kaleva Temple*, Trimountain Ave. (03/19/82)

Isabella County

Clarksville, *Clarksville Methodist Church (Nineteenth Century Churches in Clarksville TR)*, 334 Main St. (04/06/82)
Mount Pleasant, *St. John's Episcopal Church*, 206 W. Maple St. (04/22/82)

Kalamazoo County

Schoolcraft, *Thomas, Dr. Nathan M., House*, 613 East Cass St. (04/22/82)

Kent County

Grand Rapids, *Heartside Historic District*, Division, Commerce, and Ionia Aves., Fulton, Weston, Oakes, and Cherry Sts. (03/02/82)
Grand Rapids, *Third Reformed Church*, 1009 Hermitage St., SE (04/22/82)

Lapeer County

North Branch, *Pioneer State Bank No. 36*, 4046 Huron St. (04/22/82)

Lenawee County

Adrian vicinity, *Raisin Valley Friends Meetinghouse*, 3552 N. Adrian Hwy. (04/28/82)

Luce County

Newbery, *Luce County Sheriff's House and Jail*, 411 W. Harrie St. (04/27/82)

Mackinac County

St. Ignace, *Chambers, John, House*, 90 North State St. (04/22/82)

Macomb County

Mt. Clemens, *Grand Trunk Western Railroad, Mount Clemens Station*, 198 Grand St. (10/26/82)

Manistee County

Manistee, *Manistee Central Business District*, Roughly bonded by Maple, Washington, Water and River Sts. (05/07/82)

Menominee County

Menominee, *Chicago, Milwaukee, St. Paul's and Pacific Railroad Station*, 219 West Fourth Ave. (04/22/82)

Monroe County

Monroe, *East Elm-North Macomb Street Historic District (City of Monroe MRA)*, Roughly bounded by River Raisin, Lorain, Monroe and Macomb Sts. (05/06/82)
Monroe, *Old Village Historic District (City of Monroe MRA)*, MI 50 and MI 125 (05/06/82)
Monroe, *St. Mary's Church Complex Historic District (City of Monroe MRA)*, Elm Ave. and MI 125 (05/06/82)
Monroe, *Weis Manufacturing Company*, Union and 7th Sts. (10/26/82)

Muskegon County

Muskegon, *Amazon Hosiery Mill*, 530–550 W. Western Ave. (04/15/82)
Muskegon, *Muskegon YMCA Building*, 297 W. Clay Ave. (06/11/82)

Oakland County

Orchard Lake, *Orchard Lake Schools Historic District*, Indian Trail (03/19/82)

Ottawa County

Grand Haven, *Ferry, Edward P., House*, 514 Lafayette St. (03/19/82)

Saginaw County

Saginaw, *Bearinger Building (Center Saginaw MRA)*, 124 N. Franklin (07/09/82)
Saginaw, *Brockway, Abel, House (Center Saginaw MRA)*, 1631 Brockway (07/09/82)
Saginaw, *Carriage, Davis, House (Center Saginaw MRA)*, 519 N. Fayette (07/09/82)
Saginaw, *Central Warehouse (Center Saginaw MRA)*, 1800 N. Michigan (07/09/82)
Saginaw, *Cushway, Benjamin, House (Center Saginaw MRA)*, 1404 S. Fayette (07/09/82)
Saginaw, *East Genesee Historic Business District (Center Saginaw MRA)*, Bounded by Federal, Weadock, 2nd and Jones Sts. (07/09/82)
Saginaw, *East Saginaw Historic Business District (Center Saginaw MRA)*, Roughly bounded by Federal, N. Water, N. Washington and N. Franklin Sts. (07/09/82)
Saginaw, *Grove, The (Center Saginaw MRA)*, S. Washington (07/09/82)
Saginaw, *House at 1514 N. Michigan Street (Center Saginaw MRA)*, 1514 N. Michigan St. (07/09/82)
Saginaw, *Michigan Bell Building (Center Saginaw MRA)*, 309 S. Washington (07/09/82)
Saginaw, *North Jefferson Avenue Historic District (Center Saginaw MRA)*, Carroll and Jefferson Aves. (07/09/82)
Saginaw, *North Michigan Avenue Historic District (Center Saginaw MRA)*, Roughly bounded by Monroe, Fayette, N. Hamilton and W. Remington Sts. (07/09/82)
Saginaw, *Peters, Charles, Sr., House (Center Saginaw MRA)*, 130 N. 6th (07/09/82)
Saginaw, *Sacket, Russell, House (Center Saginaw MRA)*, 6104 Ct. (07/09/82)
Saginaw, *Saginaw Central City Expansion District (Center Saginaw MRA)*, Off MI 13 (07/09/82)
Saginaw, *Saginaw City Historic Business District (Center Saginaw MRA)*, Roughly bounded by Saginaw River, S. Michigan, Cleveland and Van Buren Aves. (07/09/82)
Saginaw, *South Jefferson Avenue Historic District (Center Saginaw MRA)*, Off MI 13 (07/09/82)
Saginaw, *South Michigan Avenue Historic District (Center Saginaw MRA)*, Roughly bounded by Fayette, Lyon, Lee and S. Hamilton Sts. (07/09/82)
Saginaw, *St. John's Episcopal Church (Center Saginaw MRA)*, 509 Hancock (07/09/82)
Saginaw, *Wenzel House (Center Saginaw MRA)*, 1203 S. Fayette (07/09/82)
Saginaw, *West Side Historic Residential District (Center Saginaw MRA)*, Roughly bounded by Mason, Madison, Harrison and Lyon Sts. (07/09/82)
Saginaw, *Wright, Ammi and William, House (Center Saginaw MRA)*, 207 Garden Lane (07/09/82)

Schoolcraft County

Manistique, *Manistique Pumping Station*, Deer St. (10/26/81)
Saginaw, *South Jefferson Avenue Historic District (Center Saginaw MRA)*, Off MI 13 (07/09/82)

St. Clair County

Marine City, *Marine City City Hall*, 300 Broadway St. (01/11/82)
Port Huron, *Harrington Hotel*, 1026 Military Street (04/22/82)
Port Huron, *Ladies of the Maccabees Building*, 901 Huron Ave. (04/22/82)

St. Joseph County

Three Rivers, *Downtown Three Rivers Commercial Historic District*, N. Main St., Michigan and Portage Aves. (04/29/82)

Washtenaw County

Ann Arbor vicinity, *Parker Mill Complex*, E of Ann Arbor at Geddes and Dixboro Rds. (08/04/82)
Ann Arbor, *Anderson, William, House*, 2301 Packard Rd. (08/19/82)
Ann Arbor, *Harris Hall*, 617 East Huron St. (04/22/82)
Ann Arbor, *Hoffstetter, Jacob, House*, 322 E. Washington St. (03/19/82)
Ann Arbor, *Methodist Episcopal Church Parsonage*, 322 E. Washington St. (03/18/82)
Ann Arbor, *St. Patrick's Parish Complex*, Northfield Church and Whitmore Lake Rds. (04/23/82)
Ypsilanti, *Brinkerhoff-Becker House*, 601 W. Forest Ave. (07/08/82)
Ypsilanti, *Ypsilanti Water Works Stand Pipe*, Summit and Cross Sts. (10/26/81)

Wayne County

Detroit, *Arden Park-East Boston Historic District*, Arden Park & E. Boston Aves. between Woodward and Oakland Aves. (04/29/82)
Detroit, *Boydell, William C., House*, 4614 Cass Ave (03/19/82)
Detroit, *Cathedral Church of St. Paul Complex (Religious Structures of Woodward Ave. TR)*, 4800 Woodward Ave. (08/03/82)
Detroit, *Cathedral of the Most Blessed Sacrament (Religious Structures of Woodward Ave. TR)*, 9844–9854 Woodward Ave. (08/03/82)
Detroit, *Central United Methodist Church (Religious Structures of* Woodward Ave. TR), Woodward Ave. E. Adams St. (08/03/82)
Detroit, *Central Woodward Christian Church (Religious Structures of Woodward Ave. TR)*, 9000 Woodward Ave. (08/03/82)
Detroit, *Coronado Apartments*, 3751–73 Second Ave. (04/22/82)
Detroit, *First Baptist Church of Detroit (Religious Structures of Woodward Ave. TR)*, 8601 Woodward Ave. (08/03/82)
Detroit, *First Unitarian Church of Detroit (Religious Structures of Woodward Ave. TR)*, 2870 Woodward Ave. (08/03/82)
Detroit, *Gethsemane Evangelical Lutheran Church*, 4461 Twenty-eighth St. (04/22/82)
Detroit, *Grand Riviera Theater*, 9222 Grand River Ave. (04/22/82)
Detroit, *Greektown Historic District*, Monroe Ave., between Brush and St. Antoine Sts. (05/06/82)
Detroit, *Lawyers Building*, 137 Cadillac Sq. (04/22/82)
Detroit, *Lee Plaza Hotel*, 2240 West Grand Blvd. (11/05/81)
Detroit, *Metropolitan United Methodist Church (Religious Structures of Woodward Ave. TR)*, 8000 Woodward Ave. (08/03/82)
Detroit, *North Woodward Congregational Church (Religious Structures of Woodward Ave. TR)*, 8715 Woodward Ave. (08/03/82)
Detroit, *St. John's Episcopal Church (Religious Structures of Woodward Ave. TR)*, Woodward Ave. at E. Fisher Freeway (08/03/82)
Detroit, *St. John's-St. Luke's Evangelical Church*, 2120 Russell St. (04/22/82)
Detroit, *St. Joseph's Episcopal Church (Religious Structures of Woodward Ave. TR)*, 8850 Woodward Ave. (08/03/82)
Detroit, *St. Joseph's Episcopal Church (Religious Structures of Woodward Ave. TR)*, 5930 Woodward Ave. (08/03/82)
Detroit, *State Savings Bank*, 151 W. Fort St. (03/19/82)
Detroit, *Temple Beth-El (Religious Structures of Woodward Ave. TR)*, 8801 Woodward Ave. (08/03/82)
Detroit, *Temple Beth-El (WSU Bonstelle Theatre) (Religious Structures of Woodward Ave. TR)*, 3424 Woodward Ave. (08/03/82)
Detroit, *The Clay School*, 453 Martin Luther King, Jr., Blvd. (07/08/82)
Detroit, *Washington Boulevard Historic District*, Washington Blvd., State and Clifford Sts. (07/15/82)
Detroit, *Woodward Ave. Baptist Church (Religious Structures of Woodward Ave. TR)*, 1464 Woodward Ave. (08/03/82)
Detroit, *Woodward Ave. Presbyterian Church (Religious Structures of Woodward Ave. TR)*, 8501 Woodward Ave. (08/03/82)
Grosse Pointe Farms, *Alger, Russell A., Jr., House*, 32 Lake Shore Dr. (07/08/82)
Highland Park, *First United Methodist Church (Religious Structures of Woodward Ave. TR)*, 16300 Woodward Ave. (08/03/82)
Highland Park, *Grace Evangelical Lutheran Church (Religious Structures of Woodward Ave. TR)*, 12375 Woodward Ave. (08/03/82)
Highland Park, *Highland Park Presbyterian Church (Religious Structures of Woodward Ave. TR)*, 14 Cortland St. (08/03/82)

Highland Park, *Trinity United Methodist Church (Religious Structures of Woodward Ave. TR)*, 13100 Woodward Ave. (08/03/82)
Plymouth, *Baker, Henry W., House*, 233 S. Main St. (04/22/82)
Edison Institute—Greenfield Village and the Henry Ford Museum (12/21/81) (NHL)

Wexford County

Cadillac, *Shay Locomotive*, Cass St. (10/26/81)

MINNESOTA

Aitkin County

Aitkin vicinity, *Swedish Evangelical Lutheran Bethlehem Church (Aitkin County MRA)*, Off SR 12 (04/16/82)
Aitkin, *Aitkin County Courthouse and Jail (Aitkin County MRA)*, 209 and 217 2nd St. NW (04/16/82)
Aitkin, *Aitkin Public Library (Aitkin County MRA)*, 121 2nd St. NW (04/16/82)
Aitkin, *Casey, Patrick, House (Aitkin County MRA)*, 4th St. SE and 2nd Ave. (04/16/82)
Aitkin, *Northern Pacific Depot (Aitkin County MRA)*, Minnesota Ave. (04/16/82)
Aitkin, *Potter/Casey Company Building (Aitkin County MRA)*, E Minnesota Ave. between 1st and 2nd Sts. NW (04/16/82)
Hill City, *National Woodenware Company Superintendent's Residence (Aitkin County MRA)*, SW Elm St. and Ione Ave. (04/16/82)
McGrath vicinity, *Arthyde Stone House (Aitkin County MRA)*, NE of McGrath (04/16/82)

Becker County

White Earth, *St. Benedict's Mission School*, S of White Earth on CR 133 (08/24/82)

Benton County

Gilman vicinity, *Esselman Brothers General Store (Benton County MRA)*, NW of Gilman (04/06/82)
Gilman, *Saints Peter and Paul Catholic Church Complex (Benton County MRA)*, State St. (04/06/82)
Ronneby vicinity, *Ronneby Charcoal Kiln (Benton County MRA)*, W of Ronneby (04/06/82
Sauk Rapids, *Robinson, Leonard, House (Benton County MRA)*, 202 2nd Ave. S (04/06/82)
St. Cloud vicinity, *Cota Round Barns (Benton County MRA)*, SR 48 (04/06/82)

Carver County

Chanhassen, *St. Hubertus Catholic Church*, Great Plains Blvd., and W. 78th St. (03/19/82)

Chippewa County

Montevideo, *Montevideo Public Library*, 125 N. 3rd St. (06/26/82)

Dodge County

Dodge Center vicinity, *Nelson, Perry, House (Dodge County MRA)*, SR 22 (04/16/82)
Hayfield vicinity, *Holtermann, Andrew, House (Dodge County MRA)*, SR 30, S side (04/16/82)
Kasson vicinity, *Carlson, Ole, House (Dodge County MRA)*, Hwy. 15 (04/16/82)
Kasson, *Eureka Hotel (Dodge County MRA)*, 3rd Ave. SW at 1st SW (04/16/82)
Kasson, *Kasson Municipal Building (Dodge County MRA)*, 12 W. Main (04/16/82)
Kasson, *Leuthold, Jacob, Jr., House (Dodge County MRA)*, 106 2nd Ave. NW (04/16/82

Fillmore County

Chatfield, *Chatfield Shreveport Municipal Building*, 724 McNeil St. (05/05/82)
Lanesboro, *Lanesboro Historic District (Fillmore County MRA)*, MN 16 250 (09/09/82)
Preston, *Fillmore County Jail and Carriage House*, Houston and Preston Sts. (03/05/82)
Rushford, *Rushford Wagon and Carriage Company (Fillmore County MRA)*, Elm St. (04/27/82)
Spring Valley vicinity, *Pietenpol, Bernard H., Workshop and Garage (Fillmore County MRA)*, Cherry Grove Village (04/27/82)
Spring Valley, *Spring Valley Mausoleum (Fillmore County MRA)*, Spring Valley Cemetery (04/27/82)
Spring Valley, *Spring Valley Public Library (Fillmore County MRA)*, 201 S. Broadway (04/27/82)
Spring Valley, *Steffens, Ephraim, House (Fillmore County MRA)* 404 N. Broadway (04/27/82)
Spring Valley, *Strong, William, Estate (Fillmore County MRA)*, 508 N. Huron Ave. (04/27/82)

Freeborn County

Alberta Lea, *Chicago, Milwaukee, St. Paul and Pacific Railroad Depot*, 606 S. Broadway (02/02/82)

Goodhue County

Red Wing, *Red Wing Residential Historic District*, Roughly bounded by W. Fifth, W. Main, Cedar and Dakota Sts. (04/15/82)
Red Wing, *St. James Hotel and Buildings*, Bush and Main Sts. (01/08/82)

Hennepin County

Eden Prairie, *Cummings, John R., Homestead*, 13600 Pioneer Trail (09/02/82)
Edina, *Country Club District*, Roughly bounded by Minnehaha Creek, U.S. 169, Arden Ave., W. 44th and 50th Sts. (04/26/82)
Excelsior, *Excelsior Fruit Growers Association Building*, 450 3rd St. (01/04/82)
Minneapolis, *Fire Station No. 19*, 2001 University Ave. SE (01/14/82)
St. Louis Park, *Peavy-Haglin Experimental Concrete Grain Elevator*, Hwy. 7 and 100, SE Corner, (01/17/83) (NHL)

Houston County

Caledonia, *Houston County Poor Home (Houston County MRA)*, Hwy 12 (04/06/82)
Caledonia, *Sprague, Ellsworth Ara and Robert David, Houses Houston County MRA)*, 204 and 224 W. Main St. (04/06/82)
Caledonia, *Williams, Spafford, Hotel (Barnes House) (Houston County MRA)*, E. Main at N. Marshall (04/06/82)
Eitzen vicinity, *Eitzen Stone Barn (Houston County MRA)*, S of Eitzen (04/06/82)
Eitzen vicinity, *Johnson, Charles, Flour Mill (Upper Mill) (Houston County MRA)*, NE of Eitzen (04/06/82)
Eitzen vicinity, *Portland Prairie Methodist Episcopal Church (Houston County MRA)*, Off MN 76 (04/06/82)
Eitzen, *Bunge, Christian, Jr., Store (Houston County MRA)*, Iowa Ave. at Main St. (04/06/82)
LaCrescent, *Cameron, Daniel, House (Houston County MRA)*, 429–435 S. 7th St. (04/06/82)

Itasca County

Calumet vicinity, *Gran, Frank, Farmstead (Itasca County MRA)*, Off CR 10 (04/22/82)
Coleraine vicinity *Hartley Sugar Camp (Itasca County MRA)*, SE of Coleraine (04/22/82)
Coleraine vicinity, *Oliver Iron Mining Company Buildings TR (Itasca County MRA)*, (04/22/82)
Coleraine, *Canisteo District (Aitkin County MRA)*, Aitkin
Coleraine, *Canisteo District General Office Building (Oliver Iron Mining Company Buildings TR (Itasca County MRA)*, 200 Cole Ave. (04/22/82)
Coleraine, *Coleraine Methodist Episcopal Church (Itasca County MRA)*, NW Gayley and Cole Aves. (04/22/82)
Coleraine, *General Superintendent's House (Oliver Iron Mining Company Buildings TR) (Itasca County MRA)*, Morrison Ave. (04/22/82)
Coleraine, *Northern Pacific Depot (Aitkin County MRA)*, Minnesota Ave. (04/16/82)
Deer River, *Itasca Lumber Company Superintendent's House (Itasca County MRA)*, 506 5th St. SE (04/22/82)
Marble, *Oliver Boarding House (Oliver Iron Mining Company Buildings TR) (Itasca County MRA)*, Jessie St. (04/22/82)

Itasca and Cass Counties

Deer River vicinity, *Winnibigoshish Lake Dam*, SR 9 (05/11/82)

Lac Qui Parle County

Dawson, *Commercial Bank Building*, Off US 212 (01/28/82)

LeSueur County

LeSueur vicinity, *Episcopal Church (LeSueur County MRA (additions))*, Ottawa (03/15/82)
LeSueur vicinity, *German Evangelical Salem Church (LeSueur County MRA additions))*, CR 156 (03/15/82)
LeSueur vicinity, *Methodist Church (LeSueur County MRA (additions))*, Ottawa (03/15/82)
LeSueur vicinity, *Needham-Hayes House (LeSueur County MRA (additions))*, Off SR 23 (03/15/82)
LeSueur vicinity, *Ottawa Stone Buildings (LeSueur County MRA (additions))*, SE of LeSueur (03/15/82)
LeSueur, *Cosgrove, C. N., House (LeSueur County MRA (additions))*, 228 S. 2nd (03/15/82)
LeSueur, *Smith-Cosgrove House (LeSueur County MRA (additions))*, 228 S Main St. (03/15/82)
Montgomery, *Hilltop Hall (LeSueur County MRA (additions))*, 206 N. 1st St. (03/15/82)
Montgomery, *Westerman Lumber Office and House (LeSueur County MRA (additions))*, 201 S. 1st St. (03/15/82)

New Prague, *First National Bank (LeSueur County MRA (additions))*, 112 E. Main (03/15/82)
New Prague, *Hotel Broz (LeSueur County MRA (additions))*, 212 W. Main (03/15/82)
Ottawa, *Ottawa Town Hall (LaSueur County MRA (additions))*, Ottawa (03/15/82)
Ottawa, *Patten Farmhouse (LeSueur County MRA (additions))*, Ottawa (03/15/82)
Ottawa, *Rinshed House (LeSueur County MRA (additions))*, Ottawa (03/15/82)
Ottawa, *Schwartz House and Barn (LeSueur County MRA (additions))*, Ottawa (03/15/82)
Waterville, *Union Hotel (LeSueur County MRA (additions))*, 201 Paquin St. E. (03/15/82)

Lincoln County

Lake Benton, *Lake Benton Opera House and Kimball Building*, Benton St. (04/22/82)

Lyon County

Cottonwood, *Norseth, Martin, House (Lyon County MRA)*, 86 E. Main (03/15/82)
Lynd, *Kiel & Morgan Hotel/Lyon County Courthouse (Lyon County MRA)*, River St. & SR 4 (03/15/82)
Marshall, *Gieske, William F., House (Lyon County MRA)*, 601 W. Lyon (03/15/82)
Marshall, *Masonic Timple/Delta Lodge No. 119 (Lyon County MRA)*, 325 W. Main (03/15/82)
Minneota, *Anderson, J. S., House (Lyon County MRA)*, 402 E. 2nd St. (03/15/82)
Minneota, *Anderson, O. G., & Co. Store (Lyon County MRA)*, Jefferson St. (03/15/82)
Minneota, *St. Paul's Evangelical Lutheran Church & Parsonage (Lyon County MRA)*, 412–414 E Lyon St. (03/15/82)
Tracy, *First National Bank (Lyon County MRA)*, 101 3rd St. (03/15/82)

McLeod County

Winsted, *Winsted City Hall*, 181 1st St., N (08/19/82)

Mower County

Austin, *Cook-Hormel House*, 208 4th Ave., NW (08/19/82)

Nobles County

Worthington, *Citizens' National Bank*, 326 10th St. (03/18/82)

Olmsted County

Chatfield, *White, Milo, House (Hazelwood)*, 122 Burr Oak St. (03/19/82)
Rochester vicinity, *Mayowood Historic District*, SR 125 (03/31/82)
Rochester, *Avalon Hotel*, 301 N. Broadway (03/19/82)

Polk County

Gentilly, *St. Peter's Church*, Off US 2 (08/19/82)

Pope County

Glenwood vicinity, *Sunset Beach Hotel*, SR 17 (02/11/82)
Glenwood vicinity, *Terrace Historic District (Pope County MRA), off State Hwy* 104 (04/01/82)
Glenwood, *Fremad Association Building (Pope County State Bank Building) (Pope County MRA)*, 2–22 S. Franklin (04/01/82)
Glenwood, *Glenwood Public Library (Pope County MRA)*, 108 1st Ave. (04/01/82)
Glenwood, *Pope County Courthouse (Pope County MRA)*, E. Minnesota St. (04/01/82)
Lowry, *Lowry Public School (Pope County MRA)*, Florence Ave. and Maple St. (04/01/82)
Sedan vicinity, *Iverson, Urjans, Cabin*, Off MN (02/11/82)
Starbuck, *Minnewaska Hospital (Pope County MRA)*, Wollan and Fifth Sts. (04/01/82)
Villard vicinity, *Pennie, Daniel, House (Pope County MRA)*, MN 27 (04/01/82)

Ramsey County

St. Paul, *Butler, Pierce and Walter, House*, 1345–1347 Summit Ave. (04/22/82)
St. Paul, *Finch, VanSlyck and McConville Dry Goods Company Building*, 366 Wacouta St. (02/01/82)
St. Paul, *Minnesota Boat Club Boathouse on Raspberry Island*, 1 S. Wabasha St. (02/04/82)
St. Paul, *St. Paul Wqmen's City Club*, 305 St. Peter St. (03/19/82)

Rice County

Dundas, *Ault Store (Rice County MRA)*, 2nd St. (04/06/82)
Dundas, *Church of the Holy Cross (Rice County MRA)*, 2nd St. (04/06/82)
Dundas, *Martin House (Rice County MRA)*, Bridge and 1st Sts. (04/06/82)
Faribault, *Buck, Cassius, House (Rice County MRA)*, 124 1st Ave. SW (04/06/82)
Faribault, *Buckham, Thomas Scott, Memorial Library (Rice County MRA)*, Central Ave. and Division St. (04/06/82)
Faribault, *Cathedral of Our Merciful Saviour and Guild House (Boundary Increase)*, 515 NW Second Ave. (02/19/82)
Faribault, *Faribault City Hall (Rice County MRA)*, 208 1st Ave. NW (04/06/82)
Faribault, *Faribault Historic Commercial District (Rice County MRA)*, Central Ave, 2nd and 3rd Sts. (04/06/82)
Faribault, *Faribault Water Works (Rice County MRA)*, 7th St. NW (04/06/82)
Faribault, *Farmer Seed and Nursery Company (Rice County MRA)*, 818 NW 4th St. (04/06/82)
Faribault, *Hospital (Rice County MRA)*, Faribault State Hospital (04/06/82)
Faribault, *Hutchinson, John, House (Rice County MRA)*, 305 2nd St. NW (04/06/82)
Faribault, *Rice County Courthouse and Jail (Rice County MRA)*, 3rd St. and 2nd Ave. NW (04/06/82)
Faribault, *Rock Island Depot (Rice County MRA)*, 3rd St. and 1st Ave. NE (04/06/82)
Faribault, *Shattuck Historic District (Rice County MRA)*, Shumway Ave. (04/06/82)
Faribault, *St. Mary's Hall (Rice County MRA)*, 4th St., NE and 4th Ave. NE (04/06/82)
Faribault, *Steensland Library (Rice County MRA)*, St. Olaf College Campus (04/06/82)
Faribault, *Theopold Mercantile Co. Wholesale Grocery Building (Rice County MRA)*, 1st Ave. and 3rd St. NE (04/06/82)
Faribault, *Wilson, Hudson, House (Rice County MRA)*, 104 1st Ave. NW (04/06/82)
Nerstrand vicinity, *Bonde Farmhouse (Rice County MRA)*, CR 27 and MI Hwy. 246 (04/06/82)
Nerstrand vicinity, *Valley Grove (Rice County MRA)*, CR 29 off MI Hwy. 246 (04/06/82)
Nerstrand, *Nerstrand City Hall (Rice County MRA)*, Main St. (04/06/82)
Nerstrand, *Osmund Osmundson House (Rice County MRA)*, E. Nerstrand, N. Main Sts. (04/06/82)
Nerstrand vicinity, *Thorstein Veblen Farmstead*, NE of Nerstrand off MN 246, (12/21/81)(NHL)
Northfield vicinity, *Drake Farmhouse (Rice County MRA)*, CR 22 and 1 (04/06/82)
Northfield, *All Saints Church (Rice County MRA)*, Washington and 5th Sts. (04/06/82)
Northfield, *Lord, Drew H., House (Rice County MRA)*, 201 E. 3rd (04/06/82)
Northfield, *Scoville Memorial Library (Rice County MRA)*, 1st St. E. and College St. (04/06/82)
Northfield, *Skinner Memorial Chapel (Rice County MRA)*, 1st, Winona, and College Sts. (04/06/82)
Shieldsville, *St. Potrick's Catholic Church and Parsonage (Rice County MRA)*, CR 10 (04/06/82)
Webster vicinity, *Annunciation Church of Hazelwood (Rice County MRA)*, SR 46 (04/06/82)

Roseau County

Warroad, *Warrood Canadian National Railway Depot*, Main St. (04/06/82)

Scott County

New Prague, *St. Wenceslaus Church Complex*, E. Main St. (02/19/82)

Sibley County

Gibbon, *Gibbon City Hall*, 1st Ave. and 12th St. (08/19/82)
Henderson, *Poehler, August F., House*, 700 Main St. (02/04/82)

St. Louis County

Virginia, *Jukola Boardinghouse*, 201 N. 3rd Ave. (03/10/82)
Virginia, *Shirt Factory*, 305 S. 1st St. (02/04/82)

Stearns County

Avon, *Church of the Immaculate Conception (Ethnic Hamlet Churches: Stearns County Catholic Settlement TR) (Stearns County MRA)*, Off I 94 (04/15/82)
Belgrade, *Borgending, Christopher, House (Stearns County MRA)*, Washburn Ave. (04/15/82)
Cold Spring, *Hermanutz, Eugene, House (Cold Spring Brewers' Houses TR) (Stearns County MRA)*, 302 N. Red. River Ave. (04/15/82)
Cold Spring, *Oster, John, House (Cold Spring Brewers' Houses TR) (Stearns County MRA)*, 201 N. Red River Ave. (04/15/82)
Cold Spring, *Peters, Ferdinand, House (Cold Spring Brewers' Houses TR) (Stearns County MRA)*, 214 N. Red River Ave. (04/15/82)
Freeport, *Swany White Flour Mill and Miller's House (Stearns County MRA)*, Mary St. (04/15/82)
Holdingford vicinity, *Church of the Sacred Heart (Ethnic Hamlet Churches: Stearns County Catholic Settlement TR) (Stearns County MRA)*, Arban (04/15/82)
K'mball, *Kimball Prairie Village Hall (Stearns County MRA)*, Main St. and Hazel (04/15/82)

Rockville, *Clark and McCormack Quarry and House (Stearns County MRA)*, MN 23 at Pine St. (04/15/82)
Sauk Centre, *Palmer House Hotel*, 500 Sinclair Lewis Ave. (02/11/82)
St. Augusta, *St. Mary Help of Christians Church and Rectory (Ethnic Hamlet Churches: Stearns County Catholic Settlement TR) (Stearns County MRA)* CR 7 (04/15/82)
St. Cloud, *Bensen, John N., House*, 402 6th Ave., S (02/11/82)
St. Cloud, *Bishop's House/Chancery Office (Stearns County MRA)*, 214 3rd Ave. S. (04/15/82)
St. Cloud, *Clarke, Nehemiah P., House (Stearns County MRA)*, 356 3rd Ave. S (04/15/82)
St. Cloud, *Fifth Avenue Commercial Buildings (Stearns County MRA)*, 14–30 5th Ave. S (even numbers only) (04/15/82)
St. Cloud, *First National Bank (Stearns County MRA)*, 501 St. Germain St. (04/15/82)
St. Cloud, *St. Cloud Public Library (Stearns County MRA)*, 124 5th Ave. S (04/15/82)
St. Cloud, *Stearns County Courthouse and Jail (Stearns County MRA)*, 1st St. and 8th Ave. N (04/15/82)
St. Joseph, *Church of St. Joseph and Rectory (Ethnic Hamlet Churches: Stearns County Catholic Settlement TR) (Stearns County MRA)*, Minnesota St. and College Ave. (04/15/82)
St. Joseph, *First State Bank (Stearns County MRA)*, 23 Minnesota St. W. (04/15/82)
St. Stephen, *Church of St. Stephen and Rectory (Ethnic Hamlet Churches: Stearns County Catholic Settlement TR) (Stearns County MRA)*, CR 2 (04/15/82)
St. Anthony vicinity, *Gogala, Anton, Farmstead (Stearns County MRA)*, SR 39 and MN 238 (04/15/82)

Stevens County

Morris, *Stanton, Lewis H., House (The Chimneys)*, 907 Park St. (08/19/82)

Wabasha County

Wabasha, *First Congregational Parsonage*, 305 W. 2nd St. (02/04/82)
Wabasha, *Grace Memorial Episcopal Church*, 205 E. 3rd St. (02/04/82)
Wabasha, *Wabasha Commercial District*, Roughly bounded by R.R. tracks, Bridge and Bailey Aves. and Second St. (04/15/82)
Wabasha, *Wabasha County Poor House*, Hiawatha Dr. (08/26/82)

Waseca County

Janesville, *Janesville Free Public Library*, 102 W. 2nd St. (08/19/82)
New Richland vicinity, *Vista Lutheran Church*, N of New Richland off MN 13 (08/26/82)
Waseca, *Armstrong, W. J., Company Wholesale Grocers*, 202 SW 2nd St. (08/19/82)
Waseca, *Aughenbaugh, W. J., House*, 831 NE 3rd Ave. (08/24/82)
Waseca, *Ward, R. Percy, House*, 804 E. Elm Ave. (08/19/82)
Waseca, *Waseca County Courthouse*, 307 N. State St. (09/02/82)
Waseca, *Wolf, W. R., House*, 522 2nd Ave. NE (08/24/82)

Washington County

Afton/Valley Creek, *Bolles, Erastus, House (Valley Creek Residences TR) (Washington County MRA)*, 1741 Stagecoach Trail (04/20/82)
Afton/Valley Creek, *Gilbert, Newington, House (Valley Creek Residences TR) (Washington County MRA)*, 1678 Stagecoach Trail (04/20/82)
East Cottage Grove, *Furber, J. P., House (Washington County MRA)* 7310 Lamar Ave. (04/20/82)
Lakeland, *Jackson, Mitchell, Farmhouse*, 16376 7th St. Lane South (02/19/82)
Stillwater, *Hersey, Roscoe, House*, 416 S. 45th St. (02/19/82)
Stillwater, *Jenks, Capt. Austin, House (Washington County MRA)*, 504 S. 5th St. (04/20/82)
Stillwater, *Lammers, Albert, House (Washington County MRA)*, 1306 S. 3rd St. (04/20/82)
Stillwater, *McKusick, Ivory, House (Washington County MRA)*, 504 N. 2nd St. (04/20/82)
Stillwater, *Minneapolis & St. Paul Suburban Railway Company Office & Power House (Washington County MRA)*, 518 N. Owens (04/20/82)
Stillwater, *Old Minnesota State Prison (Washington County MRA)*, Main and Laurel Sts. (04/20/82)
Stillwater, *Sountry, William, House and Recreation Hall (Washington County MRA)*, 624 N. 4th St. and 625 N. 5th St. (04/20/82)
Stillwater, *St. Croix Lumber Mills (Stillwater Manufacturing Company) (Washington County MRA)*, 318 N. Main (04/20/82)
Stillwater, *Stussi, Henry, House (Washington County MRA)*, 9097 Mendel Rd. (04/20/82)
Stillwater, *Webster, Mortimer, House (Washington County MRA)*, 435 S. Broadway (04/20/82)

Winona County

Homer vicinity, *Rockledge*, US Highway 61 (08/26/82)
Winona, *Schlitz Hotel*, 129 W. 3rd St. (08/26/82)

MISSISSIPPI

Adams County

Natchez vicinity, *Cedar Grove*, SE of Natchez (03/19/82)
Natchez vicinity, *China Grove Plantation*, S of Natchez (04/07/82)
Natchez vicinity, *Foster's Mound*, NE of Natchez off US 61 (09/02/82)
Natchez vicinity, *Kingston Methodist Church*, SE of Natchez (05/13/82)
Natchez *Brandon, Gerald, IV, House*, 708 N Union St. (03/19/82)
Natchez *Dicks, John, House*, 802 N. Union St. (03/25/82)
Natchez *Keyhole House*, 1016 Main St. (03/25/82)
Washington vicinity, *Warren-Erwin House*, Palestine Rd. (03/19/82)

Amite County

Centreville vicinity, *Sunnyslope*, NE of Centreville (03/22/82)

Chickasaw County

Houston, *Judge Bates House*, S. Monroe St. (05/06/82)

Claiborne County

Lorman, *Alcorn State University Historic District*, Alcorn State University campus (05/17/82)

Clay County

West Point, *West Point Central City Historic District*, MS 50 (08/01/82)

DeSoto County

Olive Branch vicinity, *Miller Plantation House*, Miller Rd. (07/15/82)

Franklin County

Meadville, *Franklin County Courthouse*, Courthouse Sq. (12/17/81)

Hinds County

Jackson, *Merrill-Maley House*, 739 N. State St. (04/29/82)
Raymond vicinity, *McNair Plantation*, SE of Raymond on MS 18 (05/03/82)

Humphreys County

Lake City vicinity, *Slate Archaeological Site (22 HU655)*, (07/08/82)

Jackson County

Hurley vicinity, *DeGroote Folk House*, NE of Hurley off MS 613 (05/04/82)

Lowndes County

Columbus, *South Columbus Historic District*, U.S. 82 (06/08/82)

Madison County

Canton, *Canton Courthouse Square Historic District*, Center, Liberty, Peace and Union Sts. (08/30/82)
Tougaloo, *Boddie, John W., House*, Tougaloo College campus (05/13/82)

Marshall County

Holly Springs, *Chalmers Institute (Holly Springs MRA)*, W. Chulahoma Ave. (06/28/82)
Holly Springs, *Hillcrest Cemetery (Holly Springs MRA)* Center St. (06/28/82)
Holly Springs, *Malone House (Holly Springs MRA)*, 197 W. College Ave. (06/28/82)
Holly Springs, *Oakview (Rust College Infirmary) Holly Springs MRA)*, Rust College Campus, Rust Ave. (06/28/82)
Holly Springs, *Old Water and Electric Light Plant (Holy Springs MRA)*, 140 E. Falconer Ave. (06/28/82)

Oktibbeha County

Starkville, *Greensboro Street, Historic District*, Greensboro St. (06/14/82)

Tallahatche County

Charleston, *Lamb-Fish Bridge*, E. of Charleston (05/17/82)
Sumner, *Murphey-Jennings House*, 307 Walnut St. (03/25/82)

Warren County

Vicksburg, *Anchuca*, 1010 1st E. St. (03/22/82)
Vicksburg, *Davis-Mitchell House*, 901 Crawford St. (06/01/82)

Vicksburg, *Feld House*, 2108 Cherry St. (08/02/82)
Vicksburg, *Lane, John, House*, 905 Crawford St. (05/06/82)
Vicksburg, *Walnut Hills*, 1214 Adams St. (03/19/82)
Vicksburg, *Young-Brodfield House*, 913 Crawford St. (05/06/82)

Washington County

Greenville, *Finlay House*, 137 N. Poplar St. (04/27/82)
Greenville, *Old Delta Democrat Times Building*, 201–203 Main St. (03/25/82)

Wilkinson County

Centreville vicinity, *Forest Home Plantation*, SW of Centreville (03/19/82)
Woodville, *Woodville Historic District*, Roughly bounded by Prentiss, 2nd, College, Siglo, and Water Sts. (09/30/82)

Yalobusha County

Coffeeville, *Coffeeville Hotel*, (03/01/82)

MISSOURI

Atchison County

Tarkio, *Walnut Inn*, 224 Main St. (04/12/82)

Boone County

Columbia, *Pierce Pennant Motor Hotel*, 1406 Old US 40 W. (09/02/82)

Buchanan

Rushville vicinity, *Fenton, Enoch Madison, House (Edward Jackson Fenton House)*, SE of Rushville (04/12/82)
St. Joseph, *Miller-Porter-Lacy House*, 2912 Frederick Blvd. (09/09/82)
St. Joseph, *Richardson, John D., Dry Goods Company*, 300 N. 3rd St. (04/12/82)
St. Joseph, *St. Joseph Public Library*, 10th and Felix Sts. (09/20/82)
St. Joseph, *Vosteen-Hauck House*, 913 N. 2nd St. (09/23/82)

Calloway County

Fulton, *Westminster College Historic District*, Off Westminster Ave. (04/12/82)

Cape Girardeau County

Cape Girardeau, *St. Vincent De Paul Catholic Church*, 131 South Main St. (04/12/82)

Cass County

Harrisonville, *St. Peter's Episcopal Church*, 400 W. Wall St. (09/09/82)

Clay County

Kearney vicinity, *Claybrook House*, NE of Kearney (12/21/81)

Cooper County

Jamestown vicinity, *Dick-Kobel Homestead*, W of Jamestown (09/09/82)
Pleasant Green vicinity, *Prairie View*, E of Pleasant Green off MO 135 (09/20/82)

Daviess County

Gallatin, *Ray, A., Taylor House*, 212 W. Van Buren St. (04/12/82)

DeKalb County

Stewartsville vicinity, *Dalton-Uphoff House*, N of Stewartsville (04/12/82)
Weatherby vicinity, *Riggs, Absolom, House*, SR 1 (04/12/82)

Gasconade County

Hermann vicinity, *Vallet-Donuser House*, E of Hermann on MO 100 (09/23/82)

Greene County

Springfield, *Abou Ben Adhem Shrine Mosque*, 601 E. St. Louis (09/09/82)

Howard County

Fayette, *Oakwood*, 1 Leonard Ave. (09/23/82)
Fayette, *St. Mary's Episcopal Church*, 104 W. Davis St. (09/09/82)
Franklin vicinity, *Cedar Grove*, W of Franklin (07/19/82)
Glasgow, *Glasgow Presbyterian Church*, Commerce and 4th Sts. (09/09/82)

Jackson County

Kansas City, *Beth Shalom Synagogue*, 3400 The Paseo (09/09/82)
Kansas City, *Corrigan, Thos., Building*, 1828 Walnut St. (09/16/82)
Kansas City, *Fire Department Headquarters; Fire Station #2*, 1020 Central Ave. (09/02/82)
Kansas City, *Gate City National Bank*, 1111 Grand Ave. (09/02/82)
Kansas City, *Meyer, August, House*, 4415 Warwick Blvd. (09/09/82)
Kansas City, *Mutual Musicians Association Building*, 1823 Highland Ave. (12/21/81)(NHL)
Kansas City, *Webster School*, 1644 Wyandotte St. (09/02/82)
Kansas City, *West Eleventh Street Historic District*, Central and W. 11th Sts. (09/09/82)

Jasper County

Webb City, *Middle West Hotel*, 1 S. Main St. (09/16/82)

Laclede County

Lebanon, *Ploger-Moneymaker Place*, 291 Harwood Ave. (09/23/82)

Lafayette County

Higginsville vicinity, *Confederate Chapel, Cemetery and Cottage*, N of Higginsville (12/16/81)

Missouri County

Clayton, *Carrswold Historic District*, 1–26 Carrswold Dr. (09/09/82)

Moniteau County

California, *Old Barnhill Building*, 301 North High St. (04/12/82)
California, *Old California City Hall and Fire Station*, 101 North High St. (04/12/82)

Montgomery County

Starkenburg, *Shrine of Our Lady of Sorrows*, SR P (09/09/82)

Morgan County

Barnett vicinity, *Ratcliff, Jesse, House*, NE of Barnett (04/12/82)

Osage County

Rich Fountain, *Sacred Heart Catholic Church and Parsonage*, SR U (09/09/82)

Pemiscot County

Caruthersville, *Caruthersville Water Tower*, W. 3rd St. (09/09/82)

Pike County

Louisiana, *Luce-Dyer House*, 220 N. 3rd St. (09/23/82)

Ray County

Richmond, *Dougherty Auditorium*, 203 W. Main St. (09/16/82)

Shannon County

Eminence vicinity, *Alley Spring Roller Mill*, W of Eminence off MO 106 (12/08/81)

St. Charles County

New Melle, *St. Paul's Church*, SR D (09/09/82)
St. Charles, *Watson, Samuel Stewart, House*, 205 S. Duchesne Dr. (09/23/82)

St. Louis (Independent City)

Aubert Place (Fountain Park), Fountain Ave. between Walton Ave. and Kings Highway (09/30/82)
Barr Branch Library Historic District, 2500–2630 Lafayette Ave. (09/02/82)
Building at 1300 Washington Avenue, 1300–1310 Washington Ave. (09/02/82)
Butler House, 4484 W. Pine Blvd. (09/02/82)
Chemical Building, 721 Olive St. (03/19/82)
Des Peres School, 6307 Michigan Ave. (09/02/82)
Hargodine-McKittrick Dry Goods Building, 911 Washington Ave. (03/19/82)
Hotel Statler, 822 Washington Ave. (03/19/82)
Lincoln Trust Building, 706 Chestnut St. (03/19/82)
Lindell Real Estate Company Building, 1015 Washington Ave (03/19/82)
Phillips, Homer G., Hospital, 26101 Whittier St. (09/23/82)
Principia/Page-Park YMCA Gymnosium, 5569 Minerva Ave. (09/02/82)
S.S. Cyril and Methodius Historic District, I-70 (06/28/82)
Shaw Avenue Place, Roughly bounded by De Tanty St., S. Spring, Shaw and S. Grand Aves. (04/12/82)
Silk Exchange Building, 501–511 N. Tucker Blvd. (09/02/82)
Union Trust Company Building, 705 Oliver St. (06/17/82)
Wiltshire and Versailles Historic Building, 724 and 709 Skinker Blvd. (09/29/82)

St. Louis County

Clayton, *Brentmoor Park, Brentmoor and Forest Ridge District*, Big Bend and Wydown Blvds. (09/23/82)
Clayton, *Haarstick-Whittemore Houses*, 6420 and 6440 Forsyth Blvd. (09/02/82)
Clayton, *Shanley Building*, 7800 Maryland Ave. (09/20/82)
Glendale, *McPherson-Holland House*, 115 Edwin Ave. (09/16/82)
Kirkwood, *Grace Episcopal Church*, Taylor and Argonne Sts. (04/12/82)
Ladue, *Busch's Grover*, 9160 Clayton Rd. (09/09/82)
Normandy, *St. Vincent's Hospital*, 7301 St. Charles Rock Rd. (04/12/82)
St. Louis, *Shaw Avenue Place District*, Roughly bounded by De Tonty St., S. Spring, Shaw and S. Grand Aves. (04/12/82)
University City, *McGarry House*, 8965 Pershing Ave. (04/12/82)

University City, *Sutter-Meyer House*, 6828 Chamberlain Court (04/12/82)
Webster Groves, *Marshall Place Historic Place*, Marshall Pl. (06/17/82)
Webster Groves, *Rock House, Edgewood Children's Center*, 330 N. Gore (09/09/82)

Texas County

Plato vicinity, *Bates-Geers House*, E of Plato on Slabtown Rd. (09/23/82)

MONTANA

Cascade County

Vaughn vicinity, *Vaughn, Robert, Homestead (Captain Couch Ranch)*, Vaughn Cemetery Rd. (Cascade County Rd. (06/14/82)

Custer County

Miles City, *Miles, George M., House*, 28 S. Lake St. (02/17/82)

Deer Lodge County

Anaconda, *Washoe Theater*, 305 Main St. (04/30/82)

Fergus County

Lewistown, *St. Leo's Catholic Church*, 124 W. Broadway (05/06/82)

Gallatin County

Belgrade *Springhill School (One Room Schoolhouses of Gallatin County TR)*, NE of Belgrade (07/21/82)
Belgrade, *Maudlow School (One Room Schoolhouses of Gallatin County TR)*, Milwaukee Rd. (08/23/82)
Belgrade, *Pass Creek School (One Room Schoolhouses of Gallatin County TR), NE of Belgrade (07/21/82)*
Belgrade, *Reese Creek School (One Room Schoolhouses of Gallatin County TR)*, NE of Belgrade (07/21/81)
Bozeman, *Lower Bridger School (One Room Schoolhouses of Gallatin County TR)*, E of Bozeman (07/21/81)
Bozeman, *Malmborg School (One Room Schoolhouses of Gallatin County TR)*, E of Bozeman (07/21/81)
Bozeman, *Pine Butte School (One Room Schoolhouses of Gallatin County TR)*, W of Bozeman (07/21/81)
Bozeman, *Rea School (One Room Schoolhouses of Gallatin County TR)*, W of Bozeman (07/21/81)
Gallatin Gateway vicinity, *Crail Ranch Buildings*, Meadow Village (04/15/82)
Gallatin Gateway, *Anderson School (One Room Schoolhouses of Gallatin County TR)*, E of Gallatin Gateway (07/21/81)
Gallatin Gateway, *Cottonwood School (One Room Schoolhouses of Gallatin County TR)*, SE of Gallatin Gateway (07/21/81)
Gallatin Gateway, *Little Bear School (One Room Schoolhouses of Gallatin County TR)*, Bear Creek Rd. (04/15/82)
Gallatin Gateway, *Spanish Creek School (One Room Schoolhouses of Gallatin County TR), NW of Gallatin (07/21/81)*
Manhattan, *Dry Creek School (One Room Schoolhouses of Gallatin County TR), E of Manhattan (07/21/81)*
Sedan, *Sedan School (One Room Schoolhouses of Gallatin County TR)*, NE of Belgrade (07/21/81)
Three Forks *Ruby Theatre*, 212 Main St. (04/30/82)
Trident, *Trident School (One Room Schoolhouses of Gallatin County TR)*, S of Trident (07/21/81)

Glacier County

Browning vicinity, *Holy Family Mission*, (06/14/82)

Golden Valley County

Ryegate vicinity, *Grace Lutheran Church of Barber*, W. of Ryegate (02/01/82)

Granite County

Philipsburg vicinity, *Rock Creek Guard Station (Rock Creek Ranger Station) 24GN165*, W of Philipsburg on Hwy 348 and the Rock Creek Rd. (07/13/82)

Lake County

Post Creek vicinity, *Fort Connah Site*, US 93 (04/28/82)

Lewis and Clark Counties

Helena, *Silverman, Morris, House*, 412 N. Rodney St. (06/14/82)

Missoula County

Missoula, *Carnegie Public Library*, 335 N. Pattee St. (04/30/82)
Missoula, *Milwaukee Depot*, 250 Station Dr. (04/30/82)
Missoula, *St. Francis Xavier Church*, 420 W. Pine St. (04/28/82)

Powell County

Deer Lodge, *Deerlodge American Women's League Chapter House*, 802 Missouri Ave. (06/14/82)
Deer Lodge, *Trask Hall*, 703 5th Ave. (04/30/82)

Richland County

Sidney, *Peoples' Congregational Church*, 203 2nd Ave., SW. (04/30/82)

Valley County

Nashua, *Sargent, Charles C., House*, 615 Front St. (07/08/82)

Yellowstone County

Billings, *Moss, Preston B., House*, 914 Division St. (04/30/82)
Billings, *Prescott Commons*, Rimrock Rd. (04/30/82)

NEBRASKA

Burt County

Lyons vicinity, *Deutsche Ev. Luth. St. Johannes Kirche (BT00-9)*, (06/02/82)

Butler County

David City, *Taylor, Chauncey S., House*, 715 4th St. (06/25/82)

Colfax County

Schuyler, *Janecek, John, House*, 805 E. 8th St. (07/15/82)

Dodge County

Fremont, *Schneider, R.B., House*, 234 W. 10th St. (07/15/82)

Douglas County

Omaha, *First National Bank Building*, 300-312 16th St., and 1601-1605 Farnam St. (06/25/82)

Franklin County

Naponee, *First Congregat Church, U.C.C.*, Off NE 31C (09/14/82)

Hall County

Grand Island, *Cathedral of the Nativity of the Blessed Virgin Mary*, 204 S. Cedar St. (07/15/82)
Grand Island, *Roeser, Oscar, House*, 721 W. Koenig St. (6/25/82)

Jefferson County

Diller, *Colman House (JFO2-4)*, 501 Lavelle St. (06/25/82)

Kearney County

Axtell vicinity, *Salem Swedish Methodist Episcopal Church (KN00-2)*, SW of Axtell (07/29/82)

Knox County

Verdigre vicinity, *Rad Sladkovsky (C.S.P.S. Cis. 68; Z.C.B.J. Cis. 8) (KX09-1)*, (06/29/82)

Lancaster County

Lincoln, *Harris House*, 1630 K ST. (09/02/82)
Lincoln, *Rover-Williams House*, 407 N. 26th St. (06/14/82)
Lincoln, *Ryons-Alexander House*, 1835 Ryons St. (07/08/82)
Lincoln, *Temple of Congregation Binai Jeshurun*, 20 and South Sts. (06/25/82)
Lincoln, *Wyuka Cemetery*, 3600 O St. (07/19/82)

Nemaha County

Auburn, *First United Presbyterian Church of Auburn*, 1322 19th St. (07/15/82)

Platte County

Columbus, *Gottschalk, Frederick L. and L. Frederick, Houses*, 2022 17th St. (06/25/82)

Seward County

Bee, *States Ballroom*, Off NE 415 (10/14/81)
Seward, *Seward County Courthouse Square Historic District*, Roughly bounded by Jackson, 7th, and South Sts. (07/15/82)
Staplehurst vicinity, *Deutsche Evangelisch Lutherische Zion Kirche*, SW of Staplehurst (06/25/82)

Washington County

Blair, *Castetter, Abraham, House*, 1815 Grant St. (06/25/82)
Blair, *Crowell, C. C., Jr., House*, 2138 Washington St. (07/19/82)
Fontanelle, *Fontanelle Township Hall*, Off NE 91 (09/09/82)

Webster County

Red Cloud, *First Baptist Church (Willa Cather TR)*, 442 N. Seward St. (08/12/82)
Red Cloud, *Willa Cather Memorial Prairie (Willa Cather TR)*, S of Red Cloud on U.S. Hwy. 281 (08/12/82)

York County

Benedict vicinity, *Jeffery, W. S., Farmstead*, W of Benedict (07/26/82)

NEVADA

Carson City (independent city)

St. Charles Hotel—Muller's Hotel, 302-304-310 S. Carson St. (05/27/82)

Clark County

Boulder City, *Boulder Dam Hotel*, 1305 Arizona St. (07/13/82)
Boulder City, *Old Boulder City Hospital*, 701 Park Place (04/01/82)
Las Vegas vicinity, *Brownstone Canyon Archeological District*, (09/22/82)

Esmeralda County

Goldfield, *Goldfield Historic District*, Roughly bounded by 5th St., Miner, Spring, Crystal and Elliott Aves. (06/14/82)

Mineral County

Hawthorne, *Mineral County Courthouse*, 551 C St. (01/29/82)

Nye County

Tonopah and vicinity, *Bartlett, George A., House (Tonopah MRA)*, McQuillan and Booker Sts. (05/20/82)
Tonopah and vicinity, *Bass Building (Tonopha MRA)*, 119 St. Patrick (05/20/82)
Tonopah and vicinity, *Boak, Coda C., House (Tonopah MRA)*, Ellis St. (05/20/82)
Tonopah and vicinity, *Board and Batten Cottage (Tonopah MRA)*, Prospect St. (05/20/82)
Tonopah and vicinity, *Board and Batten Miners Cabin (Tonopah MRA)*, Oddie Ave. (05/20/82)
Tonopah and vicinity, *Brann Boardinghouse (Tonopah MRA)*, Bryan St. (05/20/82)
Tonopah and vicinity, *Brokers Exchange (Tonopah (MRA)*, 209–251 Brougher (05/20/82)
Tonopah and vicinity, *Brougher-Gavan Block (Tonopah MRA)*, Main St. (05/20/82)
Tonopah and vicinity, *Burdick, E. E., House (Tonopah MRA)*, 248 Prospect St. (05/20/82)
Tonopah and vicinity, *Butler, Jim, Mining Company Stone Row Houses (Tonopah MRA)*, 314 Everett Ave. (05/20/82)
Tonopah and vicinity, *Clinton, Charles, Stone Row House (Tonopah MRA)*, 151 Central (05/20/82)
Tonopah and vicinity, *Combellack Adobe Row House (Tonopah MRA)*, Central St. (05/20/82)
Tonopah and vicinity, *Curtis, Uri B., House (Tasker L. Oddie House) (Tonopah MRA)*, Ellis St. (05/20/82)
Tonopah and vicinity, *Curtis, Uri B., House (Tonopah MRA)*, 169 Booker St. (05/20/82)
Tonopah and vicinity, *Dunham, Samuel C., House (Tonopah MRA)*, Belmont Ave. (05/20/82)
Tonopah and vicinity, *Frame Cottage (Tonopah MRA)*, 183 Prospect St. (05/20/82)
Tonopah and vicinity, *Golden, Frank, Block (Tonopah MRA)*, Brougher and Main Sts. (05/20/82)
Tonopah and vicinity, *Gregovich, John, House (Tonopah MRA)*, 101 Summit (05/20/82)
Tonopah and vicinity, *Kendall, Zeb, House (Tonopah MRA)*, 159 University Ave. (05/20/82)
Tonopah and vicinity, *Masterson, Dr., J. R., House (Tonopah MRA)*, Ohio Ave. and 2nd St. (05/20/82)
Tonopah and vicinity, *McDonald, Irving, House (Tonopah MRA)*, 191 Booker (05/20/82)
Tonopah and vicinity, *McKim, H. A., Building (Tonopah MRA)*, Main and Oddie Sts. (05/20/82)
Tonopah and vicinity, *Nevada-California Power Company Substation and Auxiliary Power Building (Tonopah MRA)*, Corner of Knapp and Cutting Sts. (07/26/82)
Tonopah and vicinity, *Nye County Courthouse (Tonopah MRA)*, McCulloch St. (05/20/82)
Tonopah and vicinity, *Nye County Mercantile Company Building (Tonopah MRA)*, 147 Main St. (05/20/82)
Tonopah and vicinity, *Raycraft, Arthur, House (Tonopah MRA)*, Booker St. (05/20/82)
Tonopah and vicinity, *Sowles, Judge W. A., House (Tonopah MRA)*, 155 Central St. (05/20/82)
Tonopah and vicinity, *Shaw, Cal Stone Row House (Tonopah MRA)*, Central St. (05/20/82)
Tonopah and vicinity, *Shaw, Cal., Adobe Duplex (Tonopah MRA)*, 129 Central (05/20/82)
Tonopah and vicinity, *Shields, E. R., House (Tonopah MRA)*, 351 St. Patrick (05/20/82)
Tonopah and vicinity, *Smith, J. E., Stone Duplex (Tonopah MRA)*, 415 Florence (07/26/82)
Tonopah and vicinity, *St. Marks P. E. Church (Tonopah MRA)*, 210 University Ave. (05/20/82)
Tonopah and vicinity, *State Bank and Trust Company (Tonopah MRA)*, 102 Brougher (05/20/82)
Tonopah and vicinity, *Stone Jail Building and Row House (Tonopah MRA)*, Water St. (05/20/82)
Tonopah and vicinity, *Tonopah Liquor Company Building (Tonopah MRA)*, Main St. (05/20/82)
Tonopah and vicinity, *Tonopah Mining Company Cottage (Tonopah MRA)*, Queen St. (05/20/82)
Tonopah and vicinity, *Tonopah Mining Company House (Tonopah MRA)*, Queen St. (05/20/82)
Tonopah and vicinity, *Tonopah Public Library (Tonopah MRA)*, 171 Central (05/20/82)
Tonopah and vicinity, *Tonopah Volunteer Firehouse and Gymnasium (Tonopah MRA)*, Brougher and Burro Sts. (05/20/82)
Tonopah and vicinity, *Tonopah-Extension Mining Company Power Building (Tonopah MRA)*, Main St. (05/20/82)
Tonopah and vicinity, *Verdi Lumber Company Building (Tonopah MRA)*, Main St. (05/20/82)
Tonopah and vicinity, *Water Company of Tonopah Building (Tonopah MRA)*, Burro and Brougher Avers. (05/20/82)
Tonopah and vicinity, *Wieland Brewery Building (Tonopah MRA)*, Mineral St. (05/20/82)

Pershing, Humboldt, and Washoe Counties

Northwestern Nevada vicinity, *Applegate–Lassen Trail* extends through portions of Pershing, Humboldt, and Washoe Counties, (12/21/81) (determined eligible for NHL designation)

Washoe County

Gerlach, *Gerlach Water Tower*, Main St. (10/29/81)
Reno, *Mackay School of Mines Building*, University of Nevada, Reno campus (04/01/82)
Reno, *Riverside Mill Company Flourmill*, 345 E. 2nd St. (08/18/82)
Reno, *Wingfield, George, House*, 219 Court St. (07/15/82)

NEW HAMPSHIRE

Belknap County

Gilford, *Kimball Castle (The Broads)*, Locke's Hill Rd. (08/16/82)
Laconia, *Laconia Passenger Station*, Veterans Sq. (01/11/82)

Carroll County

Moultonborough, *Freese's Tavern*, Main St. (04/29/82)
South Wolfeboro, *Union Church*, S. Main St. (04/29/82)

Cheshire County

Keene, *United Church of Christ in Keene*, 23 Central Sq. (03/09/82)
Surry, *Mason-Watkins House*, Off NH 12 (03/11/82)

Coos County

Gorham vicinity, *Crawford Depot*, Off US 302 (04/29/82)
Sargent's Purchase, Tip-Top House, Mt. Washington State Park (01/11/82)
Bethlehem, *Burt-Cheney Farm*, U.S. 302 (03/25/82)
Franconia vicinity, *Lovett's by Lafayette Brook (Lovett's Inn)*, S of Franconia on Profile Rd. (03/11/82)
Franconia, *Dow Academy*, Dow Ave. (08/31/82)
Littleton, *Thayer's Hotel*, 136 Main St. (03/09/82)
Plymouth, *Old Grafton County Courthouse*, 1 Court St. (04/29/82)

Hillsborough County

Hilluse, 308 NW. 8th St. (12/09/81)
Amherst, *Amherst Village Historic District*, NH 101 and NH 122 (08/18/82)
Hillsborough Center, *Barnes, Jonathan, House*, North Rd. (03/01/82)
Hollis, *Meetinghouse, The, Monument Sq.* (03/11/82)
Manchester, *Gay, Alpheus, House*, 184 Myrtle St. (03/09/82)
Manchester, *Varney School*, 84 Varney St. (01/11/82)
Milford, *Milford Cotton and Woolen Manufacturing Company*, 2 Bridge St. (08/18/82)
Wilton vicinity, *Cragin, Daniel, Mill*, W of Wilton at Jct. of Davisville Rd. and Burton Hwy. (03/23/82)
Wilton vicinity, *Whiting, Oliver, Homestead*, Old County Farm Rd. (03/09/82)
Wilton, *Wilton Public and Gregg Free Library*, Forest St. (01/11/82)

Merrimack County

Boscawen, *First Congregational Church of Boscawen (Congregational Meeting House)*, King St. (04/19/82)
Concord, *Chamberlin House*, 44 Pleasant St. (08/16/82)
Concord, *Farrington House*, 30 S. Main St. (03/09/82)

Concord, *Foster, Reuben, House and Cleaves, Perley, House*, 64 and 62 N. State St. (03/15/82)
Concord, *Leavitt Farm*, 103 Old Loudon Rd. (03/11/82)
Franklin, *Franklin Falls Historic District*, Roughly bounded by Bow, River, School, Aylers Sts. and Winnipesaukee River (06/19/82)

Rockingham County

Danville, *Danville Meetinghouse (The Hawke Meeting House)*, N Main St. (04/19/82)
Derry, *Adams Memorial Building*, West Broadway (01/11/82)
Portsmouth, *Rockingham Hotel*, 401 State St. (03/11/82)
Portsmouth, *South Meetinghouse (South Ward Room)*, Marcy St. and Meeting House Hill (04/19/82)
Windham, *Searles School and Chapel*, Range and Searles Rds. (01/11/82)

Strafford County

Barrington, *Canaan Chapel*, Aka Canaan Rd. (03/11/82)
Dover, *First Parish Church*, 218 Central Ave. (03/11/82)

Sullivan County

Plainfield, *Mothers' and Daughters' Club House*, Main St. (03/11/82)

NEW JERSEY

Atlantic County

Mays Landing, *Mays Landing Presbyterian Church*, Main St. and Cape May Ave. (04/20/82)

Bergen County

Edgewater, *Ferryboat Bing Hamton*, 725 River Rd. (07/09/82)
Upper Saddle River, *New North Reformed Low Dutch Church*, E. Saddle River Rd. at Old Stone Church Rd. (04/15/82)

Burlington County

Bordentown, *Bordentown Historic District*, In an irregular pattern within the City limits (06/14/82)
Burlington Township, *Green Hill Farm*, Oxmead and Deacon Rds. (07/08/82)
Chesterfield vicinity, *Holloway, James and Charles B., Farm Complex*, Newbold La. (07/08/82)
Medford Lakes, *Log Cabin Lodge*, Stokes and Tabernacle Rds. (04/12/82)
Mt. Laurel, *Evesham Friends Meeting House*, Morristown-Mt. Laurel and Hainesport-Mt. Laurel Rds. (Evesboro Rd.) (04/22/82)

Camden County

Collingswood, *Collingswood Theatre*, 843 Haddon Ave. (06/03/82)
Haddonfield, *Haddonfield Historic District*, Roughly bounded by Washington, Hopkins, Summit, and E. Park Aves., and Kings Hwy. (07/21/82)

Cape May County

Cape May, *Old Cape May County Courthouse Building*, N. Main St. (12/22/81)

Cumberland County

Bridgeton vicinity, *Spindrift Sailing Yacht*, S. of Bridgeton (04/22/82)

Essex County

East Orange, *Ambrose-Ward Mansion*, 132 S. Harrison St. (09/20/82)
Livingston, *Ward-Force House and Condit Family Cook House*, 366 S. Livingston Ave. (12/29/81)
Newark, *Home Office Building (Firemen's Insurance Company of Newark)*, 8–12 Park Pl. (06/17/82)

Hudson County

Bayonne, *First Reformed Dutch Church of Bergen Neck (First Reformed Church of Bayonne)*, Avenue C and 33rd St. (04/22/82)
Jersey City, *Jersey City High School*, 2 Palisade Ave. (06/01/82)
Jersey City, *Paulus Hook Historic District*, Greene, Washington, Grand, Sussex, Morris, Essex, Warren and York Sts. (06/21/82)

Hunterdon County

Clinton, *Dunham's Mill (Parry's Mill)*, 7 Center St. (04/15/82)
Clinton, *Music Hall*, 23 W. Main St. (05/07/82)
Flemington vicinity, *Dart's Mill Historic District*, NE of Flemington on Rt. 523 (04/29/82)

Mercer County

Trenton, *St. Michael's Episcopal Church*, 140 N. Warren St. (04/29/82)

Middlesex County

New Brunswick, *Agnew, Thomas I., House*, Memorial Pkwy. (05/13/82)
New Brunswick, *Jarrard, Levi D., House*, George St., Douglass College Campus (04/22/82)
New Brunswick, *National Musical String Company*, 120 Georges Rd. (04/20/82)

Monmouth County

Allentown, *Allentown Historic District (Allens House)*, N. and S. Main Sts. (06/14/82)
Asbury Park, *Steinbach-Cookman Building*, Cookman Ave. (07/08/82)
Red Bank, *Reckless, Anthony, Estate*, 164 Broad St. (06/03/82)
Sandy Hook, *Fort Hancock, U.S. Life Saving Station, Gateway National Recreation Area*, (11/30/81)

Morris County

Dover, *Blackwell Street Historic District*, Blackwell and Sussex Sts. (05/17/82)
Harding, *New Vernon Historic District*, Lee's Hill, Village, Mill Brook and Glen Alpin Rds. (07/08/82)
Towaco vicinity, *Van Duyne, James, Farm House*, 32 Waughaw Rd. (04/15/82)

Ocean County

Island Heights, *Island Heights Historic District*, Roughly bounded by Toms River, Summit and River Aves. (07/08/82)
Jackson Township, *Cassville Crossroads Historic District (Cassville MRA)*, Jct. of CR 571 and 528 (08/26/82)
Lakewood, *Strand Theatre*, 400 Clifton Ave. (04/22/82)
Toms River, Birdsall, Amos Capt., House (Old Village of Toms MRA), 234 Washington St. (05/13/82)
Toms River, *Brant, A.A., House (Old Village of Toms MRA)*, (05/13/82)
Toms River, *Crawford House (Old Village of Toms MRA)*, 46 E. Water St. (05/13/82)
Toms River, *Horner House (Old Village of Toms MRA)*, 44 E. Water St. (05/13/82)
Toms River, *Stewart House (Old Village of Toms MRA)*, 57 E. Water St. (05/13/82)
Toms River, *Stoutenburgh-Minturn House (Old Village of Toms MRA)*, *86 E. Water St. (05/13/82)*

Passaic County

City of Passaic, *Aycrigg Mansion*, Main Ave. and Temple Pl. (04/29/82)
Clifton, *Vreeland, John and Anna, House (Hamilton House)*, 971 Valley Rd. (05/13/82)
Passaic, *St. John's Evangelical Lutheran Church*, 140 Lexington Ave. (05/07/82)
Paterson, *Cooke, Frederick William, Residence*, 384 Broadway (07/08/82)

Somerset County

Bedminster, *Pluckemin Village Historic District*, US 206 and Burnt Mills Rd. (07/26/82)
Rocky Hill, *Rocky Hill Historic District*, Washington, Montgomery, and Princeton Aves. (07/08/82)

Sussex County

Sussex vicinity, *First Presbyterian Church of Wantage*, N of Sussex on NJ 23 (09/23/82)

Union County

Elizabeth, *St. John's Parsonage*, 633 Pearl St. (09/16/82)
Plainfield, *Hillside Avenue Historic District*, Hillside Ave. from Watchung Ave. to Martine Ave. (06/01/82)
Scotch Plain, *Stage House Inn*, Park Ave. and Front St. (04/15/82)

NEW MEXICO

Bernalillo County

Albuquerque, *Armijo, Juan Cristobal, Homestead*, 207 Griegos Rd. NE (09/30/82)
Albuquerque, *Employees' New Dormitory and Club*, Albuquerque Indian School Campus (07/26/82)
Albuquerque, *Garcia, Juan Antonio, House*, 7442 Edith Blvd. N.E. (09/28/82)
Albuquerque, *Gymnasium-Auditorium Building*, Albuquerque Indian School Campus (07/26/82)
Albuquerque, *Hudson House*, 817 Gold Ave., SW (02/24/82)
Albuquerque, *McCanna-Hubbell Building*, 418–424 Central, SW (05/13/82)
Albuquerque, *Old Armijo School*, 1021 Isleta Blvd., SE (09/16/82)
Albuquerque, *Saint Joseph 1930 Hospital*, 715 Grand NE. (05/27/82)
Albuquerque, *Spruce Park Historic District*, Roughly bounded by University Blvd., Grand Ave., Las Lomas Rd. and Cedar St. (07/06/82)
Albuquerque, *University of New Mexico Lodge, Building 219 Albuquerque Indian School*, Albuquerque Indian School Campus (07/26/82)
Albuquerque, *Washington Apartments*, 1002–1008 Central Ave., SW (02/19/82)

Albuquerque, *Werner-Gilchrist House*, 202 Cornell SE (08/02/82)
Los Ranchos vicinity, *Los Poblanos Historic District*, NM 194 (05/27/82)

Curry County

Clovis, *Clovis Baptist Hospital*, 515 Prince St. (02/05/82)

Dona Ana County

La Mesilla, *La Mesilla Historic District*, Roughly bounded by Calle del Norte, Calle del El Paso, Calle del Cura and Calleion Guerro (07/20/82)

Guadalupe County

Santa Rosa, *Casaus, Jesus M., House*, 628 3rd St. (04/01/82)
Santa Rosa, *Casaus, Jesus M., House*, 628 Third St. (04/01/82)

Lincoln County

Capitan vicinity, *Wizard's Roost, (08/02/82)*

Santa Fe County

Cerrillos vicinity, *San Marcos Pueblo (L.A. 98)* (03/26/82)

Socorro County

Magdalena, *Aragon House (Magdalena MRA)*, 2nd and Oak Sts. (08/02/82)
Magdalena, *Bank of Magdalena (Magdalena MRA)*, 1st and Main Sts. (08/02/82)
Magdalena, *Gutierrez House (Magdalena MRA)*, 3rd and Popular Sts. (08/02/82)
Magdalena, *Hall Hotel (Magdalena MRA)*, 2nd and Spruce Sts. (08/02/82)
Magdalena, *Hilton House (Magdalena MRA)*, US 60 (08/02/82)
Magdalena, *Ilfeld Warehouse (Magdalena MRA)*, Main St. (08/02/82)
Magdalena, *Lewellen House (Magdalena MRA)*, 2nd and Chestnut Sts. (08/02/82)
Magdalena, *MacTavish House (Magdalena MRA)*, Elm St. (08/02/82)
Magdalena, *Magdaline House (Magdalena MRA)*, 3rd and Chestnut Sts. (08/02/82)
Magdalena, *Main Street Commercial Building (Magdalena MRA)*, Main St. (08/02/82)
Magdalena, *Salome Store (Magdalena MRA)*, 1st St. (08/02/82)
Magdalena, *Salome Warehouse (Magdalena MRA)*, 1st St. (08/02/82)

Taos County

Taos, *La Loma Plaza Historic District*, NM 240 (07/08/82)
Taos, *Taos Downtown Historic District*, NM 3 and NM 240 (07/08/82)
Taos, *Taos Inn*, Pueblo del Norte (02/05/82)

NEW YORK

Albany County

Albany, *Arnold, Benjamin Walworth, House and Carriage House*, 465 State St. and 307 Washington Ave. (07/26/82)
Albany, *Mansion Historic District*, Roughly bounded by Park Ave., Pearl, Eagle, and Hamilton Sts. (09/30/82)

Bronx County

Bronx, *Bronx Borough Courthouse*, E. 161st St., 3rd and Brook Aves. (02/25/82)
Bronx, *House at 175 Belden Street*, 175 Belden St. (06/03/82)
Bronx, *Park Plaza Apartments*, 1005 Jerome Ave. (06/03/82)
Bronx, *Public School 15*, 4010 Dyre Ave. (12/10/81)
New York City, *St. James' Episcopal Church and Parish House*, 2500 Jerome Ave. (09/30/82)

Broome County

Windsor, *Hotchkiss, Jedediah, House*, 10 Chestnut St. (06/03/82)

Chemung County

Elmira Heights, *Elmira Heights Village Hall*, 268 E. 14th St. (05/06/82)

Chenango County

Green, *Greene Historic District*, Chenango, Genesee, and Jackson Sts. (09/09/82)
South Otselic, *Newton Homestead*, Ridge Rd. (06/03/82)

Columbia County

Claverack, *Van Rensselaer, Jacob Rutsen, House and Mill Complex*, NY 23 (09/09/82)
Valatie, *Wild's Mill Complex*, U.S. 9 and NY 203 (06/14/82)

Delaware County

Delhi, *Murray Hill*, Murray Hill Rd. (06/03/82)

Dutchess County

Dover Plains, *Tabor-Wing House*, NY 22 and Cemetery Rd. (06/03/82)

Erie County

Clarence Center, Eshelman, J., and Company Store, 6000 Goodrich Rd. (05/06/82)

Essex County

Whallonsburg vicinity, *Essex County Home and Farm*, SW of Whallonsburg on NY 22 (09/23/82)

Jefferson County

Clayton, *Johnston, Capt. Simon, House*, 507 Riverside Dr. (06/17/82)

Kings County

Brooklyn, *68th Police Precinct Station House and Stable*, 4302 4th Ave. (06/03/82)
Brooklyn, *83rd Precinct Police Station and Stable*, 179 Wilson Ave. (04/14/82)
Brooklyn, *Boy's High School*, 832 Marcy Ave. (02/25/82)
Brooklyn, *Coney Island Fire Station/Pumping Station*, 2301 Neptune Ave (12/08/81)
Brooklyn, *Croyn, William B., House*, 271 9th St. (06/03/81)
Brooklyn, *Gage And Tollner Restaurant*, 372 Fulton St. (06/03/82)
Brooklyn, *Public School 108*, 200 Lindwood St. (12/10/82)
Brooklyn, *Public School 111 and Public School 9 Annex*, 249 Sterling Place and 251 Sterling Place (12/14/81)
Brooklyn, *Public School 65K*, 158 Richmond St. (12/10/81)
Brooklyn, *St. Luke's Protestant Episcopal Church*, 520 Clinton Ave. (09/16/82)

Montgomery County

Nelliston, Ehle House Site (Site No. A057-48-0001), (06/14/82)

New York County

New York City, *Candler Building*, 220 42nd St. and 221 41st St. (07/08/82)
New York, *Appellate Division Courthouse of New York State*, 27 Madison Ave. (07/26/82)
New York, *Baker, George F., Jr. and Sr. Residences*, 67, 69, and 75 E. 93rd St., (06/03/82)
New York, *Century Association Building*, 5-7 W. 43rd St. (07/15/82)
New York, *Church Missions House*, 281 Park Ave., S. (06/03/82)
New York, *Church of the Incarnation and Parish House*, 205-209 Madison Ave. (07/08/82)
New York, *Civic Club*, 243 E. 34th St. (09/16/82)
New York, *Douglas, Adelaide L. T., House*, 57 Park Ave. (07/15/82)
New York, *East 73rd Street Historic District*, 161-179 and 166-182 E. 73rd St. (07/22/82)
New York, *Former Emigrant Industrial Savings Bank*, 51 Chambers St. (02/25/82)
New York, *Former New York Life Insurance Company Building*, 346 Broadway (06/28/82)
New York, *House at 203 East 29 Street*, 201-203 E. 29th (07/08/82)
New York, *Houses at 146-156 East 89th Street*, 146-156 East 89th St. (06/03/82)
New York, *Houses at 26, 28 and 30 Jones Street*, 26, 28 and 30 Jones St. (06/03/82)
New York, *Houses at 326, 328 and 330 East 18th Street*, 326-330 E. 18th St. (09/30/82)
New York, *Knox Building*, 452 5th Ave. (06/03/82)
New York, *Lamb's Club*, 128 W. 44th St. (06/03/82)
New York, *Lanier, James F.D., Residence*, 123 E. 35th (06/03/82)
New York, *Loew, William Goadby, House*, 56 E. 93rd St. (07/15/82)
New York, *New York Presbyterian Church*, 151 W. 128th St. (06/03/82)
New York, *New York Public Library: Yorkville Branch*, 222 E. 79th St. (07/15/82)
New York, *Public School 157*, 327 St. Nicholas Ave., (12/10/82)

Oneida County

Barneveld, *Mappa Hall*, Mappa Ave. (05/12/82)
Clinton, *Clinton Village Historic District*, North, South, East, West Park Rows, Marvin, Williams, Chestnut, Fountain, College and Utica Sts. (06/14/82)

Onondaga County

Baldwinsville, *Oswego-Oneida Streets Historic District*, Oswego, East and West Sts., and Sunset Terr. (07/29/82)
Elbridge, *Elbridge Hydraulic Industry Archeological District (A067-49-0001-DO1)*, (06/15/82)
Fayetteville, *Genesee Street Hill-Limestone Plaza Historic District*, Roughly both sides of Genesee St., from Chapel St. to Limestone Plaza (07/29/82)
Syracuse, *Gillett, William J., House*, 515 W. Onondaga St. (05/06/82)

Oswego County

Oswego, *Franklin Square Historic District*, Roughly bounded by 3rd, 6th, Van Buren, and Bridge Sts. (08/04/82)
Schroeppel, *Schroeppel House*, Morgan Rd. (09/09/82)

Putnam County

Philipstown vicinity, *Old Albany Post Road*, US 9 (07/08/82)

Queens County

Queens, *Marine Air Terminal*, La Guardia Airport (07/09/82)

Richmond County

Rossville vicinity, *Sandy Ground Historic Archeological District (A085-01-2258-D03)*, (09/23/82)
Staten Island, *Brighton Heights Reformed Church*, 320 St. Mark's Pl. (06/03/82)
Staten Island, *LaTourette House*, Richmond Hill (03/05/82)
Staten Island, *Ward, Caleb T., Mansion*, 141 Nixon Ave. (07/26/82)
Tottenville vicinity, *Ward's Point Conservation Area (A085-01-0030)*, SW of Tottenville at Authur Kill and Hylan Blvd. (09/29/82)

Rockland County

Upper Nyack, *Upper Nyack Firehouse*, 330 N. Broadway (09/23/82)

Saratoga County

Ballston Spa, *Union Mill Complex*, NY Route 50, Milton Ave. (06/17/82)

Seneca County

Lodi, *Lodi Methodist Church*, S. Main and Grove Sts. (05/06/82)

St. Lawrence County

Brasher Falls, *Dr. Buck-Stevens House*, W. Main St. (05/17/82)
Morley, *Harrison Grist Mill*, NY345 (09/16/82)
Morristown, *Ford, Jacob, House (Morristown Village MRA)*, Northumberland St. (09/02/82)
Morristown, *Land Office (Morristown Library) (Morristown Village MRA)*, Main St. (09/02/82)
Morristown, *Miller, Paschal House (Morristown Village MRA)*, Main and Gouveneur Sts. (09/02/82)
Morristown, *Morristown Schoolhouse (Morristown Village MRA)*, Columbia St. (09/02/82)
Morristown, *Stocking, Samuel, House (Morristown Village MRA)*, 83 Gouveneur St. (09/02/82)
Morristown, *Stone Windmill (Morristown Village MRA)*, Morris St. (09/02/82)
Morristown, *United Methodist Church (Morristown Village MRA)*, Gouveneur St. (09/02/82)
Morristown, *Wright's Stone Store (Morristown Village MRA)*, Main St. (09/02/82)

Suffolk County

Brookhaven vicinity, *Smith Estate*, N of Brookhaven at Longwood and Smith Rds. (12/10/81)
Fort Salonga, *Fort Salonga (NYSDHP Unique Site No. A103-08-0036)*, (05/21/82)

Tompkins County

Ithaca, *St. James AME Zion Church*, 116-118 Cleveland Ave. (07/22/82)

Ulster County

Bruynswick vicinity, *Reformed Church of Shawangunk Complex*, Hoagerburgh Rd. (06/03/82)
Gardiner vicinity, *Tuthilltown Gristmill*, Albany Post Rd. (06/14/82)
Libertyville vicinity, *DuBoris, Hendrikus, House*, 600 Albany Post Rd. (07/08/82)
Village of Saugerties, *Main-Partition Streets Historic District*, Roughly bounded by Main, Partition, Market and Jane Sts. (07/08/82)

Westchester County

Port Chester, *Bush-Lyon Homestead*, John Lyon Park, King St. (04/22/82)
Rye City, *Knapp, Timothy, House and Milton Cemetery*, 265 Rye Beach Ave. and Milton Rd. (06/14/82)
Tarrytown, *Foster Memorial A.M.E. Zion Church*, 90 Wildey St. (06/03/82)
Tarrytown, *Patriot's Park*, US 9 (06/14/82)
White Plains, *Friedlander, Leo, Studio*, 825 W. Hartsdale Rd. (07/29/82)
Yonkers, *Hart, Eleazer, House*, 243 Bronxville Rd. (07/29/82)
Yonkers, *St. John's Protestant Episcopal Church*, One Hudson St. (07/29/82)
Yonkers, *Yonkers Water Works*, Roughly bounded by Saw Mill River and Grassy Sprain Rds., and Gilmare Dr. (07/21/82)

NORTH CAROLINA

Alamance County

Burlington, *Menagerie Carousel*, Burlington City Park, S. Main St. (08/30/82)
Haw River, *Holt, Charles T., House*, 228 Holt St. (06/01/82)
Mebane vicinity, *White Furniture Company*, E. Center and N. 5th Sts. (07/29/82)

Alleghany County

Whitehead vicinity, *Crouse, Elbert, Farmstead*, S of Whitehead on Blue Ridge Parkway (07/29/82)

Beaufort County

Washington vicinity, *Rosedale*, NW of Washington off SR 1407 (04/29/82)

Bertie County

Lewiston, *St. Frances Methodist Church*, Off NC 306 (04/29/82)
Colerain vicinity, *Garrett-White House*, (06/28/82)
Merry Hill vicinity, *Hermitage, The*, N of Merry Hill (06/08/82)
Merry Hill vicinity, *Scotch Hall*, E of Merry Hill on SR 1511 (04/29/82)
Roxobel vicinity, *Oaklana*, NE of Roxobel off SR 1249 (04/15/82)
Roxobel, *Pineview*, Off SR 1249, (06/28/82)
Windsor vicinity, *Elmwood*, W of Windsor on SR 1101 (06/08/82)
Windsor vicinity, *Liberty Hall*, Off SR 1108 (06/08/82)
Windsor, *Freeman Hotel*, York and Granville Sts. (09/09/82)
Windsor, *Rosefield*, 212 W. Gray St. (08/26/82)

Buncombe County

Asheville, *Demens-Rumbough-Crawley House*, 31 Park Ave. (06/01/82)
Asheville, *Reynolds, Dr. Carl V., House*, 86 Edgemont Rd. (08/19/82)
Fairview vicinity, *Lanning, John A., House*, W of Fairview on SR 3128 (09/23/82)

Cabarrus County

Mount Pleasant, *Lentz Hotel*, College St. (06/14/82)

Camden County

Belcross vicinity, *Grandy, Caleb, House*, Off SR 1145 (04/29/82)

Chatham County

Farrington vicinity, *Stone, Joseph B., House*, SR 1008 (06/01/82)
Pittsboro vicinity, *Aspen Hall*, W of Pittsboro on US 64 (07/29/82)

Chowan County

Smalls Crossroads vicinity, *Cullins-Baker House*, NC 32 (04/29/82)

Clay County

Hayesville vicinity, *Spikebuck Town Mound and Village Site*, (08/17/82)

Cleveland County

Boiling Springs, *Hamrick, E. B., Hall*, Gardner-Webb College campus (07/12/82)
Polville vicinity, *Lattimore John, House*, NW of Polkville on SR 1372 (08/26/82)
Shelby, *Masonic Temple Building*, 203 S. Washington St. (07/15/82)

Cumberland County

Fayetteville, *Confederate Breastworks*, 2300 Ramsey St. (10/07/81)
Fayetteville, *St. Joseph's Episcopal Church*, Ramsey and Moore Sts. (06/01/82)

Durham County

Durham, *Bullington Warehouse*, 500 N. Duke st. (08/30/82)
Durham, *Greystone*, 618 Morhead Ave. (06/01/82)

Edgecombe County

Pinetops vicinity, *Vinedale*, SW of NC 42/43 and SR 1122 (07/15/82)
Tarboro vicinity, *Cedar Lane*, N of Tarboro off NC 44 (04/15/82)

Forsyth County

Winston-Salem, *Gilmer Building*, 416-424 W. 4th St. (07/29/82)
Winston-Salem, *Rogers, James Mitchell, House*, 102 S. Cherry St. (07/15/82)

Gates County

Gates vicinity, *Freeman House*, N of Gates on US 13 (09/23/82)

Guilford County

Colfax vicinity, *Shaw-Cude House*, Off SR 2010 (06/01/82)
Greensboro vicinity, *Caldwell, David, Log College Site*, Between Cornwallis Dr., Hobbs and Holden Rds. (01/13/82)
Greensboro, *Dixon-Leftwich-Murphy House*, 507 Church St. (09/23/82)

Greensboro, *Downtown Greensboro Historic District*, Elm, S. Davie, S. Green, and E. and W. Washington Sts. (06/17/82)
Greensboro, *Hillsdale Brick Store*, NC 150 and SR 2347 (06/14/82)
High Point, *Kilby Hotel*, 627 E. Washington St. (04/22/82)
Oak Ridge vicinity, *Benbow, Charles, House*, S of Oak Ridge on NC 150 (08/19/82)
Oak Ridge vicinity, *Guilford Mill*, SE of Oak Ridge on NC 68 (08/02/82)

Halifax County

Brinkleyville vicinity, *Gray-Brownlow-Wilcox House*, S of Brinkleyville on NC 58 (08/03/82)
Enfield vicinity, *Branch, Samuel Warren, House*, NC 481 (06/14/82)

Harnett County

Dunn, *Howard, Kenneth L., House*, 400 S. Layton Ave. (08/19/82)

Haywood County

Lake Junaluska, *Lambeth Inn*, Lambeth Dr. (07/29/82)

Henderson County

Flat Rock vicinity, *Brookland*, N of Flat Rock on SR 1863 (08/19/82)

Hertford County

Cofield vicinity, *Deane House*, Off SR 1446 (04/15/82)
Como vicinity, *Vernon Place*, N of Como off US 258 (04/29/82)
Winton, *Gray Gables*, Main St. (06/01/82)

Iredell County

Statesville vicinity, *Falls-Hobbs House (Iredell County MRA)*, SR 1303 (06/24/82)
Statesville vicinity, *Feimster House (Iredell County MRA)*, SR 1516 (06/24/82)
Statesville vicinity, *Hargrave House (Iredell County MRA)*, NC 152 and NC 150 (06/24/82)
Statesville vicinity, *Waddle-Click Farm (Iredell County MRA)*, SR 2309 (06/24/82)

Jackson County

Balsam, *Balsam Mountain Inn*, SR 1700 and SR 1701 (07/15/82)
Cashiers vicinity, *Fairfield Inn*, U.S. 64 (06/14/82)

Johnston County

Selma, *Edgerton, Noah Edward, House (Selma, North Carolina MRA)*, 301 W. Railroad St. (06/24/82)
Selma, *Nowell-Baverburg-Oliver House (Selma, North Carolina MRA)*, 312 W. Anderson St. (06/24/82)
Selma, *Selma Graded School (Selma, North Carolina MRA)*, W. Richardson St. (06/24/82)
Selma, *Smith, William E., House (Selma, North Carolina MRA)*, 309 W. Railroad St. (06/24/82)
Selma, *Stevens, Everitt P., House (Selma, North Carolina MRA)*, SR 1003 (06/24/82)
Selma, *Union Station (Selma, North Carolina MRA)*, E. Railroad St. (06/24/82)

Macon County

Franklin, *Franklin Terrace Hotel*, 67 Harrison Ave. (07/29/82)
Franklin, *Siler, Jesse R., House*, 115 W. Main St. (04/29/82)

Martin County

Spring Green vicinity, *Jones, Jesse Fuller, House*, Off SR 1409 (04/29/82)

Mecklenburg County

Charlotte, *Mecklenburg Investment Company Building*, 233 S. Brevard St. (08/19/82)
Matthews, *Providence Presbyterian Church and Cemetery*, 10140 Providence Rd. (06/01/82)

Moore County

Aberdeen vicinity, *Blue, Malcolm, Farm*, Bethesda Rd. and Ernest L. Ives Dr. (06/01/82)
Aberdeen, *Blue, John, House*, 200 Blue St. (07/29/82)
Robbins vicinity, *Bryant, James, House*, On SR 1210 (04/15/82)

Nash County

Battleboro vicinity, *Bellamy-Philips House*, SR 1522 (07/12/82)
Nashville vicinity, *Rose Hill*, N of Nashville off NC 58 (04/28/82)
Rocky Mount vicinity, *Benvenue*, 330 Southern Blvd. (04/29/82)
Rocky Mount, *Rocky Mount Electric Power Plant*, 217 Andrews St. (07/15/82)

Pender County

Hampstead vicinity, *Velvidere Plantation House*, Off SR 1565 (06/14/82)

Person County

Bethel Hill vicinity, *Holloway-Walker Dollarhite House*, SR 1514 (06/01/82)
Roxboro, *Roxboro Male Academy and Methodist Parsonage*, 315 N. Main St. (07/29/82)

Pitt County

Greenville vicinity, *Greenwreath*, W of Greenville (04/29/82)
Greenville, *Long, Willian H., House*, 200 E. 4th St. (04/15/82)

Polk County

Tryon, *Pine Crest Inn*, Pine Crest Lane (04/15/82)

Rockingham County

Eden, *Bullard-Ray House*, 650 Washington St. (06/11/82)
Madison, *Academy Street Historic District*, Academy St. (07/15/82)
Madison, *Scales, Alfred Moore, Law Office*, 307 Carter St. (04/29/82)

Rowan County

Bear Poplar vicinity, *Wood Grove*, E of Bear Poplar on Sr 1743 (09/23/82)
Enochville vicinity, *Kerr, Gen. William, House*, NW of Enochville on SR 1353 (09/23/82)
Faith vicinity, *Shuping's Mill Complex*, S of Faith on NC 152 (09/23/82)
Five Points vicinity, *Corriher Grange Hall*, NW of Five Points on SR 1555 (09/23/82)
Mt. Ulla, *Rankin-Sherrill House*, NC 801 (09/23/82)
Salisbury, *Livingstone College Historic District*, W. Monroe St. (05/27/82)
Woodleaf vicinity, *St. Andrew's Episcopal Church and Cemetery*, NE of Woodleaf on SR 1950(08/19/82)

Rutherford County

Forest City vicinity, *Ledbetter, James Dexter, House*, Off US 74 (06/14/82)

Scotland County

Laurinburg, *Blue, Mag, House*, W of Laurinburg on SR 1118 (09/23/82)
Laurinburg, *Gill, Thomas J., House*, 203 Cronly St. (07/15/82)
Laurinburg, *Villa Nova*, SR 1438 (08/26/82)

Stokes County

Collinstown vicinity, *Jessup's Mill*, SR 4132 (07/15/82)
Germantown, *St. Philip's Episcopal Church*, NC 65 and 8 and SR 1957 (07/15/82)

Swain County

Cherokee vicinity, *Oconaluftee Archeological District*, (02/19/82)

Union County

Monroe, *Sikes, John, C., House*, 1301 E. Franklin St. (04/15/82)

Vance County

Townsville vicinity, *LaGrange*, S of Townsville off SR 1308 (04/27/82)

Watauga and Caldwell Counties

Blowing Rock, *Green Park Inn*, U.S. 321 (06/03/82)

Wayne County

Eureka, *Eureka United Methodist Church*, Church St. (08/26/82)

Wilkes County

Thurmond vicinity, *Elkin Creek Mill*, SR 2045 (04/29/82)
Wilkesboro, *Brown-Cowles House and Cowles Law Office (Wilkesboro MA)*, 200 and 106 E. Main St. (08/24/82)
Wilkesboro, *Federal Building (Wilkesboro MRA)*, 201 W. Main St. (08/24/82)
Wilkesboro, *Ferguson, J. T., Store (Wilkesboro MRA)*, 11 E. Main St. (08/24/82)
Wilkesboro, *Finley, Thomas B., Law Office (Wilkesboro MRA)*, Broad and North Sts. (08/24/82)
Wilkesboro, *Hemphill, J. L., House (Wilkesboro MRA)*, 203 N. Brook St. (08/24/82)
Wilkesboro, *Johnson-Hubbard House (Wilkesboro MRA)*, 113 E. Main St. (08/24/82)
Wilkesboro, *Wilkesboro Presbyterian Church (Wilkesboro MRA)*, 205 E. Main St. (08/24/82)
Wilkesboro, *Wilkesboro-Smithey Hotel (Wilkesboro MRA)*, Broad and E. Main Sts. (08/24/82)

Wilson County

Saratoga vicinity, *Scarborough, Maj. James, House*, NC 222 (06/14/82)
Wilson, *Cherry Hotel*, 333 E. Nash St. (08/26/82)
Wilson, *Davis-Whitehead-Harriss House*, 600 W. Nash St. (06/14/82)
Wilson, *Rountree, Moses, House*, 107 N. Rountree St. (04/26/82)

Yadkin County

Huntsville, *White House*, Shallowford Rd. (06/01/82)

Yancey County

Burnsville, *Nu-Wray Inn*, Off US 19E (04/15/82)

OHIO

Adams County

West Union, *Woods, Tet, Building*, 307 Main St. (03/25/82)

Allen County

Delphos, *Marks-Family House*, 233 North Franklin St. (04/01/82)

Ashland County

Jeromesville vicinity, *Lakefork School*, SE of Jeromesville (03/05/82)
Loudonville, *Garst, John, House*, NE of Loudonville on OH 95 (04/29/82)
Savannah vicinity, *Crittenden Farm*, NW of Savannah on US 224 and US 250 (04/22/82)

Athens County

Athens vicinity, *White's-Vale Mill*, OH 682 (07/29/82)
Athens, *Athens Downtown Historic District*, N. Court St. between Carpenter and Union Sts. and Congress and College Sts. (09/30/82)
Athens, *Sheltering Arms Hospital*, Clark St. (06/25/82)

Belmont County

Barnesville vicinity, *Tower Site (33-B1-15)*, (06/11/82)
Belmont, *Schooley, Dr. Lindley, House and Office*, Main St. (04/01/82)
Martin's Ferry, *Finney-Darrah House*, Scenary Hill (03/15/82)

Brown County

Ripley, *Red Oak Presbyterian Church*, Cemetery Rd. (06/17/82)
St. Martin, *Murphy, Daniel, Log House*, Anderson State Rd. (06/17/82)

Butler County

Hamilton, *St. Stephen Church and Rectory*, 224 Dayton St. (07/29/82)
Oxford, *Langstroth Cottage*, 303 Patterson Ave., (12/21/81) [NHL

Champaign County

Urbana, *Mosgrove, Dr. Adam, House*, 127 Miami St. (07/15/82)

Clark County

South Charleston vicinity, *Green Plain Monthly Meetinghouse*, Clifton Rd. (04/01/82)
Springfield, *St. Joseph Roman Catholic Church*, 802 Kenton St. (03/15/82)

Clermont County

New Richmond vicinity, *Roas-Ilhardt Farm and Winery*, N of New Richmond at 3233 Cole Rd. (09/16/82)
New Richmond, *Ross-Gowdy House*, 125 George St. (06/01/82)
Williamsburg vicinity, *McKever, Lewis, Farmhouse*, 4475 McKeever Rd. (04/01/82)

Clinton County

Sabina, *Haines, Frank, House*, 149 West Elm St. (04/01/82)

Coschocton County

Plainfield, *Johnson, Thomas, House*, OH 541 (05/14/82)
Warsaw vicinity, *Chalfant Church*, S of Warsaw off OH 60 (03/15/82)

Cuyahoga County

Brecksville, *Snow, Russ and Holland, Houses*, 12911 and 13114 Snowville Rd. (09/28/82)
Cleveland, *Cleveland Warehouse District*, Roughly bounded by Front and Superior Aves., Railroad, Summit, 3rd, and 10th Sts. (09/30/82)
Cleveland, *Variety Store Building and Theatre*, 11801-11825 Lorain Avenue (04/01/82)
Gates Mills, *Keyt, Gideon, House*, Chagrin River and Deerfield Rds. (06/01/82)
Parma, *Stearns, Lyman, Farm*, 6975 Ridge Rd. (10/01/81)

Darke County

New Madison vicinity, *Walker, Cristopher C., House and Farm*, SW of New Madison, N of OH 121 (04/07/82)
Versailles vicinity, *English, William, House*, 11291 OH 47 (06/02/82)

Delaware County

Ashley vicinity, *Sharp, Samuel, House (Sharp's Run)*, 7436 Horseshoe Rd (07/29/82)
Westerville vicinity, *Sharp, Stephen, House*, N of Westerville on Africa Rd. (09/30/82)

Erie County

Sandusky, *Hotel Breakers*, Cedar Point, (04/22/82)

Fairfield County

Pickerington vicinity, *Dovel, J. H., Farm*, 660 N. Hill Rd. (03/15/82)

Franklin County

Canal Winchester, *Canal Winchester Methodist Church*, S. Columbus and High St. (03/15/82)
Columbus, *Krumm House*, 975-979 S. High St. (09/30/82)
Columbus, *Long and Third Commercial Building*, 104-114 E. Long St. (07/01/82)
Columbus, *Rankin Building*, 22 W. Gay St. (03/10/82)
Lockbourne vicinity, *Herr, Christian S., House*, N of Lockbourne at 1451 Rathmell Rd. (03/05/82)

Gallia County

Ewington, *Ewington Academy*, Ewington Rd. (09/30/82)

Greene County

Fairborn, *Mercer Log House*, 41 N. 1st St. (10/16/81)
Yellow Springs, *Yellow Springs Historic District*, Roughly bounded by RR tracks, Yellow Springs-Fairfield Rd., High and Herman Sts. (04/01/82)

Guernsey County

Cambridge, *McCreary-Burnworth House*, 220 Highland Ave. (03/12/82)

Cuyahoga County

Cleveland, *Tiedemann, Hannes, House*, 4308 Franklin Blvd. (03/15/82)

Hamilton County

Cincinnati vicinity, *Salem Methodist Church Complex*, 6137 Salem Rd. (04/29/82)
Cincinnati, *Anderson Ferry*, Off U.S. 50 [see also Kentucky] (06/10/82)
Cincinnati, *Bramble, Ayres, L., House*, 4416 Homer Ave. (04/01/82)
Cincinnati, *Burdsal, Samuel, House*, 1342 Broadway St. (06/10/82)
Cincinnati, *Carew Tower (Starrett Netherland Plaza Hotel)*, W. 5th St. and Fountain Sq. (08/05/82)
Cincinnati, *Gilbert Row*, 2152-2166 Gilbert Ave. (05/13/82)
Cincinnati, *Goldsmith, Moses, Building*, 356 Bryant. (06/10/82)
Cincinnati, *Grace Church*, 3626 Reading Rd. (09/16/82)
Cincinnati, *Hadden Hall*, 3418 Readin Rd. (07/22/82)
Cincinnati, *Hulbert House and McAlpin Bridal Cottage*, 333 and 341 Lafayette Ave. (04/29/82)
Cincinnati, *Ratterman, Bernard, House*, 1349 Broadway. (09/30/82)
Cincinnati, *Ropes, Nathaniel, Building*, 917 Main St. (09/30/82)
Cincinnati, *St. Rosa Church*, 2501 Eastern Ave. (04/01/82)
Cincinnati, *Sycamore—13th Street Grouping*, 12th, 13th, and Sycamore Sts. (06/01/82)
Cincinnati, *Underwriters Salvage Corps*, 110-112 E. 8th St. (07/15/82)
Cincinnati, *Wright, Daniel Thew, House*, 3716 River Rd. (09/28/82)
Cincinnati, *Young Women's Christian Association of Cincinnati*, 9th and Walnut Sts. (09/16/82)
Loveland, *Shield's, Edwin M., House (William Johnston House)*, 220 Riverside Ave. (04/01/82)

Henry County

Napoleon, *St. Augustine's Catholic Church*, 221 E. Clinton St. (09/02/82)

Highland County

Hillsboro vicinity, *Trop Farm*, 6250 Mad River Rd. (04/01/82)
Hillsboro, *East Main Street Historic District*, E. Main and E. Walnut Sts. (06/01/82)
Hillsboro, *Lilley, Robert D., House*, 7915 OH 124. (06/17/82)
Hillsboro, *Mother Thompson House*, 133 Willow St. (06/01/82)

Hocking County

Logan vicinity, *Woodruff, William H., House*, 35330 Linton Rd. (07/29/82)

Holmes County

Lakeville vicinity, *DeYarmon, Joseph L. House*, SR 179 and SR 273. (05/04/82)

Jackson County

Pattonsville, *Keystone Furnace*, SR #9. (03/18/82)

Jefferson County

Smithfield, *Smithfield School*, High St. (10/16/81)

Steubenville, *Steubenville YMCA Building*, 214 N. 4th St. (06/01/82)
Wintersville vicinity, *Bantam Ridge School*, Bantam Ridge Rd. (10/01/81)

Lake County

Mentor, *Oliver, John G., House*, 7645 Little Mountain Rd. (10/01/81)

Licking County

Granville vicinity, *McClune's Villa*, 537 Jones Rd. (04/22/82)
Newark, *McNamar-McLure-Miller, Residence*, 124 W. Main St. (06/17/82)

Logan County

West Liberty, *Piatt, Abram S., House (Mac-A-Cheek) and Piatt, Donn S., House (Mac-O-Chee)*, Off OH 287 and OH 275. (05/03/82)

Lorain County

Elyria, *New York Central Freight House*, 412 E. River St. (06/01/82)
Kipton, *Union Church*, 511 Church St. (03/15/82)
Lorain, *St. Ladislaus Roman Catholic Church*, 2908 Wood Ave. (04/01/82)
Rochester vicinity, *Bradford, Henry, Farm*, N of Rochester on OH 511 (09/30/82)

Lucas County

Toledo, *Bush Street Historic District*, Bush and Erie Sts. (06/01/82)
Toledo, *Central YMCA*, 1110 Jefferson Ave. (04/15/82)

Mahoning County

Campbell, *Youngstown Sheet and Tube Company Housing*, Jackson and Chambers St. (06/01/82)

Medina County

Medina, *Blake, H. G., House*, 314 E. Washington St. (09/30/82)
Medina, *St. Paul's Episcopal Church*, 317 E. Washington St. (06/01/82)

Mercer County

Celinda vicinity, *Grand Lake St. Marys Lighthouse*, Grand Lake St. Marys-Northwood Addition. (06/02/82)

Monroe County

Woodsfield, *Mooney, William C., House*, 122 N. Paul St. (03/15/82)

Montgomery County

Dayton, *Biltmore Hotel*, 210 N. Main St. (02/03/82)
Dayton, *Hanitch-Huffman House*, 139 W. Monument Ave. (03/29/82)
Dayton, *Huffman Historic District*, Roughly bounded by E. 3rd., Hamilton, Van Lear and Beckel Sts. (08/24/82)

Morrow County

Fulton vicinity, *Brown, Samuel, P., House*, S of Fulton on Worthington-New Haven Rd. (03/15/82)

Muskingum County

Adamsville vicinity, *Denison, William, House*, 7115 Adamsville Rd. (OH 93) (04/29/82)
Mount Sterling, *Tavener-Sears Tavern*, Main St. (04/29/82)
New Concord vicinity, *McCully Log House*, N of New Concord on Wharton Lane. (03/15/82)
Zanesville, *Alameda Apartments*, 7th St. (06/17/82)
Zanesville, *Brighton-Drydon Historic District*, Dryden Rd., Brighton Blvd., Lexington and Stanberry Aves. (06/01/82)
Zanesville, *Johnston-Crossland House*, N. 7th St. (03/15/82)
Zanesville, *Lind Arcade*, 48 N. 5th St. (06/01/82)
Zanesville, *Smith, William R., House*, 920 Marietta St. (06/01/82)
Zanesville, *West View*, 444 Sunkel Blvd. (03/05/82)

Perry County

New Lexington, *Perry County Courthouse and Jail*, Main and Brown Sts. (10/08/82)

Pickaway County

Circleville vicinity, *Redlands*, 1960 N. Court St. (05/14/82)
South Bloomfield vicinity, *Renick Farm*, N of South Bloomfield on US 23. (03/05/82)

Portage County

Deerfield, *Diver, John, House and Storebuilding*, 9465 Akron-Canfield Rd. (09/16/82)
Kent, *Hopkins, Benjamin F., Stone Building*, Standing Rock Cemetery. (11/25/82)
Mantua, *Crafts William H., House*, 4619 W. Prospect St. (04/29/82)

Richland County

Butler vicinity, *Rummell Mill*, NE of Butler on SR 349. (04/07/82)
Mansfield vicinity, *Lewis, Samuel House*, 291 N. Stewart Rd. (06/01/82)
Perrysville vicinity, *Shambaugh, George, House*, Frontz Rd. (04/01/82)
Shelby, *Shelby Center Historic District*, E. and W. Main Sts. (05/13/82)

Scioto County

Portsmouth, *All Saints Episcopal Church*, 4th and Court Sts. (03/25/82)

Shelby County

Montra, *Emanuel Lutheran Church of Montra*, Montra Rd. (05/13/82)
Port Jefferson, *Port Jefferson School*, Wall and Spring Sts. (06/02/82)

Stark County

Canton, *Barber-Whitticar House*, 519 Cleveland Ave. SW. (07/15/82)
Canton, *Canton Public Library*, 236 3rd St., SW. (07/15/82)
Canton, *City National Bank Building*, 205 Market Ave., S (07/15/82)
Canton, *Dewalt Building*, 122 market Ave., N (07/15/82)
Canton, *Eagles' Temple*, 601 S. Market St. (07/15/82)
Canton, *First Reformed and First Lutheran Churches*, 901 and 909 E. Tuscarawas St. (09/28/82)
Canton, *Landmark Tavern*, 501 E. Tuscarawas St. (03/12/82)
Canton, *Old McKinley High School*, 800 N. Market St. (06/30/82)
Canton, *Onesto Hotel*, 2nd and Cleveland, NW (07/15/82)
Canton, *Schuffenecker, August Building*, 134 6th St. SW (09/02/82)
Canton, *Vicary House*, 3730 Market Ave. N. (03/15/82)
Hartville vicinity, *Stewart, Harry Bartlett, Property*, 13340 Congress Lake Rd. (04/29/82)
Massillon, *Fourth Street Historic District*, Roughly bounded by 3rd, 5th and Cherry St. and Federal Ave. (03/25/82)
Massillon, *Massillon Cemetery Building*, 1827 Erie St. S. (03/12/82)

Summit County

Akron, *Eagles Temple*, 131-137 E. Market St. (06/01/82)
Akron, *Stan Hywet Hall-Frank A. Seiberling House*, 714 N. Portage Path. (12/21/81) (NHL)
Peninsula vicinity, *Stanford, George, Farm*, 6093 Stanford Rd. (02/17/82)

Trumbull County

Champion vicinity, *Woodrow, William, House*, 138 Champion St., E (07/15/82)
Lordstown, *McCorkle, Almon G., House*, 1180 Saltsprings Rd. (03/10/82)

Tuscarawas County

Bolivar vicinity, *Lebold John, House, Smokehouse and Springhouse*, Rt. 1 (07/15/82)
Dover, *Reeves, Jeremiah, House and Carriage House*, 325 E. Iron Ave. (07/15/82)

Union County

North Lewisburg, *Fort The*, 26953 N. Lewisburg Rd. (07/08/82)

Van Wert County

Delphos, *Bredeick-Lang House*, 508 W. 2nd St (04/07/82)

Warren County

Franklin, *Butler, Charles, House*, 13 E. Jackson St. (04/29/82)

Wayne County

Wooster, *Old Wayne County Jail*, W. North St. (04/29/82)

Wood County

Bowling Green, *Floral Hall*, City Park on Conneaut Ave. (07/27/82)
North Baltimore, *North Baltimore Town Hall*, 207 North Main St. (10/29/81)

Wyandot County

Crawford, *Crawford, Col., Burn Site Monument*, NE of Crawford (04/15/82)

OKLAHOMA

Bryan County

Durant, *Wilson, J. L., Building*, 202 W. Evergreen St. (04/20/82)

Caddo County

Apache, *Amphlett Brothers Drug and Jewelry Store*, Evans and Coblake Ave., S. (05/11/82)

Canadian County

Yukon, *Mulvey Mercantile*, 425 W. Main (09/20/82)

Carter County

Ardmore, *Oklahoma, New Mexico and Pacific Railroad Depot*, N. Washington and NE. 3rd (07/22/82)
Ardmore, *Sayre-Mann House*, 323 SW F (05/11/82)

Choctaw County

Fort Towson, *Wilson, Willie W., House*, Cincinatti and Main Sts. (04/20/82)
Hugo vicinity, *Everidge Cabin and Cemetery*, SR (03/31/82)

Cleveland County

Norman, *Beta Theta Pi Fraternity House, The University of Oklahoma*, 800 S. Chautauqua Ave. (06/02/82)

Cool County

Lehigh vicinity, *Smallwood, Benjamin Franklin, House*, W. of Lehigh (03/10/82)

Creek County

Drumright vicinity, *Drumright Gasoline Plant No. 2*, N of Drumright (07/27/82)
Drumright vicinity, *Jackson, Barnett, No. 11 Oil Well*, S of Drumright (07/27/82)
Drumright, *Drumright, Aaron, House*, 403 S. Creek Ave. (08/17/82)
Drumright, *First United Methodist Church of Drumright*, 115 N. Pennsylvania Ave. (03/31/82)
Drumright, *Fulkerson, J.W., House*, 508 E Broadway (03/23/82)
Oilton vicinity, *Markham School and Teacherage*, SW of Oilton (04/21/82)
Oilton, *Meacham Building*, 102 East Main St. (04/21/82)

Garvin County

Wynnewood, *Hargis-Mitchell-Cochran House*, 204 E. Robert S. Kerr (06/02/82)

Jefferson County

Ringling vicinity, *San Bernardo (Taovayas Village*, (03/10/82)

Kay County

Ponca City, *Donahoe, Daniel J., House*, 302 S. 7th St. (03/10/82)
Ponca City, *Soldani Mansion*, 819 E. Central St. (06/01/82)

McIntosh County

Checotah, *Checotah Business District*, Gentry Ave. between W. 1st and W. Main Sts. and Broadway Ave. between Lafayette and Spaulding Aves. (09/13/82)
Eufaula vicinity, *First Soil Conservation District Dedication Site*, N. of Eufaula (09/20/82)

Muskogee County

Muckogee, *Robb, Andrew W., House*, 1321 Boston (05/11/82)
Muckogee, *Severs Hotel*, 200 N. State St. (09/12/82)

Oklahoma County

Oklahoma City, *Heierding Building*, 35 Harrison Ave. (03/10/82)
Oklahoma City, *Putnam Heights Historic Preservation District*, Georgia and McKinley Blvds., 35th, 37th, and 38th Sts. (06/02/82)
Oklahoma City, *Walcourt Building*, 1401 NE Walnut Ave. (03/19/82)
Oklahoma City, *Wells Fargo and Company Livery Stable*, 115 E. Reno Ave. (07/09/82)

Rogers County

Claremore, *Belvedere, The*, 109 N. Chickasaw Ave. (03/24/82)
Claremore, *Eastern University Preparatory School*, College Hill (02/19/82)
Claremore, *Meyer, Maurice, Barracks*, College Hill (03/01/82)
Oologah, *Oologah Bank*, 105 S. Maple St. (05/10/82)
Sageeyah vicinity, *Hanes Home*, off OK 88 (07/12/82)

Seminole County

Sasakwa, *Brown, Alice, House*, Chestnut St. (03/31/82)

Tulsa County

Tulsa, *Gillette Historic District*, Bounded by S. Yorktown and S. Lewis Aves, E. 15th and E. 17th Sts. (09/20/82)
Tulsa, *Gillette-Tyrell Building*, 423 S. Boulder Ave. (01/21/82)
Tulsa, *Holy Family Cathedral, Rectory, and School*, W. 8th St. and S. Boulder Ave. (02/11/82)
Tulsa, *Moore Manor*, 228 W. 17th Pl. (02/19/82)
Tulsa, *Petroleum Building*, 420 South Boulder St. (04/15/82)
Tulsa, *Tracy Park Historic District*, Roughly bounded by Norfolk, Peorian, 11th and 13th Sts. (09/20/82)

Wagoner County

Wagoner, *Cobb Building*, 203 E. Cherokee St. (09/13/82)
Wagoner, *Gibson, John W., House (Territorial Homes of Wagoner, Oklahoma TR)*, 402 S. McQuarrie (07/06/82)
Wagoner, *McAnally, William, House (Territorial Homes of Wagoner, Oklahoma TR*, 702 S.E. 7th St. (07/06/82)
Wagner, *McKinney, Collin, House (Territorial Homes of Wagoner, Oklahoma TR)*, 1106 S.E. 7th St. (07/06/82)
Wagoner, *Parkinson, Amos, House (Territorial Homes of Wagoner, Oklahoma TR)*, 601 N. Parkinson (07/06/82)
Wagoner, *Parkinson, Frederick, House (Territorial Homes of Wagoner, Oklahoma TR)*, 407 N.E. 3rd St. (07/06/82)
Wagoner, *St James Episcopal Church*, 303 S. Church St. (05/11/82)
Wagoner, *Way House (Territorial Homes of Wagoner, Oklahoma TR)*, 411 N.E. 2nd St. (07/06/82)

Washington County

Bartlesville, *LaQuinta*, 2201 Silver Lake Rd. (07/15/82)

Woods County

Alva, *Stine Building*, 601 Barnes St. (04/21/82)

OREGON

Baker County

Baker, *Rand, Ed, House*, 1700 4th St. (12/09/82)

Benton County

Corvallis, *Arnold, Earnest, House*, 806 SW 5th St. (12/02/81)
Corvallis, *Bosworth, Ralph Lyman, House*, 833 NW Buchanan Ave. (12/09/81)
Corvallis, *Farra, Dr. George R., House*, 660 SW Madison Ave. (12/09/81)
Corvallis, *First Congregational Church*, 8th and Madison Sts. (12/09/81)
Corvallis, *Hadley-Locke House*, 704 NW 9th St. (12/21/81)
Corvallis, *Hotel Benton*, 408 SW Monroe (05/17/82)
Corvallis, *Kline, Lewis G., House*, 308 NW 8th St. (12/09/81)
Corvallis, *Pernot, Dr. Henry S., House*, 242 SW. 5th St. (04/29/82)
Corvallis, *Pi Beta Phi Sorority House*, 3002 NW Harrison Blvd. (06/14/82)
Corvallis, *Taylor, George, House*, 504 SW. 6th St. (12/09/81)

Clackamas County

Canby, *Macksburg Lutheran Church*, 10210 S. Macksburg Rd. (06/14/82)
Mulino, *Howards Gristmill*, 26401 S. Hwy. 213 (12/10/81)
Oregon City vicinity, *Jackson, C.S. "Sam", Log House (Alder Lea)* 14999 S. Springwater Rd. (12/09/81)
Oregon City, *First Congregational Church of Oregon City (Atkinson Memorial Congregational Church)*, 6th and John Adams Sts. (08/26/82)

Clatsop County

Seaside vicinity, *Tillamook Rock Lighthouse*, SW of Seaside (12/09/81)

Deschutes County

Bend vicinity, *Boyd, Charles, Homestead Group*, N of Bend at 20410 Rivermall Ave. (08/31/82)

Douglas County

Roseburg, *Rice, Napoleon, House*, 709 Kane St. (12/09/81)

Hood River County

Hood River, *Waucoma Hotel*, 2nd St. (12/10/81)

Jackson County

Ashland, *Boslough-Claycomb House*, 1 Hillcrest St. (12/09/81)
Ashland, *Carter-Fortmiller House*, 514 Siskiyou Blvd. (12/21/81)
Ashland, *McCall, John, House*, 153 Oak St. (12/09/81)
Ashland, *Procht, Humboldt, House*, 234 Vista St. (12/23/81)
Central point vicinity, *Bursell, Victor and Bertha, House*, 3075 Hanley Rd. (04/29/82)
Central Point, *Fiero, Conro, House (Woodlawn Acres)*, 4615 Hamrick Rd. (12/09/81)
Gol Hill vicinity, *van Hoevenberg, Henry, Jr., House*, 9130 Ramsey Canyon Rd. (12/10/81)
Jacksonville, *Bybee, Frank E., House*, 4491 Jacksonville Hwy. (12/09/81)
Medford, *Fredenbury, Andrew J., House*, 234 S. Holy St. (06/17/82)
Medford, *West Side Feed and Sale Stable*, 29 S. Grape St. (12/21/81)
Medford, *Wilkinson-Swem Building (Wilkinson, E. H., Building)*, 217 E. Main St. (08/26/82)

Josephine County

Grants Pass, *Calhoun, George, House*, 612 NW. 5th St. (12/02/81)
Grants Pass, *Clemens, Michael, House*, 612 NW. 3rd St. (04/29/82)
Grants Pass, *Kienlen-Harbeck Building*, 147 SW G St. (05/13/82)

Klamath County

Klamath Falls, *Benson, Judge Henry L., House*, 137 High St. (12/02/81)
Klamath Falls, *Winthrow-Melhase Block*, 4th and Main Sts. (06/14/82)

Lane County

Eugene, *Ax Billy Department Store (Ardel Building)*, E. 10th Ave. and Willamette St. (06/26/82)
Eugene, *Calkines, Windsor W., House*, 588 E. 11th Ave. (12/09/81)
Eugene, *East Skinner Butte Historic District*, Pearl and High Sts., and 2nd and 3rd Aves. (09/23/82)
Eugene, *McDonald Theater Building*, 1004-1044 Willamette St. (08/26/82)
Eugene, *Quackenbush Hardware Store*, 160 E. Broadway (09/23/82)
Florence, *Kyle, William, and Sons, Building*, 1297 Bay St. (12/02/81)

Lincoln County

Newport, *Roper, Charles and Theresa, House (Hilan Castle)* 620 SW. Alder St. (12/09/81)

Linn County

Albany, *Hackleman Historic District*, Roughly bounded by Pacific Blvd., Lyons, 2nd and Madison Sts. (03/15/82)
Albany, *Ralston, John, House*, 632 Baker St., Se. (12/09/81)

Marion County

Aurora, *Bents, Frederick, House*, 22776 Bents Rd., NE. (12/09/81)
Butteville, *Scheurer, William Riley, House*, 23707 First St., NE (12/23/81)
Mt. Angel, *Queen of Angels Priory*, 840 S. Main St. (07/08/82)
Salem, *Boise, R. P., Building*, 217 State St. (12/02/81)
Salem, *Bush and Brey Block and Annex*, 179-197 Commercial St., NE (12/21/81)
Salem, *Cross, Curtis, House*, 1635 Fairmount Ave., S. (12/18/81)
Salem, *Farrar Building*, 351-373 State St. (08/26/82)
Salem, *Harding, Benjamin F., House*, 1043 High St., SE (12/21/81)
Salem, *Jones-Sherman House*, 835 D St. NE (12/21/81)
Salem, *Minto, John and Douglas, Houses*, 841, 835 and 821 Saginaw St., S. (12/18/81)
Salem, *Old Garfield School*, 528 Cottage St., NE. (12/02/81)
Salem, *Oregon State Forester's Office Building*, 2600 State St. (04/15/82)
St. Paul, *St. Paul Historic District*, Off OR 219 (03/15/82)
Stayton, *Paris Woolen Mill*, 535 E. Florence St. (12/21/81)

Multnomah County

Gresham, *Bethel Baptist Church*, 101 S. Main St. (04/15/82)
Portland, *Adams, Charles F., House*, 2363 NW. Flanders (12/09/81)
Portland, *Ayer-Shea House*, 1809 NW Johnson St. (06/14/82)
Portland, *Burke-Clark House*, 2610 NW Cornell Rd. (08/26/82)
Portland, *Corkish Apartments*, 2734-2740 SW. 2nd Ave. (12/02/81)
Portland, *Dayton Apartment Building*, 2056-2058 NW. Flanders St. (12/21/81)
Portland, *Henry, C.K., Building*, 309 S.W. 4th Ave. (05/13/82)
Portland, *Jacobs-Wilson House*, 6461 SE. Thorburn St. (12/10/81)
Portland, *Linnea Hall*, 2066 NW. Irving St. (12/02/81)
Portland, *Maegly, A. H., House*, 226 SW. Kingston St. (12/02/81)
Portland, *Meier and Frank Building*, 621 S.W. 5th Ave. (07/08/82)
Portland, *Mills, Lewis H., House*, 2039 NW Irving St. (08/26/82)
Portland, *Smith, Mary J. G., House*, 2256 NW. Johnson St. (12/02/81)
Portland, *Sovereign Hotel*, 710 SW. Madison St. (12/02/81)
Portland, *Waldo Block*, 431-433 SW. 2nd Ave. (04/29/82)

Polk County

Independence vicinity, *Wells, George A., Jr., House*, 106635 Buena Vista Rd. (12/22/81)

Umatilla County

Echo, *Bank of Echo Building*, 230 W. Main (04/15/82)
Pendleton, *Empire Block*, 21-37 SW. Emigrant Ave. (06/01/82)
Pendleton, *Hamley and Company Leather Goods Store*, 30 SE Court St. (06/09/82)
Pendleton, *Hendricks Building (K. O. T. M. Temple)*, 369 S. Main St. (06/01/82)
Pendleton, *Masonic Temple*, 18 SW. Emigrant Ave. (06/01/82)
Pendleton, *Matlock-Brownfield Building*, 413-425 S. Main St. (06/01/82)
Pendleton, *Milarkey Building (Pendleton Drug Building)* 203 S. Main St. (09/23/82)

Wasco County

Shaniko, *Shaniko Historic District*, US 97 and OR 218 (03/18/82)

Washington County

Cornelius, *Sholes, Albert S., House*, 1599 S. Alpine St. (09/02/82)

Yamhill County

Lafayette, *Kelty, James M. and Paul R., House*, 675 3rd St. (09/23/82)
Sheridan, *Travelers Home*, 147 NE Yamhill St. (07/08/82)

PENNSYLVANIA

Allegheny County

Carnegie, *Carnegie, Andrew, Free Library*, 300 Beechwood Ave. (10/08/81)
Pittsburgh, *St. Boniface Roman Catholic Church*, East St. (11/17/81)

Armstrong County

Kittanning, *Armstrong County Courthouse and Jail*, Market and Jefferson Sts. (11/01/81)

Bedford County

New Enterprise, *New Enterprise Public School*, off PA 869 (10/08/81)

Berks County

Douglassville, *Boonecroft*, Oley Line Rd. (07/26/82)
Oley vicinity, *Reiff Farm*, SW of Oley on SR T454 (02/25/82)
Reading, *City Hall (Boys' High School)*, 8th & Washington Sts. (04/13/82)
Reading, *Hampden Firehouse*, 1101 Greenwich St. (04/13/82)
Reading, *Reading Knitting Mills*, 350 Elm St. (04/13/82)
Reading, *Wilhelm Mansion and Carriage House*, 730 Centre Ave. (03/01/82)
Womelsdorf, *Womelsdorf Historic District*, Roughly bounded by Water, 4th, Franklin and Jefferson Sts. (03/10/82)

Bucks County

Buckingham vicinity, *Forest Grove Historic District*, Forest Grove and Lower Mountain Rds. (04/20/82)
Newton vicinity, *Twining Farm*, Buck Rd. (07/01/82)

Centre County

Wingate, *Fisher Farm Site (36Ce35)*, (03/05/82)
State vicinity, *Tudek Site (36 CE 238)*, (02/12/82)
Bellefonte, *McAllister-Beaver House*, 817 E. Bishop St. (02/24/82)
Blanchard vicinity, *Bechdel II, Christian, House*, S of Blanchard on Liberty Rd. (03/01/82)
Centennial vicinity, *Wilson, George, Homestead*, SW of Centennial on PA 550 (02/24/82)
Lemont, *Dale, Felix, Stone House*, Rt. 871 (04/20/82)
Wingate vicinity, *Fisher Farm Site (36Ce35)*, (03/03/82)
Thornbury, *Barnard, William J., Residence (Thornbury Lodge)*, 920 E. Street Rd. (07/21/82)

Chester County

West Chester, *West Chester State College Quadrangle Historic District*, Bounded by S. High St., Rosedale Ave., S. Church St., and College Ave. (10/08/82)

Clinton County

Lock Haven, *Memorial Park Site, (36 Cn 164)* (04/14/82)

Crawford County

Meadville, *Roueche House*, 762 Park Ave. (03/04/82)

Erie County

Erie, *Koehler, Jackson, Eagle Brewery*, 2131 State St. (04/13/82)
Erie, *Reed, Charles Manning Mansion*, 524 Peach St. (04/19/82)
Erie, *Warner Theater*, 811 State St. (04/13/82)

Fayette County

Connellsville, *Carnegie Free Library*, S. Pittsburg St. (10/08/81)
North Union, *Springer Farm*, PA 51 (07/23/82)

Franklin County

Chambersburg, *Chambersburg Historic District*, US 11 and US 30 (08/26/82)

Jefferson County

Brookville, *Taylor, Phillip, House,* Euclid Ave. (07/22/82)

Lancaster County

Shenks Ferry Site (36La2), (03/03/82)
Shultz-Funk Site (36La7 and 36La9) (03/03/82)
Ephrata, *Mountain Springs Hotel,* 320 E. Main St. (03/02/82)
Lancaster, *Hess, A. B., Cigar Factory, and Warehouses,* 231 N. Shippen St. (08/24/82)
Lancaster, *Lancaster Watch Company,* 901 Columbia Ave. (08/24/82)
Lancaster, *Yeates, Jasper, House,* 24–26 S. Queen St. (09/23/82)
Lititz, *Sutter, Johann Agust, House,* 17–19 E. Main St. (04/20/82)
Strasburg vicinity, *Electric Locomotive No. 4859,* PA 741 (08/19/82)

Lehigh County

Coopersburg, *Coopersburg Historic District,* Main St. and PA 309 (04/26/82)
Slatington, *Fireman's Drinking Fountain,* Main St. (11/09/81)

Lycoming County

Williamsport vicinity, *Archeological Site 36 LY 37,* (04/14/82)

Montgomery County

Elkins Park, *St. Paul's Episcopal Church,* Old York and Ashbourne Rds. (04/22/82)
Marlborough, *Bauern Freund Print Shop,* PA 63 (07/26/82)

Northampton County

Bath, *Steckel, Daniel, House,* 207 W. Northampton St. (03/08/82)
Easton, *Heller, William Jacob, House,* 501 Mixsell St. (04/20/82)
Easton, *State Theatre,* 454 Northampton St. (03/04/82)

Philadelphia County

Philadelphia, *1900 Rittenhouse Square Apartments,* 1900 S. Rittenhouse Sq. (07/26/82)
Philadelphia, *Anglecot, The,* Evergreen and Prospect Sts. (04/19/82)
Philadelphia, *Bell, John C., House,* 229 S. 22nd St. (04/13/82)
Philadelphia, *Benjamin Franklin Hotel,* 822–840 Chestnut St. (03/02/82)
Philadelphia, *Houses at 2000–2018 Delancey Street,* 2000–2018 Delancey St. (04/22/82)
Philadelphia, *Jayne, Horace, House,* 320 S. 19th St. (07/22/82)
Philadelphia, *Mayfair House,* 401 W. Johnson St. (04/07/82)
Philadelphia, *Philadelphia Stock Exchange,* 1409–1411 Walnut St. (08/31/82)
Philadelphia, *Reading Company Grain Elevator,* 411 N. 20th St. (03/10/82)
Philadelphia, *Shedwick, John, Development Houses,* 3433–3439 Lancaster Ave. (03/10/82)
Philadelphia, *St. Mark's Episcopal Church,* 1607–27 Locust St. (04/19/82)
Philadelphia, *Touraine, The,* 1520 Spruce St. (04/07/82)
Philadelphia, *Uptown Theater and Office Building,* 2240–2248 N. Broad St. (07/22/82)
Philadelphia, *Watson, Sally, House,* 5128 Wayne Ave. (03/10/82)

Schuylkill County

Pottsville, *Pottsville Downtown Historic District,* Roughly bounded by Laurel Blvd., Railroad, Morris and 4th Sts. (03/01/82)

Westmoreland County

United vicinity, *Sewickley Manor,* SR 64136 (04/19/82)

York County

York Spring Garden vicinity, *Nook, The (Francis Farquhar House),* 1101 Farquhar Dr. (03/01/82)

PUERTO RICO

Arecibo County

Arecibo, *Casa Ulanga,* #7 Gonzalo Marin St. (07/26/82)
Arecibo and Cabo Rojo, Calebra, Guanica, Guayama, Mona Island, Ponce, San Juan, San Juan and Vieques Island Vicinities, *Lighthouse System of Puerto Rico TR,* (10/22/81)
Arecibo vicinity, *Faro di Punta Borinquen (Lighthouse System of Puerto Rico TR,* (10/22/81)
Arecibo vicinity, *Faro di Punta higuero (Lighthouse System of Puerto Rico TR),* (10/22/81)

Cabo Rojo

Faro de los Morrillos de Cabo Rojo (Lighthouse System of Puerto Rico TR), 10(22/22/81)

Culebrita Island

Faro Isla de Culebritas (Lighthouse System of Puerto Rico TR), 10(22/22/81)
Guavama, vicinity, *Faro de Punta de las Figuras (Lighthouse System of Puerto Rico TR),*(10/22/81)
Guavama vicinity, *Faro de Punta dela Tuna (Lighthouse System of Puerto Rico TR),* (10/22/81)

Loiza County

Loiza, *Cueva de Los Indios,* PR 187 (06/24/82)

Mona Island

Faro di la Isla de la Mona (Lighthouse System of Puerto Rico TR), (10/22/81)
Ponce vicinity, *Faro de la Isla de Caja de Muertos (Lighthouse System of Puerto Rico TR),* (10/22/81)
Ponce vicinity, *Faro del Puerto de Ponce (Lighthouse System of Puerto Rico TR),* (10/22/81)
San Juan vicinity, *Faro de las Gabezas de San Juan (Lighthouse System of Puerto Rico TR),* (10/22/81)

San Juan

Faro de Morro (Lighthouse System of Puerto Rico TR), (10/22/81)
Superintendent of Lighthouses Dwelling (Lighthouse System of Puerto Rico TR), (10/22/81)

RHODE ISLAND

Newport County

Newport, *Bird's Nest, The,* 528 Broadway at One Mile Corner (06/07/82)

Providence County

Cumberland, *Jillson, Luke, House,* 2510 Mendon Rd. (08/12/82)
Cumberland, *St. Joseph's Church Complex,* 1303–1317 Mendon Rd. (08/12/82)
Cumberland, *Tower, Lewis, House,* 2199 Mendon Rd. (08/30/82)
Pawtucket, *Church Hill Industrial District,* Roughly bounded by S. Union, Pine, Baley, Commerce, Main, and Hill Sts. (08/12/82)
Woonsocket, *S'Eglise du Precieux Sang,* 94 Carrington Ave. and 61 Park Ave. (07/26/82)

Washington County

Narragansett, *Central Street Historic District (Narragansett Pier MRA),* Both sides of Central Street from 5th Ave. to Boon St. (08/18/82)
Narragansett, *Earlscourt Historic District (Narragansett Pier MRA),* Roughly bounded by Westmoreland, Noble, Woodward Sts., and Gibson Ave. (both sides) (08/18/82)
Narragansett, *Gardencourt (Narragansett Pier MRA),* 10 Gibson Ave. (08/18/82)
Narragansett, *Ocean Road Historic District (Narragansett Pier MRA),* Ocean and Wildfield Farm Rds., and Newton and Hazard Aves. (08/18/82)
Narragansett, *Towers Historic District (Narragansett Pier MRA),* Bounded by the Atlantic Ocean, Exchange Pl., Mathewson and Taylor Sts. (08/18/82)
New Shoreham, *Champlin, Peleg, House,* Rodman Pond Lane (06/01/82)
South Kingstown, *Perry, Commodore Oliver Farm,* 184 Post Rd. (08/26/82)

SOUTH CAROLINA

Abbeville County (also Greenwood County)

Abbeville vicinity, *Cedar Springs Historic District,* SR 33, SR 112 and SR 47 (03/25/82)
Due West, *Erskine College-Due West Historic District,* Main, Church, College, Bonner, Hayne, Washington, Cleveland, Depot, & Abbeville Sts. (03/19/82)

Aiken County

Aiken, *Chinaberry (Williams-Converse House),* 441 York St., SE (04/29/82)
Aiken, *St. Mary Help of Christians Church,* York St. and Park Ave. (03/25/82)
Aiken, *Willcox's,* Colleton Ave. (03/19/82)

Anderson County

Anderson vicinity, *McFall House,* SR 247 (06/28/82)

Bamberg County

Denmark vicinity, *Voorhees College Historic District,* Voorhees College Campus (01/21/82)

Beaufort County

Hilton Head vicinity, *Daufuskie Island Historic District,* SW of Hilton Head (06/02/82)

Berkeley County

Huger vicinity, *Cainhoy Historic District,* SE of Huger (03/11/82)
Moncks Corner vicinity, *Santee Canal,* NE of Moncks Corner (05/05/82)
Pinopolis, *Pinopolis Historic District North (Pinopolis MRA),* Lake View St. South to Lake Moultrie (08/19/82)
Pinopolis, *Pinopolis Historic District South (Pinopolis MRA),* CR 5 (08/19/82)

Pinopolis, *Robertson, William, House (Pinopolis MRA)*, CR 5 (08/19/82)

Calhoun County

St. Matthews, *Calhoun County Courthouse (Courthouses in SC Designed by William Augustus Edwards TR)*, S. Railroad Ave. (10/30/81)

Charleston County

Battery LeRoy (Civil War Defenses of Charleston TR), Riverland Dr., James Island (08/11/82

Battery No. 1 (James Island Siege Line) (Civil War Defenses of Charleston TR), Riverland Dr., James Island (08/11/82)

Battery No. 5 (Civil War Defenses of Charleston TR), James Island (08/11/82)

Battery Tynes (Civil War Defenses of Charleston TR), Stono River, James Island (08/11/82)

Fort Pringle (Civil War Defenses of Charleston TR), Riverland Dr., James Island (08/11/82)

Fort Trenholm (Civil War Defenses of Charleston TR), John's Island Airport (08/11/82)

Charleston vicinity, *Morris Island Lighthouse*, 6 mi. SE of Charleston (06/28/82)

Clark's Point vicinity, *Unnamed Battery No. 1 (Civil War Defenses of Charleston TR)*, James Island (08/11/82)

Edisto Island vicinity, *Seaside Plantation House*, Off SC 174 (01/21/82)

Edisto Island, *Edisto Island Baptist Church*, N of Edisto Island, on SC 174 (04/01/82)

Fort Johnson Estates, *Battery Cheves (Civil War Defenses of Charleston TR)*, James Island (08/11/82)

Hamlin Sound vicinity, *Fort Palmetto (Civil War Defenses of Charleston TR)*, Christ Church Parish (08/11/82)

Johns Islands, *Moving Star Hall*, River Rd. (06/17/82)

McClellanville vicinity, *Cape Romain Lighthouses*, SE of McClellanville on Lighthouse Island (11/12/82)

McClellanville, *McClellanville Historic District*, Pinckney, Lofton, Charlotte, Church, Water, Oak, Venning, Legare, Morrison, and Scotia Sts. (03/23/82)

Shaftsbury Townhouses vicinity, *Unnamed Battery (Civil War Defenses of Charleston TR)*, St. Andrew's Parish (08/11/82)

Chesterfield County

Chesterfield, *East Main Street Historic District (Chesterfield MRA)*, Hursey Dr., E. Main and Craig Sts. (05/04/82)

Chesterfield, *Lucas, Dr. Thomas E., House (Chesterfield MRA)*, 716 W. Main St. (05/04/82)

Chesterfield, *West Main Street Historic District (Chesterfield MRA)*, W. Main, Church and Academy Sts. (05/04/82)

Dillon County

Dillon, *Dillon County Courthouse (Courthouses in SC Designed by William Augustus Edwards TR)*, 1303 W. Main St. (10/30/81)

Florence County

Johnsonville vicinity, *Browntown*, SC 341 (06/28/82)

Georgetown County

Georgetown vicinity, *China Grove*, SC 512 (03/25/82)

Georgetown, *Minim Island Shell Midden (38GE48)*, (08/18/82)

Greenville County

Greenville, *American Cigar Factory (Greenville MRA)*, E. Ct. St. (07/01/82)

Greenville, *Chamber of Commerce Building (Greenville MRA)*, 130 S. Main St. (07/01/82)

Greenville, *Davenport Apartments (Greenville MRA)*, 400–402 E. Washington St. (07/01/82)

Greenville, *Earle, Col. Elias, Historic District (Greenville MRA)*, Earle, James, N. Main, and Rutherford Sts. (07/01/82)

Greenville, *Greenville Gas and Electric Light Company (Greenville MRA)*, 211 E. Broad St. (07/01/82)

Greenville, *Hampton-Pinckney Historic District Extension (Greenville MRA)*, Hampton, Lloyd, Hudson Sts., Butler and Asbury Aves. (07/01/82)

Greenville, *Isoqueena (Greenville MRA)*, 106 DuPont Dr. (07/01/82)

Greenville, *Lanneau-Norwood House (Greenville MRA)*, 417 Belmont Ave. (07/01/82)

Greenville, *Mills Mill (Greenville MRA)*, Mills and Guess Sts. (07/01/82)

Greenville, *Pettigru Street Historic District (Greenville MRA)*, Pettigru, Whitsett, Williams, Manly, E. Washington, Broadus, Toy, and Boyce Sts. (07/01/82)

Greenville, *Poinsett Hotel (Greenville MRA)*, 120 S. Main St. (07/01/82)

Greenville, *Williams-Earle, House, (Greenville MRA)*, 319 Grove Rd. (07/01/82)

Greenville, *Working Benevolent Temple and Professional Building (Greenville MRA)*, Broad and Fall Sts. (07/01/82)

Greer vicinity, *Barnwell, Arthur, House*, S. of Greer on SR 14 (03/19/82)

Greenwood County

Greenwood, *Vance-Maxwell House*, 158 E. Cambridge ST. (03/05/82)

Horry County

Bucksville vicinity, *Buck's Upper Mill Farm*, N. of Bucksville (03/25/82)

Jasper County

Ridgeland vicinity, *Church of the Holy Trinity*, SC 13 and SC 29 (03/25/82)

Ridgeland, *Jasper County Courthouse (Courthouses in SC Designed by William Augustus Edwards TR)*, Russel St. (10/30/81)

Kershaw County

Camden, *Kendall Mill Historic District*, Roughly bounded by RR tracks, Kendall Lake, Lakeshore Dr., McRae Rd., and Haile St. (03/19/82)

Camden, *Murchison House*, Kershaw County Rd. 12 (06/17/82)

Lancaster County

Kershaw vicinity, *Cauthen, Dr. William Columbus, House*, SR 75 (06/28/82)

Laurens County

Clinton, *Thornwell-Presbyterian College Historic District*, Presbyterian College Campus (03/05/82)

Laurens vicinity, *Dial, Allen, House*, SR 729 (01/21/82)

Lee County

Bishopville, *Lee County Courthouse (Courthouses in SC Designed by William Augustus Edwards TR)*, 123 Main St. (10/30/81)

Lexington County

Batesburg, *Batesburg Commercial Historic District (Batesburg-Leesville MRA)*, Granite, Oak, Pine, Church Sts., Rutland and N. Railroad Aves. (07/06/82)

Batesburg, *Bouknight, Simon, House (Batesburg-Leesville MRA)*, Saluda Ave. (07/06/82)

Batesburg, *Edwards, Broadus, House (Batesburg-Leesville MRA)*, 12 Peachtree St. (07/06/82)

Batesburg, *Hartley House (Batesburg-Leesville MRA)*, 305 E. Columbia Ave. (07/09/82)

Batesburg, *Historic Cartledge House (Batesburg-Leesville MRA)*, 305 Saluda Ave. (07/06/82)

Batesburg, *Jones, A. C., House (Batesburg-Leesville MRA)*, 104 Fair Ave. (07/06/82)

Batesburg, *McKendree, Mitchell, House (Batesburg-Leesville MRA)*, 310 Saluda Ave. (07/06/82)

Batesburg, *Rawl, John Jacob, House (Batesburg-Leesville MRA)*, Line St. (07/06/82)

Batesburg, *Rawl-Couch House (Batesburg-Leesville MRA)*, 22 Short St. (07/06/82)

Leesville, *Church Street Historic District (Batesburg-Leesville MRA)*, Church St. (07/06/82)

Leesville, *Hampton Hendrix Office (Batesburg-Leesville MRA)*, Leesville Ave. (07/06/82)

Leesville, *Hendrix, Henry Franklin, House (Batesburg-Leesville MRA)*, Hendrix Heights Plantation (07/06/82)

Leesville, *Herbert, Rev. Walter L., House (Batesburg-Leesville MRA)*, 506 Trotter St. (07/06/82)

Leesville, *Holman, J. B., House (Batesburg-Leesville MRA)*, N. Peachtee St. (07/06/82)

Leesville, *Leesville College Historic District (Batesburg-Leesville MRA)*, Railroad Ave., College, Peachtree, King, and Lee Sts. (07/06/82)

Leesville, *Mitchell, Crowell, House (Batesburg-Leesville MRA)*, Church St. (07/06/82)

Leesville, *Mitchell-Shealy House (Batesburg-Leesville MRA)*, 419 W. Church St. (07/06/82)

Leesville, *Yarborough, Rev. Frank, House (Batesburg-Leesville MRA)*, 810 Bernard St. (07/06/82)

Lexington, *Old Batesburg-Leesville High School (Batesburg-Leesville MRA)*, Summerland Ave. (07/06/82)

Marlboro County

Bennettsville vicinity, *Appin*, U.S. 15 (06/28/82)

McCormick County

Mount Carmel, *Mount Carmel Historic District*, SC 823 and SC 81 (06/22/82)

Newberry County

Chappells vicinity, *Moon-Dominick House*, NE of Chappells (03/22/82)

Oconee County

Newry, *Newry Historic District*, Broadway, River Ridge Rd., South, Branch, and Palmetto Aves. (03/19/82)

Orangeburg County

Eutawville vicinity, *Numertia Plantation*, E. of Eutawville (03/19/82)

Richland County

Columbia, *Babcock Building, South Carolina State Hospital*, Bull St. (10/30/81)
Columbia, *Bethel A.M.E. Church (Columbia MRA addition)*, 1528 Sumter St. (05/24/82)
Columbia, *Building at 303 Saluda Avenue (Columbia MRA addition)*, 303 Saluda Ave. (05/24/82)
Columbia, *Columbia Historic District II*, (boundary increase) Blanding, Laurel, Richland, Calhoun, Marion, Bull, Pickens, Henderson, and Barnwell Sts. (06/28/82)
Columbia, *Columbia Mills Building (Columbia MRA addition)*, on the Congaree River (05/24/82)
Columbia, *Taylor House (Columbia MRA)*, 1505 Senate St. (07/06/82)

Saluda County

Saluda, *Marsh-Johnson House*, Intersection of S-41-21 and S-41-37 (06/17/82)

Williamsburg County

Indiantown vicinity, *Wilson, John Calvin, House*, Off SC 512 (06/28/82)
Kingstree, *Kingstree Historic District (Kingstree MRA)*, Main, Hampton and Academy Sts. (06/28/82)

York County

McConnells vicinity, *Hightower Hall*, York County Rd 165 (06/28/82)
Rock Hill, *Anderson House*, 227 Oakland Ave. (05/13/82)

SOUTH DAKOTA

Beadle County

Carpenter vicinity, *Milford Hutterite Colony (Historic Hutterite Colonies TR)*, (06/30/82)
Huron vicinity, *Old Riverside Hutterite Colony (Historic Hutterite Colonies TR)*, (06/30/82)

Bon Homme County

Scotland, *Campbell, Gen. Charles T., House*, 611 4th St. (06/17/82)
Scotland, *St. Andrew's Episcopal Church*, 4th and Poplar Sts. (06/17/82)
Tabor vicinity, *Bon Homme Hutterite Colony (Historic Hutterite Colonies TR)*, (06/30/82)

Brookings County

Brookings, *Brookings City Hall*, 4th St. (06/17/82)

Brown County

Aberdeen, *Ward, Alonzo, Hotel*, 104 S. Main St. (06/17/82)
Frederick vicinity, *Aurland United Norwegian Lutheran Church*, SE of Frederick (04/16/82)

Butte County

Belle Fourche, *Belle Fourche Commercial Historic District*, 500-620 State St. and 608-622 5th Ave. (04/27/82)
Belle Fourche, *Bolles, Charles, House*, 919 State St. (07/01/82)
Belle Fourche, *Gay, Thomas Haskins, House*, 704 Harding (07/19/82)

Charles Mix County

Academy, *Church of Christ in LaRoche Township, SD 50 (07/01/82)*

Clay County

Vermillion, *First Baptist Church of Vermillion*, 101 E. Main St. (03/05/82)
Vermillion, *Willey, E. H., House*, 104 Court St. (06/17/82)

Codington County

Watertown, *Mathiesen House*, 914 N. Maple (02/01/82)

Custer County

Site No 39 Cu 510 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 Cu 511 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 Cu 512 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 Cu 513 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 Cu 514 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 Cu 515 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 Cu 516 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 Cu 91 (Rock Art in the Southern Black Hills TR) (05/20/82)
Custer, *First National Bank Building*, 6th St. and Mt. Rushmore Rd. (03/05/82)

Davison County

Mitchell, *Anderson, John F., House*, 323 N. Duff (07/01/82)
Mitchell, *Beckwith, Louis, House*, 1311 S. Duff Dr. (07/01/82)

Fall River County

Site No 30 FA 75 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 FA 277 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 FA 389 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 FA 511 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 FA 554 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 FA 58 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 FA 676 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 FA 677 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 FA 681 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 FA 684 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 FA 685 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 FA 687 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 FA 7 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 FA 79 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 FA 91 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 FA 94 (Rock Art in the Southern Black Hills TR), (05/20/82)

Hamlin County

Estelline, *Lohr, Charles and Mary, House*, 1705 State Ave. (07/19/82)

Hand County

Zell vicinity, *St. Mary's Church, School and Convent*, U.S. 212 (07/19/82)

Hanson County

Alexandria vicinity, *Old Rockport Hutterite Colony (Historic Hutterite Colonies TR)*, (06/30/82)

Harding County

Ludlow vicinity, *Lightning Spring 39HN204*, (08/02/82)

Hutchison County

Ethan vicinity, *New Elmspring Colony (Historic Hutterite Colonies TR)*, (06/30/82)
Menno, *Ulmer, J.W., House*, 611 5th St. (06/17/82)
Milltown vicinity, *Milltown Hutterite Colony (Historic Hutterite Colonies TR)*, (06/30/82)
Parkston vicinity, *Old Elmspring Hutterite Colony (Historic Hutterite Colonies TR)*, (06/30/82)
Scotland vicinity, *Old Maxwell Hutterite Colony (Historic Hutterite Colonies TR)*, (06/30/82)

Marshall County

Veblen vicinity, *Palestine Evangelical Lutheran Church*, NE of Veblen (03/05/82)

Meade County,

Sturgis vicinity, *Butte, Bear*, (12/21/81) (NHL)

Minnehaha County

Sioux Falls, *Blackstone Court Apartments*, 303 W. 12th St. (06/17/82)
Sioux Falls, *Kuehn, Andrew, Warehouse*, 401 N. Phillips Ave. (02/25/82)
Sioux Falls, *Shriver-Johnson Building*, 230 S. Phillips Ave. (06/17/82)

Pennington County

Site No 39 PN 57 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 PN 108 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 PN 438 (Rock Art in the Southern Black Hills TR) (05/20/82)
Site No 39 PN 439 (Rock Art in the Southern Black Hills TR) (05/20/82)
Keystone, *Byron, Lewis, House*, Cemetery Rd. (06/17/82)
Keystone, *Keystone Trading Company Store*, SD 40 (06/17/82)
Rapid City *Holmes, Zack, House*, 818 St. James St. (06/17/82)
Rapid City vicinity, *Johnson Siding, House and Sawmill*, Rimrock Hwy. (06/17/82)

Spink County

Ashton, *Ashton Methodist Church*, NE corner of 2nd Ave. and 2nd St., (06/17/82)
Frankfort vicinity, *Harlow Farmstead*, (02/26/82)
Frankfort vicinity, *Old Spink Colony (Historic Hutterite Colonies TR)*, (06/30/82)

Stanley County

Fort Pierre, *Carr, Jefferson Davis, House*, 236 W. 2nd Ave. (03/05/82)
Ft. Pierre vicinity, *Lower Antelope Creek Site (39ST106)*, (09/15/82)

Turner County

Hurley, *I.O.O.F. Hall, Hurley Lodge No. 75*, Center Ave. (07/01/82)

Union County

Elk Point, *Murtha, Charles, House and Brick Yard*, W. Main St. (02/01/82)

Yankton County

Yankton, *Bruce-Donaldson House*, 313 Pine St. (03/05/82)
Yankton, *Chicago, Milwaukee and St. Paul Depot*, 8th and Douglas Sts. (03/05/82)
Yankton, *Chicago, Milwaukee and St. Paul Depot*, 8th and Douglas Sts. (03/05/82)
Yankton, *Ellerman, Arthur C., House*, 708 W. 5th St. (03/05/82)
Yankton, *Yankton College Historic District*, 12th and Douglas Sts. (03/22/82)
Yankton, *Yankton Historic Commercial District*, Roughly bounded by 2nd, 4th, Pine and Broadway Sts. (06/23/82)

TENNESSEE

Bedford County

Shelbyville, *Frierson-Coble House*, 404 N. Jefferson St. (04/12/82)

Blount County

Louisville vicinity, *George, Samuel, House*, NE of Louisville on Topside Rd. (01/27/82)
Maryville, *Jones, David, House, 720 Tuckaleechee Pike (06/26/82)*
Maryville, *Maryville College Historic District*, Washington Street (09/09/82)

Bradley County

Cleveland, *St. Luke's Episcopal Church*, Ocoee and Central Sts., NW (04/12/82)

Carroll County

Trezevant vicinity, *Hillsman House*, Old Hinkledale-McKenzie Rd. (03/25/82)

Carter County

Watauga vicinity, *Range, Henry, House*, S of Watauga on Smallings Rd. (03/25/82)

Claiborne County

Speedwell vicinity, *Kincaid House*, NE of Speedwell on Russell Lane (03/22/82)
Tazewell vicinity, *Kesterson-Watkins House*, Cedar Fork Rd. (04/26/82)

Davidson County

Nashville, *Bush-Herbert Building*, 174 3rd. Ave., N. (03/25/82)
Nashville, *East Nashville Historic District*, Roughly bounded by Gallatin Pike, Edgewood Pl., N 16th and Russell Sts. (04/15/82)
Nashville, *Evergreen Place*, 1023 Joyce Lane (04/15/82)
Nashville, *Goodwill Manor (President's Residence, Tennessee A & I State College)*, 3500 Centennial Blvd., Tennessee State University (03/25/82)
Nashville, *Holly Street Fire Hall*, 1600 Holly St. (08/26/82)
Nashville, *Printers Alley Historic District*, Roughly bounded by 3rd and 4th Aves., Bank Alley, and both sides of Church St. (08/26/82)
Nashville, *Scarritt College Historic District*, 19th Ave., S. (08/26/82)
Nashville, *Woodland in Waverly Historic District*, Roughly bounded by I-65, 8th, Bradford and Wedgewood Aves. (03/25/82)

Dickson County

Sylvia vicinity, *Shule, Peter Paul, Barn*, Denny Rd. (05/13/82)

Fayette County

Somerville, *Somerville Historic District*, Court Square, and irregular pattern along N. Main St. (04/15/82)

Gibson County

Humboldt, *Dodson House*, 119 N 17th Ave. (03/25/82)
Trenton, *Taylor, Col. Robert Z., House*, 1008 S. College St. (04/12/82)
Trenton, *Trenton Historic District*, High, College, and Church Sts. (04/15/82)

Greene County

Greeneville vicinity, *Lowry, James, House*, Asheville Hwy. (03/25/82)

Grundy County

Altamont, *Northcutt, H. B., House*, TN 56 (03/23/82)
Monteagle, *Monteagle Sunday School Assembly Historic District*, Off U.S. 64, U.S. 41, and TN 56 (03/25/82)

Hamilton County

Chattanooga, *Isbester, Caleb, House*, 551 Oak St. (03/25/82)
Chattanooga, *St. Elmo Historic District*, Alabama, St. Elmo, and Tennessee Aves. (04/15/82)

Jefferson County

Chestnut Hill vicinity, *Hill-Hance House (Joseph Hill House)*, E of Chestnut Hill off US 411 (08/26/82)
Jefferson City vicinity, *Fairvue*, Andrew Johnson Hwy. (04/12/82)

Knox County

Knoxville, *Burwell Building/Tennessee Theater (Knoxville Banking and Trust Company Building)*, 600 S. Gay St. (04/01/82)
Knoxville, *Knoxville Iron Foundry Complex-Nail Factory and Warehouse*, 715 Western Ave., NW (03/25/82)
Knoxville, *Louisville and Nashville Freight Depot*, 700 Western Ave., NW (03/25/82)
Knoxville, *Louisville and Nashville Passenger Station*, 700 Western Ave., NW (03/25/82)
Knoxville, *Mall Building (Kern Building/Jersey Lily Saloon Building)*, 1-5 Market St. (08/26/82)
Knoxville, *Trinity Methodist Episcopal Church*, 416 Lovenia Ave. (08/26/82)

Lincoln County

Fayetteville vicinity, *Childress House*, 9 mi. W of Fayetteville on U.S. 64 (02/25/82)
Fayetteville, *Douglas, Hugh Bright, House*, 301 Elk Ave., N. (03/25/82)

Loudon County

Lenoir City, *Lenoir City Company*, Depot St. (03/19/82)
Loudon, *Cumberland Presbyterian Church of Loudon*, College St. (04/15/82)

Madison County

Jackson, *Farrar, Capt. H.P., House*, 161 West Orleans St. (04/15/82)

Marion County

South Pittsburg, *Hardy, Richard, Memorial School*, 1620 Hamilton Ave. (09/30/82)

Marshall County

Cornersville, *Cornersville Methodist Episcopal Church South*, 100 S Mulberry St. (04/15/82)
Mooresville, *Fitzpatrick House*, TN 50 A (08/26/82)

McMinn County

Niota vicinity, *Cate, Elijah, House*, W. of Niota on SR 1 (03/25/82)

Meigs County

Big Spring, *Cowan, James, House (Meigs County, Tennessee MRA)*, Old Bunker Hill Rd. (07/06/82)
Decatur, *Big Sewee Creek Bridge (Meigs County, Tennessee MRA)*, TN 58 and Center Point Rd. (07/06/82)
Decatur, *Buchanan House (Meigs County, Tennessee MRA)*, Vernon St. (07/06/82)
Decatur, *Decatur Methodist Church (Meigs County, Tennessee MRA)*, Vernon St. (07/06/82)
Decatur, *Eaves, S. S., House (Meigs County, Tennessee MRA)*, Eaves Ferry Rd. (07/06/82)
Decatur, *Godsey, Jim, House (Meigs County, Tennessee MRA)*, TN 30 (07/06/82)
Decatur, *Grubb, Jacob L., Store (Meigs County, Tennessee MRA)*, TN 58 (07/06/82)
Decatur, *Kings Mill Bridge (Meigs County, Tennessee MRA)*, Big Sewee Rd. (07/06/82)
Decatur, *Locke House (Meigs County, Tennessee MRA)*, Concord Rd. (07/06/82)
Decatur, *Meigs County Bank (Meigs County, Tennessee MRA)*, Court Sq. (07/06/82)
Decatur, *Meigs County Courthouse (Meigs County, Tennessee MRA)*, Court Sq. (07/06/82)
Decatur, *Meigs County High School Gymnasium (Meigs County, Tennessee MRA)*, Brown St. (07/06/82)
Decatur, *Mount Zion Church (Meigs County, Tennessee MRA)*, Mt. Zion Hollow (07/06/82)
Decatur, *Rice-Marler House (Meigs County, Tennessee MRA)*, Goodfield Valley Rd. (07/06/82)
Decatur, *Smith, Robert H., Law Office (Meigs County, Tennessee MRA)*, TN 58 (07/06/82)
Decatur, *Stewart, John, House (Meigs County, Tennessee MRA)*, TN 58 (07/06/82)
Georgetown, *Hooper, Scott, Garage (Meigs County, Tennessee MRA)*, SR 1 (07/06/82)
Georgetown, *McKenzie Windmill (Meigs County, Tennessee MRA)*, TN 58 (07/06/82)

Georgetown, *Rymer, Bradford, Barn (Meigs County, Tennessee MRA)*, SR 1 (07/06/82)
Georgetown, *Shiflett, G. W., Barn (Meigs County, Tennessee MRA)*, SR 1 (07/06/82)
Georgetown, *Shiflett, H. C., Barn (Meigs County, Tennessee MRA)*, SR 1 (07/06/82)
Georgetown, *Wood, Andy, Log House and Wood, Willie, Blacksmith Shop*, SR 1 (07/06/82)
Ten Mile vicinity, *Oak Grove Methodist Church (Meigs County, Tennessee MRA)*, Pinhook Ferroy Rd. (07/06/82)
Ten Mile, *Black, John M., Cabin (Meigs County, Tennessee MRA)*, Big Sewee Creek Rd. (07/06/82)
Ten Mile, *Calvahouse House (Meigs County, Tennessee MRA)*, River Rd. (07/06/82)
Ten Mile, *Ewing House (Meigs County, Tennessee MRA)*, River Rd. (07/06/82)
Ten Mile, *Fennell Barn (Meigs County, Tennessee MRA)*, TN 58 (07/06/82)
Ten Mile, *Gettys, James R., House (Meigs County, Tennessee MRA)*, N. No Pone Valley Rd. (07/06/82)
Ten Mile, *Gettys, James R., Mill (Meigs County, Tennessee MRA)*, N. No Pone Valley Rd. (07/06/82)
Ten Mile, *Griffith, James Turk, House (Meigs County, Tennessee MRA)*, TN 58 (07/06/82)
Ten Mile, *Holloway, Dr. D. W., House (Meigs County, Tennessee MRA)*, River Rd. (07/06/82)
Ten Mile, *Hutsell Truss Bridge (Meigs County, Tennessee MRA)*, Old Ten Mile Rd. (07/06/82)
Ten Mile, *Hutsell, Sam, House (Meigs County, Tennessee MRA)*, Old Ten Mile Rd. (07/06/82)
Ten Mile, *Johnson, R. H., Stable (Meigs County, Tennessee MRA)*, TN 58 (07/06/82)
Ten Mile, *MacPherson House (Meigs County, Tennessee MRA)*, off Hurricane Valley Rd. (07/06/82)
Ten Mile, *Patterson, Alexander, House (Meigs County, Tennessee MRA)*, Wood Lane (07/06/82)
Ten Mile, *Sharp, Elisha, House (Meigs County, Tennessee MRA)*, Old Ten Mile Rd. (07/06/82)
Ten Mile, *Surprise Truss Bridge (Meigs County, Tennessee MRA)*, Sewee Creek Rd. (07/06/82)

Montgomery County

New Providence vicinity, *Fort Defiance CSA (Fort Bruce USA)*, (02/04/82)
Clarksville, *Catholic Church and Rectory (Nineteenth Century Churches in Clarksville TRA)*, 716 Franklin St. (08/02/82)
Clarksville, *Clarksville Methodist Church (Nineteenth Century Churches in Clarksville TR)*, 334 Main St. (04/06/82)
Clarksville, *Methodist Episcopal Church South (Nineteenth Century Churches in Clarksville TR)*, 319 Madison St. (05/13/76)
Clarksville, *Presbyterian Church (Nineteenth Century Churches in Clarksville TR)*, 213 Main St. (04/30/76)
Clarksville, *St. Peter African Methodist Church (Nineteenth Century Churches in Clarksville TRA)*, 518 Franklin St. (04/06/82)
Clarksville, *Trinity Church and Rectory (Nineteenth Century Churches in Clarksville TRA)*, 317 Franklin St., (04/06/82)

Robertson County

Springfield vicinity, *Beeches, The (John Woodard House)*, SC 49 (03/25/82)

Shelby County

Arlington, *Arlington Historic District*, Brown, Campbell, Chester, Quintard, Greenlee, and Walker Sts. (05/17/82)
Memphis, *Calvary Episcopal Church and Parish House*, 102 N. 2nd St. (04/27/82)
Memphis, *Central Gardens Historic District*, Roughly bounded by Rembert St., York, Cleveland and Eastmoreland Aves. (09/09/82)
Memphis, *Central High School (Public Schools of Memphis 1902–1915 TR)*, 306 S. Bellevue Blvd. (09/17/82)
Memphis, *Court Square Historic District*, Roughly bounded by Riverside Dr., N. 2nd St., Madison and Jefferson Aves. (04/15/82)
Memphis, *Guthrie Elementary School (Public Schools of Memphis 1902–1915 TR)*, 951 Chelsea Ave. (09/17/82)
Memphis, *Hill, A. B., Elementary School (Public Schools of Memphis 1902–1915 TR)*, 1372 Latham St. (09/17/82)
Memphis, *Hotel Claridge*, 109 N. Main St. (04/29/82)
Memphis, *Lauderdale/Walker Elementary School (Public Schools of Memphis 1902–1915 TR)*, 995 S. Lauderdale St. (09/17/82)
Memphis, *Maury Elementary School (Public Schools of Memphis 1902–1915 TR)*, 272 N. Bellevue Blvd. (09/17/82)
Memphis, *Memphis Street Railway Company Office and Streetcar Complex*, 821 Beale St. (09/09/82)
Memphis, *Moore, William R., Dry Goods Building (Hein Building)*, 183 Monroe Ave. (08/26/82)
Memphis, *Newburger, Joseph, House*, 168 E. Parkway, South (04/29/82)
Memphis, *Peabody Elementary School (Public Schools of Memphis 1902–1915 TR)*, 2086 Young Ave. (09/17/82)
Memphis, *Rozelle Elementary School (Public Schools of Memphis 1902–1915 TR)*, 993 Roland St. (09/17/82)
Memphis, *Second Congregational Church*, 764 Walker Ave. (08/26/82)
Memphis, *South Main Street Historic District*, Roughly S. Main St. between Webster and Linden, and Mulberry Between Calhoun and Vance Aves. (09/02/82)
Memphis, *Stonewall Place Historic District*, Stonewall St. between Poplar Ave. and North Pkwy. (03/25/82)
Memphis, *Tennessee Club (Overall-Goodbar Building)*, 128–130 Court Avenue (04/22/82)
Memphis, *Toof Building*, 195 Madison Ave. (08/26/82)
Memphis, *Toof, John S., House*, 246 Adams Ave. (03/25/82)

Sumner County

Cottontown, *Bridal House*, Red River Rd. (02/04/82)
Gallatin, *Gallatin Presbyterian Church*, 167 W. Main St. (03/25/82)
Hendersonville vicinity, *Fite, Leonard B., House*, 1154 W. Main St. (03/25/82)

Warren County

McMinnville vicinity, *Falconhurst*, N of McMinnville on Faulkner Springs Rd. (08/26/82)
Rock Island vicinity, *Great Falls Cotton Mill*, W of Rock Island off US 70S (08/26/82)

Washington County

Limestone vicinity, *Telford, Thomas, House*, Old Jonesboro Water Plant Rd. (02/10/82)

Weakley County

Dresden, *Oakland*, SR 22 and TN 89 (04/22/82)
Greenfield vicinity, *Sims, Capt. William, House*, Rte. 2, Liberty Rd. (03/25/82)
Martin, *Ivandale*, 115 N McCombs St. (03/25/82)
Martin, *Lawler, W. T., House*, 229 University St. (03/25/82)
Martin, *Marshalldale*, 115 Ryan Ave. (03/25/82)

Williamson County

College Grove vicinity, *Bostick Female Academy*, Hwy. 41 A (04/15/82)
Franklin vicinity, *Meeting-of-the-Waters (Thomas Hardin Perkins House)*, NW of Franklin on Del Rio Pike (08/26/82)
Franklin vicinity, *Montpier (Nicholas Perkins House)*, NW of Franklin off Old Hillsboro Pike (08/26/82)
Franklin, *Hincheyville Historic District*, W. Main, Fair, 6th, 7th, 8th, 9th, and 10th Sts. (04/15/82)

Wilson County

Lebanon vicinity, *Camp Bell*, Coles Ferry Pike (04/15/82)

TEXAS

Anderson County

Frankston vicinity, *Saunders, A. C., Site, (41 AN 19)*, E. of Frankston off U.S. Hwy. 175 and 155 (07/15/82)
Palestine vicinity, *Pace McDonald Site (41AN51)* (08/12/82)

Bastrop County

Smithville, *Smithville Commercial Historic District*, 2nd, 3rd, and Main Sts. (06/17/82)

Bee County

Beeville, *Proeger Building*, 110 W. Corpus Christi St. (09/09/82)

Bexar County

San Antonio, *Bushnell*, 240 Bushnell (08/26/82)
San Antonio, *Central Trust Company Building*, 603 Navarro St. (08/11/82)

Bowie County

Texarkana, *Rialto Building*, 317 State Line Ave. (06/17/82)

Brown County

Brownwood, *Walter, J. A., House and Rogers, R. B., House*, 701 and 707 Center Ave. (07/19/82)

Chambers County

Wallisville, *Old Wallisville Town Site (Wallisville 41CH228, 41CH237–241, and 41CH243)*, I 10 (03/30/82)

Cherokee County

Jacksonville, *Newton, William Walter, House*, 401 N. Bolton St. (07/15/82)

Comal County

New Braunfels, *Breustedt, Andreas, House*, 1370 Church Hill Dr. (07/22/82)

Cooke County

Gainesville, *Cloud-Stark House*, 327 S. Dixon St. (06/01/82)

Denton County

Denton vicinity, *Cranston Site (41DN16) (19th-Century Pottery Kilns of Denton Co. TR)*, S of Denton off FM 2181 (08/21/82)
Denton vicinity, *Lambert, J. C., Site (41DN74) (19th-Century Pottery Kilns of Denton Co. TR)*, SE of Denton off FM 2181 (08/21/82)
Denton vicinity, *Roark-Griffith Site (41DN18) (19th-Century Pottery Kilns of Denton Co. TR)*, E of Denton off US 380 (08/21/82)
Denton vicinity, *Serren, A. H., Site (41DN75) (19th-Century Pottery Kilns of Denton Co. TR)*, S of Denton off FM 2181 (08/21/82)
Denton vicinity, *Wilson-Donaldson Site (41DN19) (19th-Century Pottery Kilns of Denton Co. TR)*, S of Denton off FM 2181 (08/21/82)

Ellis County

Waxahachie, *Rosemont House*, 701 S. Rogers (07/08/82)

Galveston County

Galveston, *Hagemann, John, House*, 3301 Ave. L (06/01/82)

Grimes County

Anderson vicinity, *Piedmont Springs Archeological Site*, NW of Anderson on Texas Farm Rd. (07/29/82)

Harris County

Houston, State National Bank Building, 412 Main St. (08/11/82)

Jeff Davis County

Fort Davis, *Grierson-Sproul House*, Court Ave. (08/11/82)

Jefferson County

Beaumont, *Jefferson County Courthouse*, 1149 Pearl St. (06/17/82)

Kerr County

Kerrville vicinity, *Tulahteka*, S of Kerrville on TX 16 (08/11/82)

Kimble County

Junction, *Brambletye*, Off SR 2291 (07/15/82)

Lubbock County

Lubbock, *Bacon, Warren and Myrta, House*, 1802 Broadway (07/15/82)

Lynn County

Tahoka, *Lynn County Courthouse*, Public Sq. (07/08/82)

McLennan County

Waco, *Cooper, Madison, House*, 1801 Austin Ave. (07/08/82)

Medina County

Quihi, *Soathoff House*, Quihi-Stormhill Rd. (09/09/82)

Midland County

Midland, *Brown-Dorsey House*, 213 N. Weatherford (06/17/82)

Orange County

Orange, *Lutcher Memorial Church Building*, 902 W. Green Ave. (09/09/82)

Palo Pinto County

Mineral Wells, *Baker Hotel*, 200 E. Hubbard St. (06/23/82)

Pecos County

Sheffield vicinity, *Canon Ranch Archeological District*, NW of Sheffield on I-10 (08/11/82)

Red River County

Kanawha, *Neely Site 41 RR 48*, SE of Kanawha on Little Pine Creek (08/20/82)

Robertson County

Hearne, *Allen, Robert C., House* 402 Cedar St. (08/11/82)

Smith County

Tyler, *Whitaker-McClendon House*, 806 W. Houston St. (06/02/82)

Somervell County

Glen Rose, *Barnard's Mill*, 307 S.W. Barnard St. (09/09/82)

Taylor County

Abilene, *U.S. Weather Bureau Building*, 1482 N. 1st St. (07/08/82)

Travis County

Austin, *Evans Industrial Building*, Huston-Tillotson College Campus, 1820 E. 8th (06/17/82)
Austin, *Sampson, George W., House*, 1003 Rio Grande (07/08/82)
Austin, *Smoot, Richmond Kelley, House*, 1316 W. 6th St. (08/12/82)

Walker County

Huntsville, *Thomason, John W., House*, 1207 Avenue J (08/11/82)

UTAH

Beaver County

Beaver, *Atkin, James, House (Beaver MRA)*, 260 W. 300 North (09/17/82)
Beaver, *Barton, William, House (Beaver MRA)*, 295 N. 300 East (09/17/82)
Beaver, *Beaver High School (Beaver MRA)*, 150 N. Main St. (09/17/82)
Beaver, *Beaver Opera House*, 55 E. Center St. (02/11/82)
Beaver, *Black, John, House (Beaver MRA)*, 595 N. 100 West (09/17/82)
Beaver, *Bohn, Joseph, House (Beaver MRA)*, 355 S. 200 West (09/17/82)
Beaver, *Cowdell, Enoch E., House (Beaver MRA)*, 595 N. 4th West (09/17/82)
Beaver, *Dalton, Charles A., House (Beaver MRA)*, 270 S. 1st West (09/17/82)
Beaver, *Dean, James Heber, House (Beaver MRA)*, 390 W. 500 North (09/17/82)
Beaver, *Erickson House (Beaver MRA)*, 290 N. 300 West (09/17/82)
Beaver, *Farnsworth, Julia P. M., Barn (Beaver MRA)*, 180 W. Center St. (rear) (09/17/82)
Beaver, *Farnsworth, Julia, House (Beaver MRA)*, 180 W. Center St. (09/17/82)
Beaver, *Fotheringham, Caroline, House (Beaver MRA)*, 290 N. 600 East (09/17/82)
Beaver, *Greenwood, William, House (Beaver MRA)*, 190 S. 1st West (09/17/82)
Beaver, *Grimshaw, John, House (Beaver MRA)*, 290 N. 200 East (09/17/82)
Beaver, *Harris, Louis W., Flour Mill (Beaver MRA)*, 915 E. 200 North (09/17/82)
Beaver, *Jones, Thomas, House (Beaver MRA)*, 635 N. 400 West (09/17/82)
Beaver, *Lee, John Ruphard, House (Beaver MRA)*, 195 N. 1st West (09/17/82)
Beaver, *Limb, Lester, House (Beaver MRA)*, 495 N. 400 West (09/17/82)
Beaver, *Meeting Hall (Beaver MRA)*, 1st N. and 3rd E. (09/17/82)
Beaver, *Morris, Andrew James, House (Beaver MRA)*, 110 N. 400 East (09/17/82)
Beaver, *Robinson, James E., House (Beaver MRA)*, 415 E. 400 North (09/17/82)
Beaver, *Smith, Seth W., House (Beaver MRA)*, 190 N. 600 East (09/17/82)
Beaver, *Stoney, Robert, House (Beaver MRA)*, 295 N. 400 West (09/17/82)
Beaver, *Structure at 490 E. 200 North (Beaver MRA)*, 490 E. 200 North (09/17/82)
Beaver, *Tattersall, Joseph, House (Beaver MRA)*, 195 N. 400 West (09/17/82)
Beaver, *Thompson, W. O., House (Beaver MRA)*, 415 N. 400 West (09/17/82)
Beaver, *Thompson, William, House (Beaver MRA)*, 160 E. Center St. (09/17/82)
Beaver, *Thompson, William, Jr., House (Beaver MRA)*, 10 W. 400 North (09/17/82)
Beaver, *Tolton, Edward, House (Beaver MRA)*, 210 W. 400 North (09/17/82)
Beaver, *Willden, John, House (Beaver MRA)*, 495 North 200 West (09/17/82)
Milford vicinity, *Frisco Charcoal Kilns*, W. of Milford off UT 21 (03/09/82)

Box Elder County

Grouse Creek, *Tanner, A. N., House*, Grouse Creek (02/11/82)

Cache County

Hyde Park, *Lee, John E., House*, 123 W. Center St. (02/11/82)
Hyrum, *Hanson, Soren, House*, 166 W. Main St. (02/11/82)
Logan, *Smith, William McNeil, House*, 116 S. 100 E St. (02/11/82)
Mendon, *Gardner, James, House*, 173 N. Main St. (02/11/82)
Providence, *Providence LDS Chapel and Meetinghouse*, 20 S. Main St. (02/11/82)
Smithfield, *Douglas General Mercantile*, 100 Main St. (08/04/82)
Wellsville, *Riggs, Zial, House*, 94 S. 100 E St. (02/11/82)

Carbon County

Price, *Parker and Weeter Block (Mahleres-Siampenos Building)*, 85 W. Main St. (03/09/82)
Price, *Star Theatre*, 20 E. Main St. (08/09/82)
Spring Glen, *Topolovec Farmstead*, Main Street (08/09/82)

Davis County

Bountiful, *Green, James, House*, 206 N. 100 East St. (02/11/82)
Bountiful, *Townsend-Palmer House*, 515 S. 200 West St. (08/04/82)
Kaysville, *Barnes, John George Moroni, House*, 42 W. Center St. (02/11/82)
Kaysville, *Barnes, John R., House*, 10 S. 100 West St. (07/23/82)
Layton vicinity, *Layton, George W., House*, W. Gentile St. (07/23/82)

West Layton, *Layton, John Henry, House*, 683 W. Gentile St. (02/11/82)

Garfield, (also in Kane and San Juan Counties)

Escalante and vicinity, *Hole-in-the-Rock Trail*, A trail commencing at Escalante, Utah and terminating at Bluff, Utah (08/09/82)

Grand County

Cisco vicinity, *Robidoux Inscription*, (07/23/82)
Moab vicinity, *Pinhook Battleground*, E of Moab (03/01/82)

Iron County

Cedar City, *Hunter, Joseph S., House*, 86 E. Center St. (02/11/82)

Milford County

Milford vicinity, *Frisco Charcoal Kilns*, W of Milford off UT 21 (03/09/82)

Millard County

Hinckley, *Millard Academy*, Off US 6/50 (02/11/82)
Scipio, *Quarnberg, Peter, House*, Off UT 63 (07/26/82)

Salt Lake County

Midvale, *Salt Lake County Library*, 80 E. Center St. (07/26/82)
Salt Lake City, *Arbuckle, George, House*, 747 E. 17th S. St. (02/12/82)
Salt Lake City, *Baldwin, Charles, House*, 229 S. 1200 E. St. (02/11/82)
Salt Lake City, *Broadway Hotel, (Salt Lake City Business District MRA)*, 222 W. 3d S. (08/17/82)
Salt Lake City, *Brooks Arcade, (Salt Lake City Business District MRA)*, 260 S. State St. (08/17/82)
Salt Lake City, *Building at 592–98 W. 200 South, (Salt Lake City Business District MRA)*, 592–98 W. 200 N. (08/17/82)
Salt Lake City, *Capitol Hill Historic District*, Roughly bounded by Beck, Main and Wall Sts., 300 N. Victory Rd. and Capitol Blvd. (08/02/82)
Salt Lake City, *Central Warehouse, (Salt Lake City Business District MRA)*, 520 W. 200 S. (08/17/82)
Salt Lake City, *Cheesman, Morton A., House*, 2320 Walker Lane, (07/23/82)
Salt Lake City, *Clayton Building, (Salt Lake City Business District MRA)*, 214 S. State St. (08/17/82)
Salt Lake City, *Clift Building, (Salt Lake City Business District MRA)*, 272 S. Main St. (08/17/82)
Salt Lake City, *Cramer House, (Salt Lake City Business District MRA)*, 241 Floral St. (08/17/82)
Salt Lake City, *Felt Electric, (Salt Lake City Business District MRA)*, 165 S. Regent St. (08/17/82)
Salt Lake City, *Hotel Albert, (Salt Lake City Business District MRA)*, 121 S. W. Temple (08/17/82)
Salt Lake City, *Hotel Victor, (Salt Lake City Business District MRA)*, 155 W. 200 (08/17/82)
Salt Lake City, *Japanese Church of Christ, (Salt Lake City Business District MRA)*, 268 W. 100 (08/17/82)
Salt Lake City, *Kearns Building, (Salt Lake City Business District MRA)*, 132 S. Main St. (08/17/82)
Salt Lake City, *Smith-Bailey Drug Company Building, (Salt Lake City Business District MRA)*, 171 W. 200 (08/17/82)
Salt Lake City, *South Temple Historic District*, South Temple St. (07/14/82)
Salt Lake City, *Utah Slaughter Company Warehouse, (Salt Lake City Business District MRA)*, 370 W. 100 (08/17/82)
Salt Lake City, *Warehouse District, (Salt Lake City Business District MRA)*, 200 S. and Pierpont Ave. between 300 W. and 400 W. (08/17/82)
Salt Lake City, *Woodruff Villa (Woodruff, Wilford, Family Historic Residences TR)*, 1622 S 5th E. (07/14/82)
Salt Lake City, *Woodruff, Asahel Hart, House, (Woodruff, Wilford, Family Historic Residences TR)*, 1636 W. 5th, E (07/14/82)
Salt Lake City, *Woodruff, Wilford, Farm House (Woodruff, Wilford, Family Historic Residences TR)*, 1604 S. 5th, E (07/14/82)
West Jordan, *Gardner Mill*, 1050 W. 7800 South (09/29/82)

San Juan County

Blanding vicinity, *Grand Gulch Archeological District*, (06/14/82)
Bluff, *Nielson, Jens, House*, Off UT 47 (02/22/82)

Sanpete County

Ephraim, *Johnson-Nielson House*, 351 N. Main St. (07/26/82)
Manti, *Cox-Shoemaker-Parry House*, 50 N. 100 West St. (08/04/82)
Mount Pleasant, *Jensen, Frederick C., House*, 2nd West 2nd South (04/19/82)
Mount Pleasant, *Seely, John H., House*, 91 S. 5th West St. (03/09/82)
Pleasant, *Nielson, N. S., House*, 179 W. Main St. (07/26/82)

Summit County

Coalville, *Allen, Thomas L., House*, 98 N. Main St. (07/23/82)
Coalville, *Boyden, John, House*, 47 W. Center St. (02/11/82)
Hoytsville, *Hoyt, Samuel P., House*, Off I–80 (04/19/82)
Kamas vicinity, *Myrick, William and Martha, House*, N of Kamas (03/09/82)

Tooele County

Grantsville, *Grantsville First Ward Meetinghouse*, 297 Clark St. (02/11/82)

Uintah County

Vernal, *Curry, Lewis, House*, 189 S. Vernal Ave. (07/26/82)

Utah County

Goshen, *Morgan, David, House*, Off US 6 (02/19/82)
Lehi, *Austin, Thomas, House*, 427 East 500 North (07/26/82)
Lehi, *Lehi City Hall*, 51 N. Center St. (03/01/82)
Lehi, *Merrihew, Harry B., Drugstore (State Bank of Lehi)*, First West and Main Sts. (07/23/82)
Provo, *Booth, John E., House*, 59 W 500 N St. (02/11/82)
Provo, *Cluff, Harvey H., House*, 174 N. 100 East St. (08/04/82)
Provo, *Davies, Charles E., House*, 388 W. 300 North St. (08/04/82)
Provo, *Knight, Jessee, House (Entreprenurial Residences of Turn-of-the-Century Provo TR)*, 185 E. Center St. (07/23/82)
Provo, *Knight-Allen House (Entreprenurial Residences of Turn-of-the-Century Provo TR)*, 390 E. Center St. (07/23/82)
Provo, *Knight-Mangum House (Entreprenurial Residences of Turn-of-the-Century Provo TR)*, 318 E. Carter St. (07/23/82)
Provo, *Maeser School*, 150 S. 500 E. (07/26/82)
Provo, *Ray, William H., House (Entreprenurial Residences of Turn-of-the-Century Provo TR)*, 415 S. University (07/23/82)
Provo, *Silver Row*, 621–645 W. North St. (08/04/82)
Provo, *Taylor, Thomas N., House (Entreprenurial Residences of Turn-of-the-Century Provo TR)*, 342 N. 500 West St. (07/23/82)
Provo, *Twelves, John R., House (Entreprenurial Residences of Turn-of-the-Century Provo TR)*, 287 E. 100 North St. (07/23/82)
Springville, *Hafen, John, House*, 956 S. Main St. (07/23/82)

Washington County

Springdale vicinity, *Zion Lodge Historic District*, N of Springdale in Zion National Park, (08/24/82)
Toquerville, *Forsyth, Thomas, House*, Off UT 15 (02/11/82)
Washington vicinity, *Southern Paiute Archeological District*, (06/11/82)

Weber County

Ogden, *Burch-Taylor Mill*, 4287 Riverdale Rd. (07/14/82)
Ogden, *Eccles Building*, 385 24th St. (07/14/82)
Ogden, *Madison Elementary School*, 2418 Madison Ave. (02/19/82)
Ogden, *Patton, Augustus B., House*, 1506 24th St. (02/19/82)
Ogden, *Smyth, Dennis A., House*, 635 25th St. (02/11/82)
Plain City, *Skeen, William D., House*, (08/09/82)

VERMONT

Caledonia County

Hardwick, *Downtown Hardwick Village Historic District*, Main, Church, Maple, and Mill Sts. (09/30/82)

Chittenden County

Burlington, *Lakeside Development*, Lakeside, Central, Conger, Wright, and Harrison Aves. (04/12/82)
Burlington, *Robinson, Daniel Webster, House*, 384 and 388 Main St. (04/22/82)
Charlotte, *McNeil Homestead*, Lake Champlain off VT F5 (06/17/82)

Franklin County

Fletcher, *Fletcher Union Church*, SR 1 (05/17/82)

Orange County

Brookfield vicinity, *Stratton's Inn*, E of Brookfield on East St. (07/29/82)

Rutland County

Pittsford, *Pittsford Green Historic District*, Main St. (05/13/82)
Rutland, *Proctor-Clement House*, Field Ave. (06/17/82)

Windham County

Bellows Falls, *Bellows Falls Downtown Historic District*, Depot, Canal, Rockingham, Bridge, Mill and Westminster Sts. (08/16/82)
Brattleboro, *Holbrook, Deacon John, House*, Corner Linden & Chapin Streets NE (03/19/82)
Guilford, *Christ Church*, Melendy Rd. and US 5 (05/13/82)
Guilford, *Guilford Center Meetinghouse*, Guilford Center Rd. (05/13/82)

Windsor County

Cavendish, *Iron Bridge at Howard Hill Road*, Howard Hill Rd. and VT 131 (09/09/82)
North Springfield, *Lockwood-Boynton House*, 1 School St. (05/04/82)
Windsor, *Fowler-Steele House*, N. Main St. (06/17/82)
Woodstock vicinity, *South Woodstock Village Historic District*, Both sides of VT 106, TH 61, and Church Hill Rd. (08/12/83)

VIRGIN ISLANDS

St. John Island

Maho Bay vicinity, *Petroglyph Site*, (07/08/82)
Reef Bay vicinity, *Petroglph Site*, (07/07/82)

VIRGINIA

Accomack County

Accomac, *Accomac Historic District*, Business Rte. 13 (07/21/82)
Craddockville vicinity, *Bayly, Edmund, House*, Va 615 (06/28/82)
Pungoteague vicinity, *Shepherd's Plain*, W of Pungoteague, (06/28/82)

Albemarle County

Charlottesville vicinity, *Carrsbrook*, VA 1424 (07/06/82)
Charlottesville vicinity, *Ednam House*, US 250 (07/08/82)
Esmont vicinity, *Guthrie Hall*, N of Esmont on VA 719 (09/23/82)
Greenwood vicinity, *Emmanuel Church*, US 250 (07/08/82)
Scottsville vicinity, *Cliffside*, N of Scottsville on VA 6 (09/16/82
Shadwell vicinity, *Edgehill*, N of Shadwell on VA 22 (09/09/82)

Alexandria (Independent City)

Fort Ward, 4301 W. Braddock Rd. (08/26/82)

Allegany County

Callaghan, *Wood Hall*, VA 600 (07/26/82)
Covington, *Persinger House*, VA 788 (07/08/82)
Falling Spring vicinity, *Massie House*, US 220 (07/08/82)
Selma vicinity, *Oakland Grove Presbyteria Chruch*, VA 696 (07/08/82)

Augusta County

Greenville vicinity, *Bethel Green (James Bumgardner House)*, Rte 701 (08/26/82)
Greenville vicinity, *Clover Mount*, W of Greenvile on VA 674 (09/16/82)
Grottoes vicinity, *Harnsberger Octagonal Barn*, VA 256 and VA 865 (07/08/82)
Middlebrook vicinity, *Miller, A. J., House*, VA 639 (07/08/82)
Spottswood vicinity, *Alexander, James, House*, N of Spottswood on VA 671 (09/16/82)

Brunswick County

White Plains vicinity, *Brick House (Woodlands)*, VA 659 (07/08/82)

Buchanan County

Grundy, *Buchanan County Courthouse*, Walnut and Main Sts. (09/16/82)

Campbell County

Altavista vicinity, *Avoca*, N of Altavista on US 29 (09/16/82)
Forest vicinity, *Federal Hill*, S of Forest on VA 623 (09/09/82)
Gladys vicinity, *Shady Grove*, E of Gladys on VA 650 (08/26/82)
Rustburg, *Campbell County Courthouse*, US 501 (1,0/29/81)

Carroll County

Hillsville, *Carroll County Courthouse*, 515 Main St. (07/08/82)

Charlottesville (Independent City)

Charlottesville and Albermarle County Courthouse Historic District, Roughly bounded by Park, Water, Saxton, and Main Sts. (07/26/82)

Craig County

Craig Springs, *Craig Healing Springs*, VA 658 (07/21/82)

Danville (Independent City)

Danville Tobacco Warehouse and Residential District, Off U.S. 58 (07/14/82)

Dickenson County

Clintwood, *Dickenson County Courthouse*, Main and McClure Sts. (09/16/82)

Emporia (Independent City)

Village View, 221 Briggs St. (09/16/82)

Fairfax Country

Fairfax, *Fairfax County Courthouse and Jail (Boundary Increase)* 4000 Chain Bridge Rd. (10/01/81)

Fauquier County

Midland vicinity, *Germantown Archaeological Sites*, VA Route 602 (09/16/82)

Franklin (Independent City)

Elms, The, Clay St. (09/09/82)

Franklin County

Rocky Mount, *Woods-Meade House*, 118 Maple St. (07/08/82)

Frederick County

Bartonsville vicinity, *Hite, John, House*, US 11 (07/08/82)
Bartonville vicinity, *Springdale Mill Complex*, US 11 (07/08/82)

Giles County

Pearisburg, *Giles County Courthouse*, VA 100 and US 460 (09/09/82)

Gloucester County

Capahossic vicinity, *Holly Knoll—Robert R. Moton House*, (12/21/81) (NHL)

Greensville County

Cowie Corner vicinity, *Weaver House*, VA 614 (07/08/82)

Halifax County

Brookneal vicinity, *Indian Jim's Cave (Site 44 HA 18)*, (08/26/82)
Halifax, *Halifax County Courthouse*, Jct. US 360 and US 501 (09/16/82)

Hampton (Independent City)

Little England Chapel, 4100 Kecoughtan Rd. (07/08/82)

Harrisonburg (Independent City)

Hockman, Anthony, House, E. Market and Broad Sts. (07/08/82)
Rockinghan County Courthouse, Courthouse Square (09/16/82)

King William County

King William vicinity, *Pamunkey Indian Reservation Archaeological District*, S of King William (09/16/82)

Lexington (Independent City)

Mulberry Hill, Liberty Hall Rd. (09/09/82)

Loudoun County

Aldie vicinity, *Loudoun Agricultural and Mechanical Institute*, VA 650 (07/08/82)

Lynchburg (Independent City)

Court Street Baptist Church, 6th and Court Sts. (07/08/82)
First Baptist Church, 1100 Court St. (09/09/82)
Sandusky House, 757 Sandusky Dr. (07/26/82)
St. Paul's Church, 605 Clay St. (09/09/82)

Newport News (Independent City)

Boldrup Plantation Archaeological Site, (09/16/82)
First Denbigh Parish Church Archaeological Site (09/07/82)

Norfolk (Independent City)

Attucks Theatre (Attucks Theatre and Office Building), 1008–1012 Church St. (09/16/82)

Norfolk County

Norfolk, *Old Norfolk City Hall*, 235 E. Plume St. (10/29/81)

Northampton County

Eastville vicinity, *Kendall Grove*, VA 674 (06/21/82)
Eastville vicinity, *Westover*, VA 630 (06/28/82)

Orange County

Gordonsville vicinity, *Rocklands*, N of Gordonsville on VA 231, (09/23/82)
Somerset vicinity, *Frascati*, S of Somerset on VA 231, (06/28/82)

Pittsylvania County

Chatham, *Clerk's Office*, Main St. (07/08/82)

Chatham, *Pittsylvania County Courthouse*, US 29 (10/29/81)

Portsmouth (Independent City)

Truxtun Historic District, Portsmouth and Deep Creek Blvds., Manly, Dahlin, Hobson, Dewey and Bagley Sts. (09/16/82)

Prince William County

Manassas Park vicinity, *Conner House*, Conner Dr. (10/06/81)

Pulaski County

Pulaski, *Pulaski County Courthouse*, Main St. (07/08/82)

Rappahannock County

Washington vicinity, *Calvert Mill/ Washington Mill*, E of Washington on US 211 (09/02/82)

Richmond (Independent City)

Cathedral of the Sacred Heart, Floyd Ave. and Laurel St. (07/06/82)
Columbia, 1142 W. Grace St. (09/16/82)
First National Bank Building, 825–27 East Main St. (04/12/82)
Holly Lawn (Richmond Council of Garden Clubs House), 4015 Hermitage Rd. (08/26/82)
St. Alban's Hall, 300–302 E. Main St. (09/09/82)
St. Luke Building, 900 St. James St. (09/16/82)
Virginia Union University, 1500 N. Lombardy St. (07/26/82)

Richmond County

Richmond, *Almshouse, The*, 210 Hospital St. (10/29/81)

Roanoke (Independent City)

First National Bank, 101 S. Jefferson St. (06/14/82)
Harrison School, 523 Harrison Ave., NW (09/09/82)

Rockingham County

Grottoes, *Harnsberger, Stephen, Barn*, Holly Ave. (07/08/82)
Harrisonburg vicinity, *Earman, George, House*, 109 Pleasant Hill Rd. (07/15/82)

Salem County

Salem, *Academy Street School*, Academy St. (10/01/82)

Smyth County

Atkins vicinity, *Old Stone Tavern*, US 11 (07/08/82)

Southampton County

Newsoms, *Sunnyside*, VA 673 (07/08/82)

Spotsylvania County

Mineral vicinity, *Prospect Hill*, N of Mineral on VA 612 (09/09/82)

Staunton (Independent City)

Beverley Historic District, U.S. 250 and VA 254 (07/14/82)
Breezy Hill, 1220 N. Augusta St. (07/08/82)
Catlett House, 303 Berkeley Pl. (07/15/82)
Hoge, Arista, House, 215 Kalorma St. (07/15/82)
Merrillat, J. C. M., House, 521 E. Beverley St. (09/16/82)
Waverly Hill, 3001 N. Augusta St. (07/08/82)
Wharf Area Historic District, Boundary extended on E to Lewis Creek (07/19/82)
Michie, Thomas J., House, 324 E. Beverley St. (09/09/82)

Tazewell County

Tazewell vicinity, *Chimney Rock Farm*, VA 91 (07/08/82)
Tazewell vicinity, *Thompson, George Oscar, House*, U.S. 604 (06/28/82)
Bluefield vicinity, *St. Clair, Alexander, House*, (06/28/82)

Waynesboro (Independent City)

Fairfax Hall (Brandon Hotel/Fairfax Hall School), Winchester Ave. (09/09/82)

York County

Williamsburg vicinity, *Bruton Parish Poorhouse Archaeological Site*, (09/02/82)

WASHINGTON

Adams County

Ritzville, *Ritzville Carnegie Library (Carnegie Libraries of Washington TR)*, 302 W. Main St. (08/03/82)

Asotin County

Clarkston, *Clarkston Public Library (Carnegie Libraries of Washington, TR)*, 6th and Chestnut Sts. (08/03/82)
Pomeroy, *Indian Timothy Memorial Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Alpowa Creek (07/16/82)

Benton County

Prosser, *Prosser Steel Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Yakima River (07/16/82)

Chelan County

Leavenworth vicinity, *Penstock Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Wenatchee River, N of Leavenworth on US 2 (07/16/82)
Monitor vicinity, *West Monitor Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Wenatchee River (07/16/82)
Wenatchee, *Columbia River Bridge (Historic Bridges/Tunnels in Washington State TR)*, (07/16/82)
Wenatchee, *Wenatchee Carnegie Library (Carnegie Libraries of Washington TR)*, 2 S. Chelan St. (8/03/82)

Clallam County

Elwha, *Elwha River Bridge (Historic Bridges/Tunnels in Washington State TR)*, Old Hwy. 112 (07/16/82)
Sequim, *Dungeness River Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Dungeness River (07/16/82)

Clark County

Battle Ground vicinity, *Green, Albert and Letha, House and Barn*, 25716 NE Lewisville Hwy (02/19/82)
Ridgefield vicinity, *Basalt Cobblestone Quarries District (45–CL–113) Ridgefield National Wildlife Refuge* (12/14/81)
Ridgefield, *Ridgefield American Women's League Chapter House*, 406 N. 1st St. (06/02/82)
Vancouver, *Vancouver Public Library (Carnegie Libraries of Washington TR)*, 1511 Main St. (08/03/82)
Vancouver, *Vancouver-Portland Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Columbia River (07/16/82)
Yale, *Yale Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Lewis River, WA 502 (07/16/82)

Columbia County

Lyons Ferry, *Snake River Bridge (Lyons Ferry) (Historic Bridges/Tunnels in Washington State TR)*, N of SR 12 (07/16/82)

Cowlitz County

Longview, *Longview Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Columbia river (07/16/82)

Door County

Baileys Harbor, *Globe Hotel*, 8090 Main St. (01/28/82)

Douglas County

Douglas, *Lutheran St. Paul's Kirche*, Lake Ave. (04/12/82)

Ferry County

Curlew, *Curlew Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Kettle River (07/16/82)
Republic, *Creaser Hotel*, 702 South Jefferson St. (04/12/82)

Franklin County

Pasco, *Pasco Carnegie Library (Carnegie Libraries of Washington TR)*, 305 N. 4th St. (08/03/82)
Pasco, *Pasco-Kennewick Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Columbia river (07/16/82)

Grant County

Beverly, *Beverly Railroad Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Columbia River (07/16/82)

Grays Harbor County

Greenwood, *Wishkah River Bridge (Historic Bridges/Tunnels in Washington State TR)*, W. Wishkah Rd. (07/16/82)
Hoquiam, *Carnegie Library (Carnegie Libraries of Washington TR)*, 621 K St. (06/03/82)
Hoquiam, *Hoquiam River Bridge (Historic Bridges/Tunnels in Washington State TR)*, N of SR 12 (07/16/82)
Taholah, *Chow Chow Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Quinault River (07/16/82)

Jefferson County

Duckabush, *Duckabush River Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Duckabush River (07/16/82)
Port Townsend, *Gagen-Sherlock House*, 1906 Cherry St. (03/19/82)

King County

Auburn, *Auburn Public Library (Carnegie Libraries of Washington TR)*, 306 Auburn Ave. (08/03/82)

Kirkland, *Dr. Trueblood House (Kirkland Land Improvement Company TR)*, 127 7th Ave. (08/03/82)
Kirkland, *Loomis House (Kirkland Land and Improvement Company TR)*, 304 8th Ave. W. (08/03/82)
Kirkland, *Masonic Lodge Building (Kirkland Land and Improvement Company TR)*, 700 Market St. (08/03/82)
Kirkland, *Sears, Joshua, Building (Kirkland Land Improvement Company TR)*, 701 Market St. (08/03/82)
Medina, *Eddy, James G., House and Grounds*, 1005 Evergreen Point Rd. (02/19/82)
Seattle, *12th Avenue South Bridge (Historic Bridges/Tunnels in Washington State TR)*, Dearborn St. (07/16/82)
Seattle, *14th Avenue South Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Duwamish River (07/16/82)
Seattle, *Arboretum Sewer Trestle (Historic Bridges/Tunnels in Washington State TR)*, (07/16/82)
Seattle, *Aurora Avenue (Geo. Washington Mem.) Bridge (Historic Bridges/Tunnels in Washington State TR)*, SR 509, Aurora Ave. (07/16/82)
Seattle, *Ballard Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Lake Washington Ship Canal (07/16/82)
Seattle, *Colonial Hotel*, 1119–1123 1st Ave. (04/29/82)
Seattle, *Cowen Park Bridge (Historic Bridges/Tunnels in Washington State TR)*, 15th Ave. North (07/16/82)
Seattle, *Fremont Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Lake Washington Ship Canal (07/16/82)
Seattle, *Globe Building, Beebe Building and Hotel Cecil*, 1001–1023 1st Ave. (04/29/82)
Seattle, *Grand Pacific Hotel*, 1115–1117 1st Ave. (05/13/82)
Seattle, *Harvard-Belmont District*, Bellevue Pl., Broadway, Boylston and Harvard Aves. (05/13/82)
Seattle, *Hyde, Samuel, House*, 3726 E. Madison St. (04/12/82)
Seattle, *Immanuel Lutheran Church*, 1215 Thomas St. (02/25/82)
Seattle, *Kraus, Joseph, House*, 2812 Mt. Saint Helens Pl. (02/25/82)
Seattle, *M. V. Vashon*, Pier 52 (04/29/82)
Seattle, *Montlake Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Lake Union Ship Canal (07/16/82)
Seattle, *Mount Baker Ridge Tunnel (Historic Bridges/Tunnels in Washington State TR)*, E of WA 90 (07/16/82)
Seattle, *National Building*, 1006–1024 Western Ave. (04/29/82)
Seattle, *Nihon Go Gakko*, 1414 S. Weller St. (06/23/82)
Seattle, *Ravenna Park Bridge (Historic Bridges/Tunnels in Washington State TR)*, 20th Ave., Spans Ravenna Park Ravine (07/16/82)
Seattle, *Schmitz Park Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Schmitz Park Ravine (07/16/82)
Seattle, *Schooner Zodiac (Schooner California)* Lake Union Dry Dock (04/29/82)
Seattle, *Seattle Public Library (Fremont Branch) (Carnegie Libraries of Washington TR)*, 731 N. 35th St. (08/03/82)
Seattle, *Seattle Public Library (Green Lake Branch) (Carnegie Libraries of Washington TR)*, 7364 E. Green Lake Dr., N (08/03/82)
Seattle, *Seattle Public Library (Queen Anne Branch) (Carnegie Libraries of Washington TR)*, 400 W. Garfield St. (08/03/82)
Seattle, *Seattle Public Library (University Branch) (Carnegie Libraries of Washington TR)*, 5009 Roosevelt Way, NE (08/03/82)
Seattle, *Seattle Public Library (West Seattle Branch) (Carnegie Libraries of Washington TR)*, 2306 42nd Ave. SW (08/03/82)
Seattle, *University Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Lake Washington Ship Canal, (07/16/82)
Seattle, *Wagner Houseboat (The Old Boathouse)*, 2770 Westlake Ave., N (02/19/82)
Seattle, *Ye College Inn*, 4000 University Way, NE (02/25/82)

Kittitas County

Ellensburg vicinity, *Kinkade, John W., Farmstead*, Off U.S. 7B (02/25/82)
Ellensburg vicinity, *Nelson, Albert, Farmstead*, Manastash Rd. (02/25/82)

Klickitat County

Goldendale, *Goldendale Free Public Library (Carnegie Libraries of Washington TR)*, 131 W. Burgen (08/03/82)

Lewis County

Doty, *Doty Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Chehalis River (07/16/82)
Pe Ell vicinity, *Weyerhaeuser/Pe Ell Bridge (Historic Bridges/Tunnels in Washington State TR)*, S of Pe Ell, Spans Chehalis River (07/16/82)

Mason County

Eldon, *North Hamma River Bridges (Historic Bridges/Tunnels in Washington State TR)*, (07/16/82)
Eldon, *South Hamma River Bridges (Historic Bridges/Tunnels in Washington State TR)*, (07/16/82)
Shelton vicinity, *Vance Creek Bridge (Historic Bridges/Tunnels in Washington State TR)*, NW of Shelton (07/16/82
Shelton, *Goldsborough Creek Bridge (Historic Bridges/Tunnels in Washington State TR)*, WA 3 (07/16/82)
Shelton, *High Steel Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Skokomish South Fork (07/16/82)

Okanogan County

Grand Coulee, *Grand Coulee Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Columbia River (07/16/82)
Winthrop, *Waring, Guy, Cabin (The Castle)*, 285 Castle Ave. (03/19/82)

Pacific County

South Bend, *South Bend Carnegie Public Library (Carnegie Libraries of Washington TR)*, W. 1st and Pacific Sts. (08/03/82)

Pend Oreille County

Metaline Falls, *Idaho and Wash. Northern RR Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Pend Oreille River, off WA 31 (07/16/82)

Pierce County

Eatonville, *Galbraith, John, House*, 140 Oak St. E. (03/19/82)
Home, *Home School*, 6th and C Sts. (04/12/82)
Melmont, *Fairfax Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Carbon River, S of Wilkeson (07/16/82)
Purdy, *Purdy Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Henderson Bay (07/16/82)
Puyallup vicinity, *McMillin Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Puyallup River, WA 162 (07/16/82)
South Prairie, *Bisson, William, House*, Washington and Emery Sts. (02/19/82)
Tacoma, *Boatman-Ainsworth Hose*, 6000 12th St., SW (02/19/82)
Tacoma, *City Waterway Bridge (Historic Bridges/Tunnels in Washington State TR)*, 20th Ave., Spans Ravenna Park Ravine (07/16/82)
Tacoma, *East 34th Street Bridge (Historic Bridges/Tunnels in Washington State TR)*, Pacific to A St. (07/16/82)
Tacoma, *North 21st Street Bridge (Historic Bridges/Tunnels in Washington State TR)*, N. Fife and Oakes, Spans Buckley Gulch (07/16/82)
Tacoma, *North 23rd Street Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Buckley Gulch, N. Fife and Oakes (07/16/82)
Tacoma, *North 4th and Dock Street Bridge (Historic Bridges/Tunnels in Washington State TR)*, Dock St. (07/16/82)
Tacoma, *Thornewood*, 8601, 8307 North Thorne Lane SW, 4 Thornewood Lane SW (03/18/82)

San Juan County

Orcas, *Orcas Hotel*, (08/24/82)

Skagit County

Anacortes, *Deception Pass (Historic Bridges/Tunnels in Washington State TR)*, Rte. 20 (07/16/82)
Burlington, *Burlington Carnegie Library (Carnegie Libraries of Washington TR)*, 901 Fairhaven St. (08/03/82)

Snohomish County

Lynnwood, *Keeler's Korner*, 16401 U.S. 99 (04/29/82)
Marysville, *Marysville Opera House*, 1225 3rd St. (02/25/82)

Spokane County

Mica, *American Firebrick Company*, WA 27 (03/09/82)
Spokane, *Spokane Public Library (East Side Branch) (Carnegie Libraries of Washington TR)*, 25 Altamont St. (08/03/82)
Spokane, *Spokane Public Library (Heath Branch) (Carnegie Libraries of Washington TR)*, 525 Mission St. (08/03/82)
Spokane, *Spokane Public Library (North Monroe Branch) (Carnegie Libraries of Washington TR)*, 925 W. Montgomery St. (08/03/82)
Spokane, *Sunset Boulevard Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Latah Creek (07/16/82)

Spokane, *Washington Street Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Spokane River (07/16/82)

Stevens County

Kettle Falls vicinity, *Hudsons Bay Gristmill Site on Colville River*, S of Kettle Falls on Greenwood Rd. (04/12/82)
Northport, *Red Mountain Railroad Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Little Sheep Creek (07/16/82)
Orient, *Orient Bridge (Historic Bridges/Tunnels in Washington State TR)*, Richardson Rd., Spans Kettle River (07/16/82)
Orin, *Winslow Railroad Bridge (Historic Bridges/Tunnels in Washington State TR)*, (07/16/82)

Thurston County

Olympia, *Olympia Public Library (Carnegie Libraries of Washington TR)*, S. Franklin and E. 7th (08/03/82)
Tumwater, *Capital Boulevard Crossing (Historic Bridges/Tunnels in Washington State TR)*, Spans Deschutes River (07/16/82)

Walla Walla County

College Place vicinity, *Saturno-Breen Truck Garden*, E of College Place on Rt. 5 (03/01/82)
Lowden, *Johnson Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Touchet River (07/16/82)
Walla Walla, *Ludwigs, George, House*, 125 Newell St. (04/12/82)
Walla Walla, *Small-Elliott House*, 314 E. Poplar St. (03/01/82)

Whatcom County

Acme, *Middle Fork Nooksack River Bridge (Historic Bridges/Tunnels in Washington State TR)*, Mosquito Lake Rd. (07/16/82)
Billingham, *Leopold Hotel*, 1224 Cornwall Ave. (02/19/82)

Whitman County

Colfax, *Manning-Rye Covered Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Palouse River (07/16/82)
Palouse, *F Street Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Palouse River (07/16/82)
Palouse, *McClure Bridge (Historic Bridges/Tunnels in Washington State TR)*, Spans Palouse River (07/16/82)
Rosalia, *Rosalia Railroad Bridge (Historic Bridges/Tunnels in Washington State TR)*, WA 271 (07/16/82)

WEST VIRGINIA

Brooke County

Bethany, *Bethany Historic District*, WV 67 (04/01/82)
Wellsburg, *Wellsburg Historic District*, WV 2 (04/01/82)

Cabell County

Huntington, *Cabel County Courthouse*, 5th Ave. and 8th St. (09/02/82)
Huntington, *U.S. Post Office and Courthouse*, 9th St. and 5th Ave. (04/15/82)

Calhoun County

Sand Ridge, *Alberts Chapel*, U.S. 119/33 (04/15/82)

Doddridge County

West Union, *Doddridge County Courthouse*, Court Sq (03/18/82)

Harrison County

Clarksburg vicinity, *Templemoor (Post-Crawford House)*, WV 20 (04/15/82)
Clarksburg, *Clarksburg Downtown Historic District*, (Boundary decrease, Pivotal Structure #44 removed), Roughly bounded by Elk Creek, 7th and Main Sts. (08/30/82)

Jefferson County

Charles Town vicinity, *Blakeley*, SR 13/3 (04/15/82)
Charles Town vicinity, *Rion Hall*, E of Charles Town off US 340 (09/20/82)
Leetown vicinity, *Bower The*, Warm Springs Rd. (04/15/82)
Shenandoah Junction vicinity, *Burr, Peter, House*, Warm Springs Rd. (04/09/82)
Shepherdstown vicinity, *Lucas, Capt. William and Lucas, Robert, House*, SE of Shepherdstown on SR 31 (09/02/82)

Kanawha County

Charleston, *Breezemont*, 915 Breezemont Dr. (04/15/82)
Charleston, *Littlepage Stone Mansion*, 1809 W. Washington St. (09/02/82)

Marion County

Fairmont, *High Gate (James Edwin Watson House)*, 801 Fairmont Ave. (04/15/82)

Monongalia County

Morgantown, *Willey, Waitman T., House*, 128 Wagner Rd. (04/15/82)

Pendleton County

Franklin, *McCoy House*, Main St. (12/10/82)

Randolph County

Elkins, *Elkins, Senator Stephen Benton, House*, Davis and Elkins College Campus (09/02/82)

Taylor County

Grafton, *Grafton National Cemetery*, 431 Walnut St. (02/19/82)

Webster County

Replete vicinity, *Mollohan Mill*, S of Replete on SR 8 (09/02/82)

Wirt County

Burning Springs, *Ruble Church*, N of Burning Springs (04/09/82)

WISCONSIN

Adams County

Friendship, *Adams County Courthouse (County Courthouses of Wisconsin TR)*, 402 Main St. (03/09/82)

Ashland County

Ashland, *Ashland County Courthouse (County Courthouses of Wisconsin TR)*, 201 W. 2nd St. (03/09/82)

Bayfield County

Bayfield, *Reiten Boatyard*, Broad St. on the Waterfront (05/13/82)

Drummond vicinity, *Island Lake Camp*, Island Lake Rd. (03/12/82)

Buffalo County

Alma, *Alma Historic District (Alma MRA)*, Roughly bounded by RR tracks, 2nd, Swift and Cedar Sts. (05/13/82)
Alma, *Berni, Jacob, House (Alma MRA)*, 911 Riverside Dr. (05/13/82)
Alma, *Burlington Hotel (Alma MRA)*, 809 N. Main St. (05/13/82)
Alma, *Laue, Frederick, Jr., House (Alma MRA)*, 1109 S. Main St. (05/13/82)
Alma, *Senn, John L., House (Alma MRA)*, 811 S. 2nd St. (05/13/82)
Alma, *Steiner, John, Store (Alma MRA)*, 1101 S. Main St. (05/13/82)
Alma, *Tenny, Dr. J. T., House (Alma MRA)*, 305 N. 2nd St. (05/13/82)
Alma, *Walser, Ulrich, House (Alma MRA)*, 711 N. 2nd St. (05/13/82)

Burnett County

Yellow Lake vicinity, *Ebert Mound Group (47Bt28)*, (07/09/82)

Calumet County

Chilton, *Calumet County Courthouse (County Courthouses of Wisconsin TR)*, 206 Court St. (03/09/82)
Forest Junction, *Haese Memorial Village Historic District*, Milwaukee and Randolph Sts. (03/02/82)

Chippewa County

Chippewa Falls, *Marsh Rainbow Arch Bridge*, Spring St. (06/25/82)

Clark County

Greenwood, *Schofield, Robert, House*, 303 W. Schofield Ave. (09/09/82)

Columbia County

Columbus, *Lewis, Gov. James T., House*, 711 W. James St. (04/09/82)

Crawford County

Prairie du Chien vicinity, *Reed, Alfred, Mound Group (47Cr311)*, W. of Prairie du Chien (09/07/82)
Prairie du Chien, *Crawford County Courthouse (County Courthouses of Wisconsin TR)*, 220 N. Beaumont Rd. (03/09/82)

Dane County

Madison vicinity, *Mann, John, House*, 6261 Nesbitt Rd. (07/08/82)
Madison, *Biederstaedt Grocery*, 851–853 Williamson St. (03/25/82)
Madison, *Bowen, James B., House*, 302 S. Mills St. (03/01/82)
Madison, *Brittingham Park Boathouse*, N Shore Dr. (06/30/82)
Madison, *Cardinal Hotel*, 416 W. Wilson St. (09/02/82)
Madison, *Machinery Row (Brown Brothers' Business Block)*, 601–627 Williamson St. (04/12/82)
Madison, *Ott, John George, House*, 754 Jenifer St. (09/23/82)
Madison, *St. Patrick's Roman Catholic Church*, 404 E. Main St. (09/16/82)
Madison, *Machinery Row (Brown Brothers' Business Block)*, 601–627 Williamson St. (04/12/82)

Madison, *Ott, John George, House*, 754 Jenifer St. (09/23/82)
Madison, *St. Patrick's Roman Catholic Church*, 404 E. Main St. (09/16/82)
Madison, *State Office Building*, 1 W. Wilson St. (01/28/82)
Madison, *Suhr, John J., House*, 121 Langdon St. (06/17/82)
Rutland, *Graves, Sereno W., House (Graves Stone Buildings TR)*, 4006 Old Stage Rd. (09/29/82)
Rutland, *Hunt, Samuel, House (Graves Stone Buildings TR)*, 632 Center Rd. (09/29/82)
Rutland, *Lockwood Barn (Graves Stone Buildings TR)*, Old Stage Rd. (09/29/82)
Stoughton, *Stoughton Universalist Church*, 324 S. Page St. (09/30/82)

Dodge County

Juneau, *Dodge County Courthouse (County Courthouses of Wisconsin TR)*, 220 E. State St. (03/09/82)
Watertown, *Hartwig, Ferdinand C., House*, 908 Country Lane (06/17/82)

Door County

Baileys Harbor, *Globe Hotel*, 8090 Main St. (01/28/82)

Douglas County

Superior, *Douglas County Courthouse (County Courthouses of Wisconsin TR)*, 1313 Belknap St. (03/09/82)

Eau Claire County

Eau Claire, *Barnes Block*, 15–21 S. Barstow St. (01/22/82)
Eau Claire, *Steven House*, 216 Hudson Ave. (03/01/82)
Eau Claire, *Walter-Heins House*, 605 N Barstow St. (03/19/82)
Fairchild, *California Wine and Liquor Store*, 201 Farmers St. (03/01/82)

Grant County

Lancaster vicinity, *Bass Site (47Gt25)*, (09/09/82)
Platteville, *Evans, Jonathan H., House*, 440 W. Adams St. (06/01/82)

Green County

Monroe, *Monroe Commercial District*, Roughly bounded by 15th and 18th Aves., 9th and 13th Sts. (05/06/82)

Green Lake County

Green Lake, *Green Lake County Courthouse (County Courthouses of Wisconsin TR)*, 492 Hill St. (03/09/82)

Jefferson County

Jefferson vicinity, *Pitzner Site (47 Je 676)*, Martin Rd. (07/08/82)
Lake Mills, *Bean Lake Islands Archeological District (Rock Lake Marsh)*, (08/12/82)
Lake Mills, *Fargo, Enoch J., House*, 406 Mulberry St. (07/08/82)
Lake Mills, *Fargo, L. D., Public Library*, 120 E. Madison St. (01/18/82)

Kenosha County

Kenosha, *Kenosha County Courthouse and Jail (County Courthouses of Wisconsin TR)*, 912 56th St. (03/09/82)

La Crosse County

La Crosse, *Freight House*, 107–109 Vine St. (03/02/82)

Manitowoc County

Maribel, *Rock Mill*, Off U.S. 141 (06/21/82)
St. Nazianz, *Loretto Shrine Chapel (Colony of St. Gregory of Nazianzen TR)*, Off WI A (06/07/82)
St. Nazianz, *St. Gregory's Church (Colony of St. Gregory of Nazianzem TR)*, 212 Church St. (06/07/82)

Marathon County

Hamburg, *Fromm, Walter and Mabel, House*, Off WI 107 (06/17/82)
Wausau, *Miller, Henry, House*, 1314 Grand Ave. (06/14/82)
Wausau, *Wright, Ely, House*, 901 6th St. (03/01/82)

Marquette County

Montello, *Marquette County Courthouse (County Courthouses of Wisconsin TR)*, 77 W. Park St. (03/09/82)

Milwaukee County

Milwaukee, *Milwaukee News Building and Milwaukee Abstract Association Building*, 222 E. Mason St. (03/01/82)
Milwaukee, *Milwaukee County Courthouse (County Courthouses of Wisconsin TR)*, 901 N. 9th St. (03/09/82)

Monroe County

Sparta, *Monroe County Courthouse (County Courthouses of Wisconsin TR)*, 418 W. Main St. (03/09/82)

Oconto County

Oconto, *Oconto County Courthouse (County Courthouses of Wisconsin TR)*, 300 Washington St. (03/09/82)

Outagamie County

Greenville, *Greenville State Bank*, 252 Municipal Dr. (09/23/82)

Ozaukee County

Cedarburg, *Wayside House*, Washington Ave. (03/17/82)
Mequon, *Clark, Jonathan, House*, 13615 N. Cedarburg Rd. (06/02/82)
Mequon, *Reichert, John, Farmhouse*, 14053 N. Wauwatosa Rd. (07/01/82)

Pepin County

Durand, *Pepin County Courthouse and Jail (County Courthouses of Wisconsin TR)*, 307 W. Madison (03/09/82)

Pierce County

Ellsworth, *Pierce County Courthouse (County Courthouses of Wisconsin TR)*, 411 W. Main St. (03/09/82)

Polk County

Balsam Lake, *Polk County Courthouse (County Courthouses of Wisconsin TR)*, Main St. (03/09/82)
Balsam Lake, *Polk County Museum (County Courthouses of Wisconsin TR)*, Main St. (03/09/82)
St. Croix Falls vicinity, *Lamar Community Center*, NE of St. Croix Falls (03/01/82)

Portage

Stevens Point, *Fox Theater*, 1116–1128 Main St. (07/28/82)

Racine County

Racine, *Jonas, Karel, House*, 1337 N. Erie St. (03/01/82)
Racine, *Rickeman Grocery Building*, 415 6th St. (03/01/82)
Racine, *Upton Theater*, 1426–1430 Washington Ave. (03/01/82)
Racine, *Young Men's Christian Association Building*, 314–320 6th St. (03/01/82)
Waterford vicinity, *Beardsley, Elam, Farmhouse*, 5601 Northwest Hwy. (03/01/82)

Rock County

Footville, *Footville Condensery (Footville MRA)*, Beloit St. (05/07/82)
Footville, *Footville State Bank (Footville MRA)*, 158 Depot St. (05/07/82)
Footville, *Owen, William J., Store (Footville MRA)*, 220 Depot St. (05/07/82)
Footville, *Strang, Soloman J., House (Footville MRA)*, N. Gilbert St. (05/07/82)
Janseville, *Fredendall Block*, 33–39 S Main St. (03/25/82)

Sauk County

Baraboo, *Sauk County Courthouse (County Courthouses of Wisconsin TR)*, 515 Oak St. (03/09/82)
Lake Delton vicinity, *Peterson, Seth, Cottage*, Dell Ave. (11/09/81)

Sawyer County

Raddison vicinity, *Ojibwa Courier Press Building*, E of Raddison at 110 Ojibwa Mall (03/01/82)

Sheboygan County

Elkhart Lake, *Villa Laun*, 402 Lake Side Park Dr. (01/28/82)
Sheboygan, *Sheboygan County Courthouse (County Courthouses of Wisconsin TR)*, 615 N. 6th St. (03/12/82)

St. Croix County

Boardman vicinity, *Lewis Farmhouse*, Farm Dr. (03/19/82)
Hudson, *St Croix County Courthouse (County Courthouses of Wisconsin TR)*, 904 3rd St. (03/09/82)

Walworth County

Delavan vicinity, *Mile Long Site (47 WL–110)*, (Boundary decrease) (04/02/82)
Delavan, *Johnson, A.P., House*, 3455 S. Shore Dr. (07/09/82)

Washburn County

Spooner, *Siegner, George V., House*, 513 Dale St. (03/01/82)

Washington County

Hartford vicinity, *Ritger Wagonmaking and Blacksmith Shop*, 4928 WI 175 (06/01/82)
West Bend, *Washington County Courthouse and Jail (County Courthouses of Wisconsin TR)*, 320 S. 5th Ave. (03/09/82)

Waukesha County

Big Bend vicinity, *Goodwin-McBean Site (47Wk–184)*, (09/17/82)
Big Bend vicinity, *Peterson Site (47–Wk–199)*, (09/02/82)
Genesse Depot vicinity, *Johnston, William Lime Kiln (Lime Kilns of Waukesha County TR)*, (03/12/82)

Menomonee Falls, *Garwin Mace Lime Kilns (Lime Kilns of Waukesha County TR)*, Limekiln Park (03/12/82)
Menomonee Falls, *Mace, Garwin, Lime Kilns (Lime Kilns of Waukesha County TR)*, Limekiln Park (03/12/82)
Mukwonago vicinity, *Barfoth-Blood Mound Group (47 Wk-63)*, (09/02/82)
Oconomowoc vicinity, *Ahrens Frederick C. House*, S of Oconomowoc at 1505 N. Golden Lake Rd. (03/02/82)
Sussex vicinity, *Milwaukee Daily Sentinel (Lime Kilns of Waukesha County TR)*, Hwy. 164 (03/12/82)
Waukesha, *Hadfield County Lime Kilns (Lime Kilns of Waukesha County TR)*, N of Waukesha (03/12/82)
Waukesha, *Johnston, William, Lime Kiln (Lime Kilns of Waukesha County TR)*, E of Genesse Depot (03/12/82)
Waukesha, *Putney Block*, 301 W. Main St., 816 and 802 Grand Ave. (09/23/82)

Waupaca County

King vicinity, *Halfway House*, Potts Ave. (03/01/82)

Waushara County

Wautoma, *Waushara County Courthouse/Waushara County Historical Museum (County Courthouses of Wisconsin TR)*, 209 St. Marie St. (03/09/82)

Winnebago County

Eureka vicinity, *Carpenter Site (47 Wn 246)*, NE of Eureka (04/07/82)
Oshkosh, *Amos House*, 1157 High Ave. (06/01/82)
Oshkosh, *Bowen, Abraham Briggs, House*, 1010 Bayshore Dr. (04/22/82)
Oshkosh, *Daily Northwestern Building*, 224 State St. (05/13/82)
Oshkosh, *Frontenac, The (The Frontenac Flats)*, 132–140 High St. and 9 Brown St. (04/22/82)
Oshkosh, *Lutz, Robert, House*, 1449 Knapp St. (05/27/82)
Oshkosh, *Winnebago County Courthouse (County Courthouses of Wisconsin TR)*, 415 Jackson St. (06/23/82)
Oshkosh, *Wisconsin National Life Insurance Building*, 220 Washington Ave. (04/29/82)
St. Croix, *St. Croix County Courthouse (County Courthouses of Wisconsin TR)*, 904 3rd St. (03/09/82)
Neenah, *Smith, Henry Spencer, House*, 706 E. Forest Ave. (06/25/82)

Dodge County

Watertown, *Hartwig, Ferdinand C., House*, 908 Country Lane (06/17/82)

Milwaukee County

Milwaukee, *Bay View Historic District*, Roughly bounded by Lake Michigan, Meredith, Superior, Nock, Wentworth, Pryol, Clair, RR tracks and Conway St. (08/23/82)

WYOMING

Fremont County

Dubois vicinity, *Brooks Lake Lodge*, Lower Brooks Lake-Shoshone National Forest (09/29/82)

Park County

Mammoth vicinity, *Obsidian Cliff Kiosk (Yellowstone National Park)*, (07/09/82)

Teton County

Madison Junction, *Madison Museum (Yellowstone National Park)*, Yellowstone National Park (07/09/82)

The following properties have been determined to be eligible for inclusion in the "National Register." Determinations of eligibility are made at the request of the concerned Federal Agency under the authorities in section 2(b) and 1(3) of Executive Order 11593, and the National Historic Preservation Act of 1966, as amended. Determinations of eligibility are also made on nominations for privately owned property where the owner or a majority of owners for properties with multiple owners object to listing.

Historic properties which are determined to be eligible for inclusion in the National Register of Historic Places are entitled to protection pursuant to section 106 of the National Historic Preservation Act of 1966, as amended, and the procedures of the Advisory Council on Historic Preservation, 36 CFR, Part 800. Before an agency of the Federal Government may undertake any project which may have an effect on such an eligible property, the Advisory Council on Historic Preservation shall be given an opportunity to comment on the proposal.

ALABAMA

Jackson County

Scottsboro, *Archeological Site #1Ja78*, (63.3)

Lowndes County

Burkville vicinity, *Graves Plantation Complex (Burkville MRA)*, (63.3)
Burkville vicinity, *Haigler Plantation Complex (Burkville MRA)*, (63.3)
Burkville vicinity, *Manack Depot Complex (Burkville MRA)*,(63.3)
Burkville vicinity, *McQueen Plantation Complex (Burkville MRA)*, (63.3)
Burkville vicinity, *Site 1 Lo 152 (Burkville MRA)*, (63.3)
Burkville vicinity, *Site 1 Lo 321 (Burkville MRA)*, (63.3)
Burkville vicinity, *Site 1 Lo 337 (Burkville MRA)*, (63.3)
Burkville vicinity, *Site 1 Lo 339 (Burkville MRA)*, (63.3)
Burkville vicinity, *Site 1 Lo 341 (Burkville MRA)*, (63.3)
Burkville vicinity, *Site 1 Lo 346 (Burkville MRA)*, (63.3)
Burkville vicinity, *Site 1 Lo 355 (Burkville MRA)*, (63.3)
Burkville vicinity, *Site 1 Lo 289 (Burkville MRA)*, (63.3)
Burkville vicinity, *Site 1 Lo 311 (Burkville MRA)*, (63.3)
Burkville *Stone Plantation Complex (Burkville MRA)*, (63.3)
Burkville vicinity, *Union Methodist Church (Burkville MRA)*, (63.3)
Burkville vicinity, *Young-Naul Plantation Complex (Burkville MRA)*, (63.3)

ALASKA

Seward Division

Cooper landing vicinity, *Sqilantnu Archeological District*, (63.3)

ARIZONA

Apache County

AZ–I–25–10
AZ–I–25–13, (63.3)
AZ–I–25–7, (63.3)

Coconino County

Tuba City, *Tuba City School Properties—TC–3, TC–5, & TC–6*,
Grand Canyon Lodge,
North Rim Headquarters,
North Rim Inn and Campground,

Maricopa County

Perryville, *Alkali Ruin (AZT:11–3)*, (63.3)
Perryville, *Morrocco ruin* (AZT:11:9), (63.3)
Perryville, *Le Cienaga Ruin (AZT:11:10)*, (63.3)
Perryville, *Van Liere Ruin (AZT:11:1)*, (63.3)
Phoenix, *AZ:T:12 42–24 (ASM)*, (63.3)
Phoenix, *Calmark Project (Site: AZ:T:12–43)*, (63.3)
Phoenix, *Site AZ:T:12:42*,
Tempe, *Curt Miller House*

Mojave County

Red Lake Salt Cavern Gas Storage Project (22 Sites),

Pima County

Site AR–03–05–05–60,
Tucson, *Los Morteros Site*

Yavapai County

Prescott, *Santa Fe, Prescott and Phoenix Railroad Depot*

ARKANSAS

Benton County

Rogers vicinity, *Moser Farmstead Site*, (63.3)

Chicot County

Marie Saline Landing (3AS299), (63.3)

Marion County

Archeological Site 3 MR51, (63.3)

Montgomery County

Mt. Ida, *Site 3MN294*, (63.3)

Pulaski County

Little Rock, *Little Rock National Cemetery*, (63.3)

Union County

Bell Gin Site (3UN99), (63.3)

CALIFORNIA

Alameda County

Kings Daughters Home
Oakland, *San Antonio Adobe Headquarters Archeological Site*, (63.3)

El Dorado County

Glen Alpine Springs,
FS–05–03–51–43
FS–05–03–58–96

Fresno County

Fresno, *Kearney Boulevard*, (63.3)
Jensen Ranch

Humboldt County

Pilot Ridge Archeological/Historic District, (63.3)

Kern County

Pacific Crest National Scenic Trail
Kernville, *Rockhouse Basin Kennedy Meadows Segment of the South Fork Kern River MRA*

Lake County

Site CA-LAK-990,

Los Angeles County

Patriotic Hall, (63.3)
San Pedro City Hall, (63.3)
St. Johns Episcopal Church, (63.3)
St. Vincent de Paul Church, (63.3)
United Artists/Texaco Company Building, (63.3)
Long Beach, *302-320 Pine Avenue*, (63.3)
Los Angeles, *William S. Hart County Park*, (63.3)
Sierra Madre vicinity, *West Fork Ranger Station*, (63.3)

Mariposa County

Yosemite Hydroelectric Power Plant,

Monterey County

Carmel Early Start Reclamation Project,

Nevada County

Emmanuel Episcopal Church,
Grass Valley, *Old Main Post Office*,

Orange County

Archeological Site CA-Ora-498,
Archeological Site CA-Ora-824,
Irvine Agricultural Headquarters Complex, (63.3)
San Joaquin Hills District,
Santiago Creek District,
Huntington Beach, *Golden Bear Cafe*, (63.3)

Orange and San Diego Counties

San Mateo Archeological District (CA-ORA-22, CA-SD1-4282, CA-SD1-4535, CA-SD1-8435, (63.3)

Plumas County

Greenville vicinity, *Soda Rock*, (63.3)

San Bernardino County

No Name West Basin Archeological District,
Fort Irwin,
Ft. Irwin, *Archeological Site SBr-4240*, (63.3)
Ft. Irwin, *Archeological Site SBr-4241*, (63.3)
Ft. Irwin, *Archeological Site SBr-4242*, (63.3)
Ft. Irwin, *Archeological Site SBr-4520*, (63.3)

San Diego County

Agua Hedionda District,
Archeological Site CA-SDi-4538,
Archeological Site CA-SDi-6130,
Archeological Site CA-SDi-6138,
Archeological Site CA-SDi-6149,
Archeological Site CA-SDi-4529,
Archeological Site CA-SDi-7197,
Archeological Site CA-SDi-8654,
Sweetwater River Bridge Replacement, (63.3)
San Diego, *Ft. Rosecrans National Cemetery*,

San Francisco County

First Enterprise Bank, (63.3)
San Francisco, *126 King Street*, (63.3)
San Francisco, *128 King Street*, (63.3)
San Francisco, *52 Colin P. Kelly Street*, (63.3)
San Francisco, *698 2nd Street*, (63.3)
San Francisco, *California Warehouse*, (63.3)
San Francisco, *Cape Horn Warehouse*, (63.3)
San Francisco, *Herald Hotel*, (63.3)
San Francisco, *Hoopers South End Warehouse*, (63.3)
San Francisco, *Pier 38 Bulkhead Building*, (63.3)
San Francisco, *Pier 42 Bulkhead Building*, (63.3)
San Francisco, *Rosenberg Bros. Dried Fruit Warehouse*, (63.3)
San Francisco, *South End Warehouse*, (63.3)
San Francisco, *YMCA Building*, (63.3)

San Mateo County

St. Anthony's Church,

Santa Barbara County

Archeological Site CA-SBa-1117, (63.3)
Archeological Site CA-SBa-1542, (63.3)
Archeological Site CA-SBa-1544, (63.3)
Archeological Site CA-SBa-1547, (63.3)
Archeological Site CA-SBa-712, (63.3)
Stone Aqueduct-Alamo Pintado Road,

Santa Clara County

Archeological Site CA-SCL-128, (63.3)
Archeological Site CA-SCL-137, (63.3)
Archeological Site CA-SCL-288, (63.3)
Archeological Site CA-SCL-294, (63.3)
Archeological Site CA-SCL-296, (63.3)
Archeological Site CA-SCL-300, (63.3)
Archeological Site CA-SCL-302, (63.3)
Archeological Site CA-SCL-418, (63.3)
Archeological Site CA-SCL-68, (63.3)
Gilman Road Bridge,
San Jose, *2130, 2136, 2142, 2149 the Almada*, (63.3)
San Jose, *Kuwabara Hospital*, (63.3)
Circles of Circles Archeological District
Santa Clara, *1475 Washington Street*, (63.3)
Santa Clara, *1479 Lafayette Street*, (63.3)
Santa Clara, *3100 the Alamada*, (63.3)
Santa Clara, *741 Franklin*, (63.3)
Santa Clara, *Murguia Santa Clara Mission Site (CA-SCL-30)*, (63.3)
Santa Clara, *Santa Clara College (University Quadrangle)*, (63.3)

Solano County

Suisun City, *301 Morgan Street*, (63.3)
Suisun City, *501 Morgan Street*, (63.3)
Suisun City, *901 Main Street*, (63.3)

Sonoma County

Frederick H. Schlake Ranch, (63.3)

Stanislaus County

LaGrange, *Basso Ferry Bridge #38-61*, (63.3)
Dry Creek Bridge No. 38-54, (63.3)

Tulare County

Tule River Hydroelectric Complex, (63.3)

Ventura County

Center Street Bridge, (63.3)

COLORADO

Alamosa County

Closed Basin Archeological District,

Boulder County

Louisville, *Rock House*, (63.3)

Denver County

J. Solf Building (5DV325), (63.3)
Joseph Tobias Building (5DV327), (63.3)
Katz Building (5DV326), (63.3)
Midwest Steel and Iron Works Company (5DV339), (63.3)
San Rafael Historic District, (63.3)
Denver vicinity, *Holy Rosary Church Complex (5DV349)*, 47th Ave. and Pearl (63.3)
Denver, *Golda Meir House*, (63.3)
Denver, *Schinner House*, 2130 Downing (63.3)

Douglas County

The High Line Canal (5DA600), (63.3)

El Paso County

Colorado Springs, *Acacia Park Hotel*, (63.3)

Gunnison County

Gunnison, *Curecanti Archeological District*,

Jefferson County

Fillius Park Shelter House and Well House, (63.3)
Lime Kiln (5JF197), (63.3)

Lake County

Archeological Site 5LK329,
Archeological Site 5LK533,

LaPlata County

Durango, *Colorado Ute Power Plant*,

Logan County

Sterling, *Union Pacific Depot*,

Montezuma County

Anasazi Archeological District (Boundary Increase),

CONNECTICUT

Hartford County

Hartford, *Grist Mill*,

Litchfield County

Norfolk, *Rubly (Taylor, Alfredo S. C. TR)*, Litchfield Rd.

Middlesex County

East Haddam, *Gillette Castle*, (63.3)
Westbrook, *Messerschmidt Mill*, (63.3)

New Haven County

New Haven, *Quinnipiac Brewery*,
North Haven *Archeological Site MD-1*,
North Haven, *Archeological Site T24-1*,
North Haven, *Archeological Site T7-2*,

New London County

Baldwin Ridge Site,
East Lyme, *Rocky Neck Pavilion*, (63.3)
Groton, *Haley House*, (63.3)

Wasatch County

Strawberry Valley Historic District (Boundary Increase), (63.3)

Windham County

Putnam, *Putnam Town Hall*, (63.3)

DELAWARE

New Castle County

Deputy Farm (Vandergrift House),
Christiana vicinity, *W. N. Hawthorn Farmstead,* (63.3)
Wilmington, *Baltimore and Ohio Railroad Passenger Station,*

FLORIDA

Citrus County

Florida Project (16 Buildings),

Duval County

Jacksonville, *Acosta Bridge,* (63.3)

Hillsborough County

Marita Site (S HI 558), (63.3)
Ranch House Site (S HI 452), (63.3)
Tampa, *Seddon Island Scherzer Rolling Leaf Bescule Bridge,*

GEORGIA

Bibb County

Macon, *Arthur B. Moore House,* (63.3)
Macon, *Cherokee Heights Historic District,* (63.3)
Macon, *Fire Station Number 6,* (63.3)

Carroll County

McIntosh Reserve, (63.3)

Chattahoochee County

Fort Benning, *Central Lawson Bend Archeological District,* (63.3)

Floyd County

ES–949B–17, Rocky Mountain Pumped Storage Project Site ES–949E–6,

Fulton County

Atlanta, *Imperial Hotel,* 355 Peachtree St., NE (63.3)
Atlanta, *O'Keeffe High School,* (63.3)

Habersham County

Clarksville, *West-Jackson House,* 717 N. Washington St.

Haralson County

Haralson County Bridge, (63.3)

Harris County (also in Alabama, Lee County)

Goat Rock Hydroelectric Station,

Hart County

Hart County Bridge, (63.3)

McIntosh County

Darien, *Darien Archeological District,* (63.3)

Monroe County

Forsyth, *Maude Ferguson Home,*

Richmond County

The Tubman House, (63.3)

Union County

Smith Bridge, (63.3)

Ware County

Waycross, *Phoenix Hotel,*

HAWAII

Honolulu County

Honolulu, *Toyo Theater,*

Kauai County

Manalei, *Kamo'omaika'i Pend (Puu Poa Marsh),* (63.3)
Waimea, *Menehune Ditch (Kiki-a-Ola Ditch),* (63.3)

Maui County

Kaluasha, *Kaluasha Church,*

IDAHO

Bonner County

Old Town, *Old Town Bridge Replacement,* (63.3)

Fremont County

Marysville, *Fall River Bridge Replacement,* (63.3)

Gooding County

A. J. Wiley Hydroelectric Dam Project Site # 10TF 352,
A. J. Wiley Hydroelectric Dam Project Site # 10GG1,
A. J. Wiley Hydroelectric Dam Project Site # 10TF351,

ILLINOIS

Adams County

Ursa vicinity, *Ursa Major Site (11–A–1006),* (63.3)

Adams/Marion Counties

Illinois Project, (63.3)

Cook County

Berwyn Suburban Station,
Chicago, *Buildings at 1359, 1361 and 1363 North Paulina Street,* (63.3)
Chicago, *Lincoln Park Refectory Building,*
Chicago, *Newberry Library,* (63.3)
Chicago, *St. Luke's Hospital Complex,*
Chicago, *St. Stanilaus Kostka Church,*
Hines, *Veterans Administration Medical Center,* (63.3)

Jo Daviess County

Site 11Jd126, (63.3)

Lake County

Highland Park, *Lacey, Kenneth, House (Highland Park MRA),* 3121 Date
Highland Park, *Goldberg, Julius, House (Highland Park MRA),* 185 Vine
Highland Park, *Mandel, Robert, House and Coachhouse (Highland Park MRA),* 1249, 1237 Sheridan Rd.
Highland Park, *Ravinia Station (Highland Park MRA),* 510 Roger Williams
Highland Park, *Sheridan-Park Apartments (Highland Park MRA),* 430 Park Ave.
Highland Park, *Watts, May T., House (Highland Park MRA),* 487 Groveland.
North Chicago, *Veterans Administration Medical Center-North Chicago,*

Livingston County

Dwight Chicago and Alton Railroad Depot,

Madison County

Alton, *Elm Ridge,* 1257 College Ave.

Montgomery County

Litchfield, *Wabash Railroad Depot,*

Pike County

Seyland Pike County Archeological District (63.3)

Stephensin County

Pratt Truss Bridge,

Winnebago County

Mowry Brown Property, (63.3)

INDIANA

Canyon County

Caldwell, *Miller, Samuel J. and Ora B. House,*

Porter County

Valparaiso, *Main Post Office-Valpariso,*

Vermilion County

Newport, *Vermilion County Courthouse,* (63.3)
Newport, *Vermilion County Jail,* (63.3)

Vigo County

Terre Haute, *Historic Resources of Downtown Terre Haute,*

Wayne County

Richmond, *Old Nicholson School,* (63.3)

IOWA

Cass County

Atlantic, *US Post Office Building,*

Hardin County

Eldora vicinity, *Double Intersection Pratt Truss Bridge,* (63.3)

Keokuk County

Site 13KK16, (63.3)

Linn County

Chain Lakes Bridge, (63.3)

Louisa County

Archeological Site #13LA140, (63.3)
Archeological Site #13LA249,
Archeological Site #13LA250, (63.3)
Archeological Site #13LA55, (63.3)
Archeological Site #13LA56, (63.3)
Archeological Site #13LA60, (63.3)

Polk County

Des Moines, *Don Hartog House,* (63.3)

KANSAS

Ellsworth County

Archeological site 14EW304 (Red Rock Canyon) Kansas Rock Art TR),

Shawnee County

Topeka, *Union Pacific Depot,*

Wyandotte County

Kansas City, *St. Mary's Church,*

KENTUCKY

Bell County

Pineville, *Pine Street Bridge,* (63.3)

Bracken County

KY 539 Highway Bridge, over North Fork Licking River (63.3)

Jefferson County

Louisville, *Convent of the Sisters of the Good Shepherd,* 2214 Bank St.
Louisville, *Electric Building,* 619 S. Fourth St.

Louisville, *Fincastle Building*, 301 W. Broadway (63.3)
Louisville, *Johnston, J. Stoddard, Elementary School*,
Louisville, *Kentucky Theatre*, 649–651 S. Fourth St. (63.3)
Louisville, *Taylor Trunk Building*, 611–617 S. Fourth St. (63.3)
Louisville, *Theatre Building*, 631 S. Fourth St.

Kenton County

Covington, *Covington Commercial District*,

Lewis County

Archeological Site 15 Lw 8, (63.3)

Madison County

Richmond, *Holloway House*, (63.3)

McCreary County

Blue Heron Coal Tipple (E020),
Roaring Paunch Creek Railroad Bridge (E021),
Yamacraw Kentucky & Tennessee Railway Bridge (E023),
Pike, Jefferson and various counties etc. 70 Bridges in Kentucky (Arch, Suspension, and Truss),

Pulaski County

Somerset, *Somerset Commercial Historic District*, 108–112 E MT. Vernon (63.30

Spencer County

Carrithers-Cochran House,

Tioga County

Covington Main Street District, (63.3)

LOUISIANA

Ascension Parish

Archeological Site 16AN24, (63.3)
Bocage, (63.3)

Catahoula Parish

Pool Lake Bayou Mound (16CT83), (63.3)
Pool Lake Bayou Mound (16CT83),

Ceddo Parish

Shreveport, *Shreveport Commercial Historic District*,

East Baton Rouge Parish

Zachary, *Port Hudson National Cemetery*, (63.3)

Grant Parish

Clear Creek Bay Indian Mound Site (16GR20),

Natchitoches Parish

Site 16NA37, (63.3)

Orleans Parish

New Orleans, *US Public Health Service Hospital*,

St. Charles Parish

Waterford Plantation Overseers House Site,
Waterford Plantation Workers Quarters Site,

MAINE

Waldo County

Searsport, *Kidders Point Sites #1 and #2*, (63.3)
Searsport, *Sears Island Sites #1 and #2*, (63.3)

MARYLAND

Baltimore (Independent City)

Addition to East Baltimore/Butcher's Hill Historic District, (63.3)
H & S Bakery Remains, (63.3)
Smith House, (63.3)

Frederick County

Frederick, *Frederick City Historic District (Boundary Increase)*, (63.3)

Harford County

Belcamp, *Bata Shoe Company Factory Complex*, (63.3)
Columbia, *Granite Park*, (63.3)

Howard County

Simpsonville, *Moundland*, (63.3)

Montgomery County

Glen Echo Park (6 sites),

Prince Georges County

Seat Pleasant, *Chesapeake Beach Railway Engine House*,

Washington County

Boonsboro, *Boonsboro Historic District*,
Funkstown, *10–12 West Baltimore Street*, (63.3)
Williamsport, *102 East Salisbury Street*, (63.3)

MASSACHUSETTS

Berkshire County

Adams, *L.L. Brown Paper Company*, (63.3)

Bristol County

Fall River, *Barnard Manufacturing Company*, (63.3)

Essex County

Andover, *Lower Shawsheen Railroad Bridge (Andover MRA)*,
Andover, *Upper Shawsheen Railroad Bridge (Andover MRA)*,

Franklin County

Buckland/Shelbourne Bridge, (63.3)

Hampden County

Chicopee, *Ames-Manufacturing Company*, (63.3)
Greenfield, *Greenfield Public Library*,
Westfield, *U.S. Whip Company Building*,

Lewis County

Morton vicinity, *Cowlitz Falls South Archeological Site 45LE209*, (63.3)

Middlesex County

Cambridge, *Charles Hick Sanders House (Cambridge MRA)*,
Camridge, *Daniel Snow House (Cambridge MRA)*,
Everett, *Old High School*, (63.3)
Newton, *Slade-hovey House*,

Plymouth County

Plymouth, *Plymouth Post Office Building*, (63.3)

Suffolk County

Boston, *Waverly Apartments*.

MICHIGAN

Alger county

Site 20AR189, (63.3)
Trout Point #1 Site, (63.3)

Clinton County

DeWitt, *102 East Webb Street*, (63.3)

Houghton County

Hancock, *A. J. Scott House*, (63.3)

Ionia County

Nicle Plate Road Bridge, (63.3)

Monroe County

New York Central River Raisin Railroad Bridge,
St. Mary's Academy Historic District,

Saginaw County

Saginaw, *Potter Street Railroad Station (Central Saginaw MRA)*,

Wayne County

Detroit, *Coronado Apartments*, 3751–3773 Second Ave.

MINNESOTA

Freeborn County

Albert Lea, *Old City Hall*,

Hennepin County

Minneapolis, *Monage Cottage*, (63.3)
Minneapolis, *Sanford, Moris House*,

Lyon County

Marshall, *Chicago and North Western Railroad Depot (Lyon County MRA)*,

Olmsted County

Fugle's, Mathew, Flour Mill,

Ramsey County

St. Paul, *Great River Road Project (Indian Mounds)*, (63.3)
St. Paul, *Junior Pioneer Association Building*, *(63.3)*
St. Paul, *Lowertown Historic District*, *(63.3)*

St. Louis County

Duluth, *Board of Trade Building*, (63.3)

Waseca County

Waldorf, *Duluth, St. Cloud, Glencoe and Mankato RR Depot, Main St.*
Waseca, *Eaco Mill*, 212 3rd Ave. NW

Washington County

Stillwater, *Minneapolis and St. Paul Suburban Railway, Company Office and Power House*,

MISSISSIPPI

LeFlore County

Greenwood, *Archeological Site 22LF667*,
Greenwood, *Archeological Site 22LF670*,

Marshall County

Warren and Jones Law Office (Wilkerson House) (Holly Springs MRA),

MISSOURI

Benton County

Lotterer Archeological Site #23BE1010,

Boone County
Columbia, *Site 23BO322,* (63.3)

Christian County
Site 23CN453, (63.3)
Site 23CN454, (63.3)
Site 23CN455, (63.3)
Site 23CN651, (63.3)

Cole County
Archeological Site 23CO317, (63.3)
Grays Creek Archeological District, (63.3)

Jackson County
Kansas City, *City Bank Building,* 1801 Grand Ave. (63.3)
Kansas City, *Lockridge Mansion,*

Pike County
Archeological Site 23 PI 76, (63.3)
Archeological Site 23 PI 77, (63.3)

St. Louis County
Chesterfield, *Archeological Site 23SL38–436,* (63.3)

Stoddard County
Archeological Site 23SO441.

Stone County
Archeological Site 13SN666, (63.3)

MONTANA

Big Horn County
Archeological Site 24BH1950, (63.3)
Archeological Site 24BH1030, (63.3)
Archeological Site 24BH1949, (63.3)
Archeological Site 24BH1975, (63.3)
Archeological Site 24BH307, (63.3)
Archeological Site 24BH1001, (63.3)
Spring Creek Archeological District (South Fork Spring Creek) (Boundary Increase), (63.3)

Blaine-Fargus County
Winifred vicinity, *Dauphin Rapids Historic District,* (63.3)

Broadwater County
Archeological Site 24BW629, (63.3)
Archeological Site 24BW633, (63.3)

Cascade County
Ryan Dam, (63.3)

Flathead County
Belton Railway Depot, (63.3)
Glacier Park Headquarters and Maintenance Area Historic District, (63.3)

Golden Valley County
Barber, *Barber Bridge,*

Jefferson County
Alta Mine (24JF486),
Bluebird Mine (24JF484), (63.3)
Boulder Lime Company Kiln C–04, (63.3)
Clara Zimmerman Homesteads, (63.3)
Comet Townsite B–105, (63.3)
Gray Eagle Mine Complex B–104, (63.3)
Gregory Mine (24JF480), 63.3)
Morning Glory Mine Complex B–70, (63.3)
Mt. Washington Mine (24JF481), (63.3)
Townshend, *24JF467,* (63.3)
Townshend, *24JF468,* (63.3)

Judith Basin County
Prehistoric Site #24JT104, (63.3)

Lewis and Clark County
Hauser Dam, (63.3)

Liberty County
Archeological Site 24LT26 (Meissner Hearths), (63.3)

Lincoln County
Site 24LN115, (63.3)
Li, *Kootenai Falls,* (63.3)
Park County
Springdale Bridge,

Phillips County
Clark Canyon Tipi Ring Site #24PH728, (63.3)

Powell County
Efraimson Homestead, (63.3)
Mullen Road Route,

Richland County
Snowdon Bridge, (63.3)

Roosevelt County
Mondak, *Mondak Townsite (24 RV102),* (63.3)

Rosebud County
24RB478 (Power Quarry Site), (63.3)
Archeological Site 24 RB288, (63.3)
Byers/Schaudel Homestead 4RB153, (63.3)
Cotant/Scott Site 24RB150, (63.3)
Jud McKelvey Homestead 24RB155, (63.3)
Karl Knoblock Homestead 24RB168, (63.3)
Ashland, *Fenceline Site,* Montco Mine Area
Ashland, *Iron Graveyard Site 24RB248,* Montco Mine Area
Ashland, *Jamies Site,* Montco Mine Area
Ashland, *King Creek Site 24RB221,* Montco Mine Area
Ashland, *Little Bone Site 24RB233,* Montco Mine Area
Ashland, *Lost Grove Site 24RB228,* Montco Mine Area
Ashland, *O'Dell Bison Jump Site 24RB234,* Montco Mine Area
Ashland, *Roof of the Tongue Site 24RB211,* Montco Mine Area
Ashland, *Scatter Site 24RB212,* Montco Mine Area
Ashland, *Three Rock Ring Site 24RB229,* Montco Mine Area
Ashland, *Yellow Leaf Site 24RB215,* Montco Mine Area
Birney, *Airport Site 24RB230,* Montco Mine Area
Birney, *Amid Creek Site 24RB249,* Montco Mine Area
Birney, *Autumn View Site 24RB251,* Montco Mine Area
Birney, *Bright Cloud Site,*
Birney, *Broken Tire Site 24RB217,* Montco Mine Area
Birney, *Katydid Site 24RB226,* Montco Mine Area
Birney, *Spirit Rock Site 24RB275,* Montco Mine Area
Colstrip vicinity, *Fadhl Homestead Site,* (63.3)
Colstrip vicinity, *Farley Lookout Site (24RB1053),* (63.3)
Colstrip vicinity, *Insite (24RB874),* (63.3)
Colstrip *Doc Taylor Place 24RB1065,* (63.3)
Colstrip *Muskrat Homestead 24RB867,*
Colstrip vicinity, *Castle Rock Post Office (24RB335),*
Colstrip vicinity, *Cooley Place (24RB1064),* (63.3)

Sanders County
Thompson's Falls, *Thompson's Falls,* (63.3)

Valley County
Fort Peck, *Fort Peck Original Residences Historic District,*

Yellowstone County
Billings, *Gilsdorf House,* (63.3)
Billings, *Kirks Grocery,* (63.3)
Billings, *Southside Historic District,* (63.3)
Billings, *Westside Historic District,* (63.3)

NEBRASKA

Dodge County
Ehler/Baker Farmstead,

NEVADA

Elko County
Archeological Site 26EK2309,

Washoe County
Lake Range Quarry Site,
Sparks, *Southern Pacific Railroad Repair Shops,*

NEW HAMPSHIRE

Cheshire County
Beech Hill Summer Home District,
Dublin, *Dublin Village Historic District,*
Dublin, *The Latin Quarter Historic District,*

NEW JERSEY

Bergen County
Edgewater, *Ford Motor Company Assembly Plant Complex (Boundary Increase),*

Burlington County
Burlington vicinity, *Oxmead Farm,*

Camden County
Camden, *Cooper, Benjamin, Ferry and Tavern,*

Cape May County
East Creek Mill Road,

Cumberland County
Bridgeton, *163-165 West Broad Street,* (63.3)

Gloucester County
Greenwich and West Deptford Twps, *Archeological Site A,* (63.3)

Hudson County
Hoboken, *800–810 Willow Avenue* (63.3)
Jersey City, *Stanley Theatre,*
Mercer County
Shady Brook Prehistoric Site (Historical Resources in Trenton and Bordentown),

Middlesex County
New Brunswick, *Main Post Office—New Brunswick,* (63.3)

Ocean County
Pine Beach Site (28 OC 17), (63.3)

Union County
Elizabeth, *St. Johns Parsonage,*

NEW MEXICO

Bernalillo County

Los Poblanos Historic District,
Albuquerque, *Albuquerque Indian Hospital,*
Albuquerque, *Archeological Site NM 1 14 11,*
Albuquerque, *Archeological Site NM 1 14 25,*
Albuquerque, *Archeological Site NM 1 14 26,*
Albuquerque, *Archeological Site NM 1 14 27,*
Albuquerque, *Archeological Site NM 1 14 28,*
Albuquerque, *Archeological Site NM 1 14 29,*
Albuquerque, *Archeological Site NM 1 14 30,*

Chaves County

Rio Feliz Bridge, (63.3)

Dona Ana County

Archeological Site NMSU808, (63.3)

Otero County

Archeological Site LA 19200, (63.3)
Archeological Site LA 22263, (63.3)
Archeological Site LA 22264, (63.3)
Archeological Site LA 22265,
Archeological Site LA 22266,
Archeological Site LA 22267, (63.3)
Archeological Site LA 22268, (63.3)
Archeological Site LA 22270, (63.3)
Archeological Site LA 22271, (63.3)
Archeological Site LA 29546, (63.3)
Archeological Site LA 30949,
Archeological Site LA 30951,
Archeological Site LA 30953,
Archeological Site LA 30955,

Rio Arriba County

Archeological Site LA34913 (Abiquiu Reservoir MRA) (63.3)
Archeological Site LA34914 (Abiquiu Reservoir MRA) (63.3)

San Juan County

Archeological Site #LA 14838, (63.3)
Archeological Site #LA 20225, (63,3)
Archeological Site #LA 20231, (63.3)
Brimhall Wash (LA 20237), (63.3)
DE-Na-Zin Archeological District, (63.3)
San Juan Archeological District,

Sandoval County

24 Archeological Sites-Rio Rancho Estates, (63.3)

Socorro County

Magdalena, *Dobson House (Magdalena MRA),*

Taos County

Archeological Site #10,
Archeological Site #17,
Archeological Site #7,
Archeological Site #9,

NEW YORK

Cattaraugus County

Salamanca, *Baltimore, Rochester and Pittsburgh Railroad Passenger Depot,* (63.3)
Salamanca, *Erie Railway Passenger Depot*

Monroe County

Rochester, *Driving Park Avenue Bridge,* (63.3)
Rochester, *Kirkstein Building,*

New York County

Governors Island

Building 400

New York, *Grand Central Post Office Building,*
New York, *The Morosco Theatre,* W 46th St. Between 8th Ave. and Broadway

Oneida County

Utica, *Utica Post Office and Courthouse*

Richmond County

Staten Island, *U.S. Public Health Service Hospital,*

Rockland County

Haverstraw, *Haverstraw Commercial District,*

Schenectady County

Schenectady, *Barney's Department Store,* (63.3)
Schenectady, *Franklin School,* (63.3)

Suffolk County

Brookhaven, *East Moriches Schoolhouse,* (63.3)
Brookhaven, *Presbyterian Church of the Moriches,* (63.3)

Sullivan County

Narrowsburg, *Stirna Site (Narrowsburg-North,* (63.3)
Narrowsburg, *Van Schoiek Site (Narrowsburg-South),* (63.3)

Washington County

Granville, *Building at 48 Main Street,* (63.3)

Westchester County

Montrose, *VA Medical Center,*
Tarrytown, *43 South Washington Street,*
Yonkers, *Public School No. 3,* (63.3)

NORTH CAROLINA

Alawance County

Burlington, *Alawance Hotel,* (63.3)

Cleveland County

Shelby, *Masonic Temple Building,* (63.3)

Durham County

Durham, *Johnston's Mills,* (63.3)
Durham, *Lipscomb's Mill,* (63.3)
Durham, *Orange Factory Archeological Remains,* (63.3)

Johnston County

Selma, *Waddell, Oliver, House,*

Madison County

Gahagan House, (63.3)

Washington County

Dunn, *Old Main Post Office,*

NORTH DAKOTA

Cass County

Fargo, *Powers Hotel,* (63.3)

Dunn County

Dickinson, *Lynch Knife River Flint Quarry National Historic District,*

NORTHERN MARIANA ISLANDS

Managaha Island

Saipan, *Managaha Historical District*

Trinian Island

North Field Historical Area, (63.3)

OHIO

Crawford County

Crestline, *Crestline F.O.E. Building,*

Cuyahoga County

Cleveland, *Anthony Carlin Mansion,* (63.3)
Cleveland, *L. N. Gross Building,* (63.3)

Franklin County

Columbus, *1000-02 S. High Street,* (63.3)
Columbus, *17-19 E. Stewart Avenue,* (63.3)
Columbus, *21-33 E. Stewart Avenue,* (63.3)
Columbus, *99 S. High Street,* (63.3)

Hamilton County

Cincinnati, *900-910 Central Avenue Buildings,* (63.3)
Cincinnati, *Brighton Car Barn Complex,* (63.3)
Cincinnati, *Central Avenue Buildings,* (63.3)
Cincinnati, *Goodall Building,* (63.3)
Cincinnati, *St. Paul's Church Historic District,*
Cincinnati, *Evanston School,* (63.3)
Wyoming, *Woodruff Building,*

Knox County

Properties in Martinsburg,

Lawrence County

Sybene, *Lock and Dam #28,* (63.3)

Washington County

Beverly, *306 Fifth Street*

Van Wert County

First United Methodist Church,

OKLAHOMA

Kay County

Ponca City, *Masonic Building,* 222 E. Grand Ave.

Wagoner County

Wagoner, *Parkinson, James, House (Territorial Homes of Wagoner, OK TR),*

OREGON

Deschutes County

Three Creek Meadow, (63.3)

Grant County

Granite, *Chinese Walls*

Jackson County

Pacific Telephone & Telegraph Company Building,

Lake County

East Lake Albert Archeological District (Boundary Increase),
Booth-Kelly Railroad Bridge,
Southern Pacific RR Passenger Station and Freight House,

Linn County

Archeological Site 35LIN120,
Blitz Archeological Site (35LIN147), (63.3)
Albany vicinity, *Hamilton, Joseph, Farm Group,*
Tangent, *Jenks Farm Group,*
Tangent, *Martin Werts House,*

Marion County

Olallie Meadow Cabin (Site #66EA32), Mt. Hood National Forest (63.3)

Salem, *Depot Addition Historic Neighborhood*, (63.3)

Union County

LaGrande vicinity, *Camp Carson Mine Historic District*,

Wallowa County

Wallowa Ranger Station District, (63.3)

PENNSYLVANIA

Bakerstown County

Pittsburgh, *Central Northside Historic District*,

Berks County

Resser Farm, (63.3)

Bucks County

Doylestown, *Aldie, William Mercer, Residence*, Dublin Pike and Easton Rd.
Doylestown, *Freta Farm*,
Plumstead Township, *Point Pleasant Historic District*, (63.3)

Dauphin County

Fox Ridge Historic District (Boundary Increase),
Steelton, *US Post Office—Steelton*,

Greene County

West Findley, *Fisher Site (Federal Nomination Returned)*,

Indiana County

Saltsburg, *Saltsburg Historic District*, (63.3)

Lancaster County

Lancaster, *Queen Vine Apartments*, 200 Blk. of W. Vine St.

Lehigh County

Allentown, *Industrial Valley Bank Building*, (63.3)
Allentown, *Old Allentown Historic District*, (63.3)

Montgomery County

Cold Point Historic District, (63.3)
Upper Providence Township, *Lockkeeper's House and Lock 60*, (63.3)

Philadelphia County

Philadelphia, *(1200 Block) Locust and (200 Block) S. 13th Street*, (63.3)
Philadelphia, *1100 Block of Pine Street*,
Philadelphia, *Breslyn Apartments*, 4624–42 Walnut St. and 201–13 S. 47th St.
Philadelphia, *Building #4 of the Philadelphia Naval Shipyard*, (63.3)
Philadelphia, *Houses at 200 Block S. Jessup and Quince Streets*, (63.3)
Philadelphia, *Taylor-Dickey Development Houses*, 2009–2047 N. 15th St.
Shrewsbury Borough, *Shrewsbury Historic District*,

Schuylkill County

Beusmans Lock #12, (63.3)

York County

Codorous, *Jefferson Historic District*,
Dover Township, *Conwego Hill Historic District*,
Hanover Junction, *Hanover Junction Railroad Station*, (63.3)
Peach Bottom Township, *Coulstontown Historic District*,
Peachbottom, *Delta Historic District*,
Penn, *Hanover Historic District*,

RHODE ISLAND

Providence County

Albion Historic District, (63.3)
Cumberland, *Ashton Historic District*, (63.3)
Cumberland, *Sassafras Site (RI #55)*, (63.3)
North Smithfield, *Woonasquatucket Site (RI-163)*,
Providence, *Providence Cove Lands Archeological District*,
Smithfield, *Three Dog Site (RI 151)*, (63.3)

Washington County

South Kingston, *Usquepaug Road Historic District*, (63.3)

SOUTH CAROLINA

Barnwell County

Archeological Site 38BR112,
Archeological Site 38BR269,
Archeological Site 38BR288, (63.3)
Archeological Site 38BR55,

SOUTH DAKOTA

Corson County

Mobridge vicinity, *Travis Site I (39CO213)*, NW of Mobridge on SD 12

Fall River County

Site #39 FA 73 (Rock Art Thematic),
Site #39 FA 86 (Rock Art Thematic),
Site #39 FA 678 (Rock Art Thematic),
Site # FA 89 (Rock Art Thematic),

Fall River/Pennington Counties

Rock Art Thematic Determination,

Minnehaha County

Sioux Falls, *Blackstone Apartments*,

TENNESSEE

Hamilton County

Chattanooga, *Martin Luther King Boulevard Commercial District*, (63.3)

Meigs County

Decatur, *Lillard, Jasper Worth, House and Tenant House (Meigs, County TN MRA)*,
Georgetown, *Shiflett, Marion, Barn (Meigs, County TN MRA)*,

Roane County

Site 40 RE 86,

Rutherford County

Murfreesboro, *East Main Street Historic District*, (63.3)

Scott County

Leatherwood Low-water Ford Bridge (E018),
O & W Railroad Whipple Truss Bridge (E009),
Toomy Stop Bridge (E007),

Shelby County

Memphis, *South Main Street Historic District*, (63.3)

Sullivan County

Bristol, *Shelby Street Station*, 656 Shelby St.

TEXAS

Bexar County

San Pedro Acequia (Unlined Portions),
San Antonio, *Brackenridge Park (12-acre portion)*, (63.3)
San Antonio, *San Antonio National Cemetery*, (63.3)
San Antonio, *Texas Theater*, 147–155 E. Houston St.

Cherokee County

Jacksonville, *Post Office Building—Jacksonville*,

Coleman County

Coleman, *United States Post Office*,

Concho and Runnels Counties

Stacy Archeological District, (63.3)

Denton County

Sanger vicinity, Lake Ray Roberts Area,

Hale County

US Post Office—Plainview,

Limestone County

US Post Office—Mexia,

McLennan County

Waco, *US Post Office—Waco*,

Navarro and Freestone Counties

91 Archeological Sites, Richland-Chambers Dam

Nueces County

Archeological Site 41NU185, (63.3)

Presidio County

Archeological Site 41PS109, (63.3)

Rusk County

Henderson, *Thomas Jefferson Walling Cabin*,

Wichita County

US Post Office—Wichita Falls,

Williamson County

Taylor, *Post Office—Taylor*,

UTAH

Carbon County

Price, *Maynier House*,

Davis County

Bountiful, *William Boulton House and Farmstead*,

Salt Lake County

Decker-Patrick Dry Goods Building (Salt Lake City Business District MRA),
Federal Reserve Bank (Salt Lake City Business District MRA),
First Security Bank Building (Salt Lake City Business District MRA),
Orpheum Theatre/Promised Valley Playhouse (Salt Lake City Business District (MRA),
Sears/Bennett Paint and Glass Company Building (Salt Lake City Business District MRA),
Shubrick Hotel (Salt Lake City Business District MRA),
Tribune Building (Salt Lake City Business District MRA),

Utah County

Provo, *Loose, Charles E. House*,

Provo Train Station,

VERMONT

Franklin County

Swanton, *Highgate Falls Archeological District,* (63.3)

VIRGINIA

Lynchburg (Independent City)

Daniel's Hill, (63.3)

Pittsylvania County

Danville, *Riverside Cotton Mills,* (63.3)

WASHINGTON

Clallam County

Storm King Ranger Station,

Clark County

Vancouver Lake's Archeological District, (63.3)

Douglas and Okanogan Counties

Lake Pateros Archeological District,

Franklin County

Joso Viaduct (Historic Bridges and Tunnels in Washington TR), Spans Snake River

King County

White, Justice William, House, Veazey, Bridge #11, (63.3)

Kittitas County

Wallin Ditch, (63.3)

Spokane County

Spokane River Bridge (Historic Bridges and Tunnels in Washington TR), Spans Spokane River

WEST VIRGINIA

Wayne County

Huntington, *VA Medical Center,* (63.3)

WISCONSIN

Calumet County

Appleton, *Leath Building,*

Dane County

Madison, *West Madison Depot,*

Dodge County

Kekoskee vicinity, *Kekoskee Archeological District,* (63.3)

LaCrosse County

Onalaska, *Olson Site (47LC76),*

Manitowoc County

St. Mary's Convent (Colony of St. Gregory of Nazianzen TR),

Milwaukee County

Milwaukee, *East Center Street Natatorium,* 243 East Center St. (63.3)

Outagamie County

Appleton, *Lakeshore Depot,*

Rock County

Tiffany Stone Bridge,

Waukesha County

Su ssex Lime Kiln (Lime Kilns of Waukesha County TR),

Winnebago County

Chief Oshkosh Brewery,

WYOMING

Big Horn County

Bandit Site (48BH460), (63.3)

Campbell County

Casper, *Segment of the Bozeman Trail,* (63.3)
Wright, *Rochelle Archeological District,* (63.3)
Buckskin Mine Plan Area, (63.3)

Carbon County

Divide Sheep Camp, Medicine Bow National Forest

Converse/Campbell Counties

North Antelope Noncontiguous Archeological District, (63.3)

Johnson, Carbon, Sheridan, Hot Springs, Fremont, Albany, Sweetwater etc. Counties

Statewide Historical Evaluation of Truss Bridges (40 Bridges in Wyoming State),

[FR Doc. 83-2041 Filed 2-28-83; 8:45 am]
BILLING CODE 4310-70-M

federal register

Tuesday
March 1, 1983

Part III

Department of the Interior

National Park Service

National Registry of Natural Landmarks

DEPARTMENT OF THE INTERIOR

National Registry of Natural Landmarks

AGENCY: National Park Service, Interior.

ACTION: Public notice.

SUMMARY: This notice lists all natural landmarks currently included on the National Registry of Natural Landmarks. The listing provides information on each landmark's location, natural values, designation date, ownership, and owner agreement status. In the future only additions to the list will be published so this list should be retained for reference. Federal agencies should consider the existence and location of natural landmarks when assessing the impact of their actions on the environment under Section 102(2)(c) of the National Environmental Policy Act of 1969 (83 Stat. 852; 42 U.S.C. 4321).

FOR FURTHER INFORMATION CONTACT: Mr. Frank Ugolini, Chief, Natural Landmarks Branch, Interagency Resource Management Division, National Park Service, Washington, D.C. 20240, (202) 523-4456.

SUPPLEMENTARY INFORMATION: The Secretary of the Interior established the National Natural Landmarks Program in 1962 to identify and encourage the preservation of the full range of ecological and geological features that are nationally significant examples of the Nation's natural heritage. Potential natural landmarks are identified through studies conducted by the National Park Service (NPS) and other sources, evaluated by expert natural scientists, and, if judged nationally significant, designated as landmarks by the Secretary of the Interior. Once a landmark is designated, it is included on the National Registry of Natural Landmarks, which currently lists 543 natural landmarks.

The Natural Landmarks program has been administered by NPS since May 18, 1962 with the exception of the period from January 25, 1976 to May 31, 1981 when it was administered by the Heritage Conservation and Recreation Service (HCRS). HCRS was abolished May 31, 1981.

The act of designating an area as a natural landmark is not a land withdrawal and in no way affects the ownership of the site. It does not dictate the type or intensity of activity that may be undertaken in a landmark. Landmark preservation is often made possible only through the long-term commitment of public and private owners to protect an area's outstanding natural values. The Department encourages owners and managers to protect the nationally significant values of their landmarks, but this cooperation is voluntary and does not restrict the uses to which the land may be put. An owner who enters into a voluntary agreement with NPS to protect the landmark is eligible to receive a certificate which recognizes the special status of the area. A bronze plaque may also be presented for appropriate display on the site.

Federal agencies should consider the existence and location of natural landmarks when they assess the effects of their actions on the environment under Section 102(2)(c) of the National Environmental Policy Act of 1969 (83 Stat. 852; 42 U.S.C. 4321).

NPS prepares an annual report for the Secretary of the Interior to transmit to the Congress which identifies all natural landmarks with known or anticipated damage or threats to the integrity of their resources (90 Stat. 1940; 16 U.S.C. 1a-5).

National Registry of Natural Landmarks

The National Registry of Natural Landmarks includes nationally significant ecological and geological features in 48 States, American Samoa, Guam, Puerto Rico, and the Virgin Islands. Of the 543 landmarks listed on the National Registry of Natural Landmarks, one-half are administered solely by public agencies, e.g., Federal, State, county, or municipal governments. Almost one-third are owned entirely by private parties. The remaining natural landmarks are owned or administered by a mixture of public and private owners.

The following list contains all natural landmarks included on the National Registry of Natural Landmarks as of January 1, 1983. The landmarks are arranged alphabetically by State and county. The number of landmarks in each State is enclosed in parentheses following each State's name. A description of each landmark's location, natural values, designation date, ownership, and owner agreement status is provided. Each landmark's designation date is enclosed in parentheses ( ), and more than one date indicates that the area's boundary was changed after its original designation. Ownership data are arranged in the following arbitrary order and do not reflect the relative amount of land owned by any party: Federal, State, County, Municipal, Private. An asterisk (*) indicates that the owner(s) of a landmark have entered into a voluntary agreement to protect the area's natural values.

Because many natural landmarks are privately owned and/or not managed for public access, landowner permission must be obtained before a visit is made to these natural landmarks. The specific location for some landmarks is not provided because of an owner's request for minimum publicity and/or the fragility of the landmark's natural features.

Dated: January 6, 1983.

Russell E. Dickenson,

Director, National Park Service.

ALABAMA (6)

Baldwin County

MOBILE-TENSAW RIVER BOTTOMLANDS (extends into Mobile and Washington Counties)—Extends from Mobile Bay north for 35 miles. One of the most important wetlands in the Nation containing a variety of habitats, from mesic flood plains and freshwater swamps to brackish water marshes, supporting several rare and endangered species. (May 1974) Owner: State, Private

Franklin County

*DISMALS—Four miles northeast of Hackleburg. A sandstone gorge supporting a virgin, disjunct, montane climax forest containing exceptionally diverse plant life. (May 1974) Owner: Private

Limestone County

*BEAVERDAM CREEK SWAMP—Ten miles northeast of Decatur. A large protected tupelo gum swamp which occurs in the Interior Low Plateaus region, rather than its usual occurrence in the Gulf Coastal Plain region. (May 1974) Owner: Federal

Madison County

*SHELTA CAVE—Within the city limits of Huntsville. A large cave with an underground lake, noted for its complex, especially aquatic, fauna. (October 1971) Owner: Private

Marshall County

*CATHEDRAL CAVERNS—Four miles northeast of Grant. A series of large chambers containing impressive stalagmites, totem poles, dripstone slopes and walls, and flowing underground streams. (June 1972) Owner: Private

Mobile County

MOBILE-TENSAW RIVER BOTTOMLANDS (see *Baldwin County*)

Morgan County

NEWSOME SINKS KARST AREA—Between Morgan City and Union Hall. Classic example of karst development, containing more than 40 caves. (November 1973) Owner: Private

Washington County

MOBILE-TENSAW RIVER BOTTOMLANDS (see *Baldwin County*)

ALASKA (17)

*ANIAKCHAK CALDERA (ANIAKCHAK CRATER)—24 miles southeast of Port Heiden. One of the largest explosive

craters in the world, the area contains Surprise Lake, the headwaters of the Aniakchak River. (November 1967) Owner: Federal

*ARRIGETCH PEAKS—250 miles northwest of Fairbanks. Carved by glacial ice and running water, they illustrate several phases of alpine glacier activities. The Peaks reveal abrupt transitions from metamorphic to granitic rock, and contain both tundra and boreal forest. (April 1968) Owner: Federal

*BOGOSLOF ISLAND—25 miles north of Umnak Island in the Aleutian archipelago. Remnant of three volcanic eruptions, habitat for over 5,000 Steller's sea lions, and nesting ground for over 50,000 sea birds. (November 1967) Owner: Federal

*McNEIL RIVER STATE GAME SANCTUARY—200 miles southwest of Anchorage. Includes the mouth of the McNeil River with a series of low, shallow falls which afford good wading and visibility for brown bears fishing for salmon. (April 1968) Owner: State

*CLARENCE RHODE NATIONAL WILDLIFE RANGE—On the Bering Sea coast between Hooper Bay and Kipnuk. Excellent example of coastal and upland tundra habitat, and nesting grounds for over one-half of the world's population of black brant, cackling geese and emperor geese. (October 1968) Owner: Federal

*ILIAMNA VOLCANO—135 miles southwest of Anchorage. Example of a cone-shaped stratovolcano resembling in past history, composition, and appearance the volcanoes of the Pacific Northwest. (January 1976) Owner: Federal

*LAKE GEORGE—44 miles northeast of Anchorage. Most impressive "selfdumping" lake in the country. When the lake outlet is blocked by the Knik Glacier, the lake swells with water until summer. Then the dam breaks and the water is dumped in a spectacular torrent into the Knik River. (April 1967) Owner: Federal

*MALASPINA GLACIER—25 miles west of Yakutat. Largest piedmont glacier in North America and one of the largest outside the ice cap regions of the world. (October 1968) Owner: Federal

MIDDLETON ISLAND—155 miles southeast of Anchorage. Significant illustration of tectonic uplift as a result of earthquakes, containing important fossil evidence of the Pliocene and Pleistocene Epochs. (April 1968) Owner: Federal, Private

*MOUNT VENIAMINOF—20 miles northeast of Port Moller. Unique active volcano of uncommon size, an important calving ground for caribou, and only known glacier of the continent with an active volcanic vent in its center. (November 1967) Owner: Federal

*REDOUBT VOLCANO—110 miles southwest of Anchorage. An active stratovolcano, and the second highest of the 76 major volcanoes of the Alaska Peninsula and Aleutian Islands. Visible from Anchorage (January 1976) Owner: Federal

*SHISHALDIN VOLCANO—50 miles west of Cold Bay in the Aleutian archipelago. Tallest of known volcanoes of Unimak Island, active today and completely unpredictable. (November 1967) Owner: Federal

*SIMEONOF NATIONAL WILDLIFE REFUGE—In the Shumagin Island Group south of the Alaskan Peninsula. Ancestral hauling ground for sea otters. (October 1968) Owner: Federal

*UNGA ISLAND—500 miles southwest of Anchorage in the Shumagin Island Group. Fossil forest resulting from volcanic activity in the Tertiary Period. It is unknown how these tree specimens came to be on the island. (April 1968) Owner: Private

*WALKER LAKE—250 miles northwest of Fairbanks. Striking example of the geological and biological relationships of a mountain lake at the northern limit of forest growth on the southern slope of the Brooks Range, supporting a full range of ecological communities. (April 1968) Owner: Federal, Private

*WALRUS ISLANDS—375 miles southwest of Anchorage in Bristol Bay. Farthest southern primary haul-out area for walruses and the only remaining area in the United States where they haul out in appreciable numbers. Over 4000 have been counted here during the summer. (April 1968) Owner: State

*WORTHINGTON GLACIER—30 miles east of Valdez. Typical small valley glacier including fine examples of most glacial features from accumulation area to end moraine. Probably the most accessible glacier in Alaska. (October 1968) Owner: Federal, State

AMERICAN SAMOA (7)

*AUNUU ISLAND—Off the northeastern coast of Tutuila Island. Site of recent episodes of volcanism backed by a geologically recent tuff cone. (November 1972) Owner: Communal lands

CAPE TAPUTAPU—On the western tip of Tutuila Island. Natural exhibit of shoreline, offshore volcanic rocks and blowholes sculptured by heavy sea wave action. (November 1972) Owner: Communal lands

FOGAMAA CRATER—On the southwestern coast of Tutuila Island. One of very few illustrations of most recent episode of volcanism in American Samoa. (November 1972) Owner: Communal lands

*LEALA SHORELINE—On the southwestern coast of Tutuila Island. Special young flow of basalt interbedded with layers of tuff, illustrating erosion by wave action and covered with dense tropical vegetation. (November 1972) Owner: Communal lands

*MATAFAO PEAK—One and one-half miles south of the city of Pago Pago. Highest peak of Tutuila Island, one of five great masses of volcanic rocks extruded as molten magma during the major episodes of volcanism which created Tutuila Island. (November 1972) Owner: Communal lands

*RAINMAKER MOUNTAIN—Just east of Pago Pago Harbor. One of the same extrusions as Matafao Peak, and an outstanding example of several gigantic plugs which created Tutuila Island. (November 1972) Owner: Communal lands

VAIAVA STRAIT—On the north-central coast of Tutuila Island. Classic illustration of steep cliffs and erosion-resistant outliers formed by wave action on a volcanic mass. (November 1972) Owner: Communal lands

ARIZONA (8)

Cochise County

*RAMSEY CANYON—Seven miles south of Sierra Vista. A vertical-sided gorge containing a well-defined microclimatic habitat, which consists of an extension of Mexican flora and fauna into the American side of the International Boundary, and contains plants which normally occur only at higher elevations. (March 1963) Owner: Private

WILLCOX PLAYA—Eight miles southwest of Willcox. The dry remnant of Pluvial Lake Cochise whose natural deposits contain a rich record of climatic effects and fossil pollen during the pluvial periods of the Pleistocene. The largest "dry lake" in Arizona. (May 1966) Owner: Federal

Coconino County

*BARRINGER METEOR CRATER—15 miles west of Winslow. The largest impact crater yet discovered in the United States. Impact believed to have occurred some 22,000 years ago. (November 1967) Owner: Private

Mohave County

HUALAPAI VALLEY JOSHUA TREES—45 miles north of Kingman. Best existing display of Joshua tree species and a superb sample of a Mohave Desert ecological unit. (April 1967) Owner: Federal, State, Private

Navajo County

*COMB RIDGE—Only known location for tritylodont fossils in North America, supporting the theory of continental drift. (January 1976) Owner: Private (Navajo Indian Nation)

Santa Cruz County

*CANELO HILLS CIENEGA—One and one-half miles northwest of Canelo. The least disturbed extensive southwestern desert wet grasslands (cienega) along the United States-Mexican border. The area supports the only known population of Canelo lady's tresses, and is one of several areas that support the Gila chub and Gila sucker. (December 1974) Owner: Private

ONYX CAVE—Seven miles northwest of Sonoita. Considered to be the finest cave in Arizona. (May 1974) Owner: Private

*PATAGONIA-SONOITA CREEK SANCTUARY—Adjacent to Patagonia. Permanent stream-bottom habitat supporting rare aquatic biota, including the Gila Topminnow. Only known nesting spot in the country for the rare rosethroated becard. (January 1970) Owner: Private

ARKANSAS (5)

Desha County

*WHITE RIVER SUGARBERRY NATURAL AREA—Four miles northwest of the village of Snow Lake. Partially virgin forest containing excellent examples of three bottomland hardwood forest types and a wildlife population typical of the forest types present. (December 1974) Owner: Federal

Fulton County

MAMMOTH SPRING—Northeastern edge of Mammoth Spring village. Third largest spring in the Ozark Mountains, and a classic example of a spring orginating as a resurgent subterranean stream. (June 1972) Owner: State

Mississippi County

*BIG LAKE NATURAL AREA—Three miles east of Manila. Contains a significant amount of virgin timber, a mix of southern, Ozark and midwestern flora, and supports several threatened or endangered bird species. (December 1974) Owner: Federal

Polk County

*ROARING BRANCH RESEARCH NATURAL AREA—Four miles north of the village of Athens. Steep ravine contains a virgin mesophytic forest type representing a relict outlier of forests characteristic of Tennessee, Kentucky, and Indiana, and plant species rare in the Ouachitas. (December 1976) Owner: Federal

Saline County

*LAKE WINONA NATURAL AREA—38 miles west of Little Rock. Large virgin shortleaf pine forest reminiscent of those that once covered large areas of Arkansas. (December 1976) Owner: Federal

CALIFORNIA (30)

Amador County

BLACK CHASM CAVE—One mile south-southeast of Volcano. A small three-level cave containing an outstanding variety of speleothems and some of the best helictite formations in the West. (January 1976) Owner: Private

Contra Costa County

*MT. DIABLO STATE PARK—31 miles east of Berkeley. Contains the best examples of diapiric (igneous intrusion) geologic processes in the South Pacific Border natural region. One of the few places in the region where geologic strata of Jurassic, Cretaceous, and Tertiary age can be seen in an aggregate thickness of 42,000 feet. The park also possesses a great diversity of native plant species and associations. (May 1982) Owner: State

El Dorado County

*EMERALD BAY—16 miles south of Tahoe City. A vividly colored oval embayment of Lake Tahoe formed by moraines left as parallel glaciers receded. An outstanding example of glacial geology. (October 1968) Owner: State

Imperial County

ANZA-BORREGO DESERT STATE PARK (see *San Diego County*)

*IMPERIAL SAND HILLS—15 miles west of Yuma, Arizona. One of the largest dune patches in the United States. An outstanding example of dune geology and ecology in an arid land. (October 1966) Owner: Federal, Private

SAN FELIPE CREEK AREA—18 miles northwest of Westmoreland. Marsh area containing probably the last remaining perennial natural desert stream in the Colorado Desert. (May 1974) Owner: Federal, Private

Inyo County

*DEEP SPRINGS MARSH—20 miles southeast of Bishop. Possibly the only habitat for the black toad and an example of increasingly rare desert marsh. (May 1975) Owner: Private

FISH SLOUGH (extends into Mono County)—Eight miles north of Bishop. Large, essentially undisturbed desert wetland with rare or endangered desert wildlife which provides habitat for one native and several introduced endangered species. (May 1975) Owner: Federal, State, Municipal, Private

Kern County

SHARKTOOTH HILL—One of the most abundant, diverse and well-preserved fossil marine vertebrate sites in the world. (May 1976) Owner: Private

Los Angeles County

*RANCHO LA BREA—Hancock Park, Wilshire Boulevard, Los Angeles. World-famous natural asphalt tar pits in which Pleistocene animals became entrapped in their quest for fresh water. (March 1964) Owner: Municipal

Marin County

*AUDUBON CANYON RANCH—20 miles northeast of San Francisco. Largest known nesting area for great blue herons and American egrets on the West Coast. (October 1968) Owner: Private

Mendocino County

*ELDER CREEK—Four miles north of Branscomb. Largely undisturbed watershed containing large old stands of Douglas fir, broadleaf evergreens, and deciduous trees as well as wide variety of wildlife. (March 1964) Owner: Private

*PYGMY FOREST—Five miles south of Fort Bragg. Unique forests of low, stunted trees and shrubs caused by a complex ecological condition associated with underlying wave terraces and their unusual soils. (June 1969, November 1973) Owner: State

Mono County

FISH SLOUGH (see *Inyo County*)

Monterey County

*POINT LOBOS—Ten miles south of Monterey. An outstanding example of terrestrial and marine environments in close association, the only known habitat of Monterey cypress and variegated Brodiaea, and one of only two or three areas containing the Gowan's cypress and sea otter. It is a sanctuary for thousands of sea and shore birds. (April 1967) Owner: State

Riverside County

ANZA-BORREGO DESERT STATE PARK (see *San Diego County*)

Sacramento County

AMERICAN RIVER BLUFFS AND PHOENIX PARK VERNAL POOLS—Near Fair Oaks. Contains outstanding examples of rare plant community types—the blue oak woodlands and vernal pools. (January 1976): Owner: Federal, County, Private

COSUMNES RIVER RIPARIAN WOODLANDS—Southeast of Sacramento. Small remnant of a rapidly disappearing riparian woodland community type that once formed a major part of the California Central Valley. (January 1976) Owner: Private

San Benito County

*SAN ANDREAS FAULT—Illustrated at a site eight miles south of Hollister. One of the best locations illustrating earth displacement caused by small crustal movements is at the Cienega Winery where one-half of a building has moved eight inches in nine years. (April 1965) Owner: Private

San Bernardino County

AMBOY CRATER—Just west of the town of Amboy. Excellent example of a recent volcanic cinder cone with an unusually flat crater floor. (May 1973) Owner: Federal, Private

CINDER CONE NATURAL AREA—24 miles east of Baker. A complex of over 20 large cinder cones of recent origin with extensive and continuous lava flows. (May 1973) Owner: Federal, State

*MITCHELL CAVERN AND WINDING STAIR CAVE—23 miles northwest of Essex. Most important solution caverns known in the Mohave Desert region developed in the Bird Spring Formation of Permian age. Other caves are located within the landmark boundary. (May 1975) Owner: State

*RAINBOW BASIN—Eight miles north of Barstow. Contains significant fossil evidence of insects, larger Micoene mammals and mammal tracks, as well as deep erosion canyons with rugged rims. An outstanding example of geologic processes. (April 1966) Owner: Federal

*TRONA PINNACLES—Seven miles south of Argus. Relict form from ancient Ice Age lakes containing unique formations of calcium carbonate known as "Tufa". (November 1967) Owner: Federal

TURTLE MOUNTAINS NATURAL AREA—30 miles south-southwest of Needles. Two mountain sections entirely different in composition which illustrate past volcanic phenomena with superimposed sculpturing of mountain landforms by weathering and uplift. (May 1973) Owner: Federal, State

San Diego County

ANZA-BORREGO DESERT STATE PARK (extends into Imperial and Riverside Counties)—Almost all of this site is in eastern San Diego County. Largest desert State park in the Nation, it contains some of the best examples of the various desert biotic communities in the Colorado Desert and excellent examples of desert geological phenomena. (May 1974) Owner: State, Municipal, Private

*MIRAMAR MOUNDS—12 miles north of central San Diego. This area includes features called "mima mounds" which are found in only three or four locations in the country. Contains rare vernal pools found

only in California. (June 1972) Owner: Federal

TIJUANA RIVER ESTUARY—Between the city of Imperial Beach and the United States-Mexican International Boundary. One of the finest remaining saltwater marshes on the California coastline, containing three species of endangered birds and an important habitat for other wildlife, especially waterfowl. (May 1973) Owner: Federal, State, Municipal, Private

*TORREY PINES STATE RESERVE—Along the northwestern edge of San Diego city limits. Unique and undisturbed biological community supporting endangered bird species. Torrey pine forests occur naturally only here and on Santa Rosa Island, 175 miles to the northwest. High bluffs and sea cliffs are examples of geological processes. (May 1977) Owner: State

San Luis Obispo County

NIPOMO DUNES-POINT SAL COASTAL AREA (extends into Santa Barbara County)—Extends from Pismo Beach south for 17 miles. Contains the largest, relatively undisturbed coastal dune tract in California, supporting both rare and endangered plants and animals and great species diversity. Also contains one of the last remaining tracts of pristine rocky coastline in the South Coast Ranges. (May 1974) Owner: Federal, State, County, Private

San Mateo County

*ANO NUEVO POINT AND ISLAND—20 miles north of Santa Cruz. The only mainland breeding ground for the northern elephant seal in the world; also habitat for Steller sea lions, California sea lions, and harbor seals. The processes of wave cutting, geologic uplift, and sea level fluctuation are well represented along Ano Nuevo Point. (August 1980) Owner: State

Santa Barbara County

NIPOMO DUNES-POINT SAL COASTAL AREA (see *San Diego County*)

Siskiyou County

*MOUNT SHASTA—60 miles north of Redding. One of the world's largest and most impressive stratovolcanoes containing five glaciers and consisting of four distinct but overlapping cones. Second highest of the 15 main volcanoes in the Cascade Range; only Mt. Rainier is higher. (December 1976) Owner: Federal

Tulare County

*PIXLEY VERNAL POOLS—Six miles northeast of Pixley. One group of few remaining natural vernal pools containing certain endemic plant species. Over 26 families and 100 species are represented here. (November 1973) Owner: Private

COLORADO (11)

Clear Creek County

*SUMMIT LAKE—13 miles south-southwest of Idaho Springs. Habitat for a variety of rare alpine-arctic plants, some of which occur only here and at the Arctic Circle. (April 1965) Owner: County, Municipal

Douglas County

*ROXBOROUGH STATE PARK—20 miles southwest of Denver. Excellent example of the tilted and faulted sedimentary strata of the Colorado Front Range environment; contains fine exposures of hogbacks, unusual erosional patterns in Fountain Sandstone, and atypical occurrences of at least two front-range plant communities. (April 1980) Owner: State

El Paso County

*GARDEN OF THE GODS—Ten miles northeast of Pikes Peak. Outstanding illustration of the results of uplifting forces that produced the Front Range of the Rocky Mountains to the west, containing uncommon honey ants, and one of the best Colorado habitats for white-throated swifts, swallows, and canyon wrens. (October 1971) Owner: Municipal

Fremont County

GARDEN PARK FOSSIL AREA—One of the oldest and richest sites containing dinosaur, fish, crocodile, turtle, and mammal fossils in the United States. (November 1973) Owner: Federal

*INDIAN SPRINGS TRACE FOSSIL SITE—Best trace fossil locality in North America for illustrating the markings and movements of ancient animal life. (March 1979) Owner: Private

Hinsdale County

SLUMGULLION EARTHFLOW—Two miles south of Lake City. Seven-hundred-year-old, 1,000-acre landflow composed of volcanic rock which formed a dam that created Lake San Cristobal. A younger landflow, currently active, is moving as much as 20 feet per year along the path of the earlier flow. (October 1965) Owner: Federal, Private

Huerfano County

SPANISH PEAKS (extends into Las Animas County)—25 miles southwest of Walsenburg. One of the best exposed examples of igneous dikes known; dikes are formed when molten igneous material is forced into a fracture or fault before becoming solidified. There may be over 500 such dikes in the area. (January 1976) Owner: Federal, Private

Jefferson County

MORRISON FOSSIL AREA—Just north of Morrison. First major site for the discovery, in 1877, of giant dinosaur fossil bones in North America. The fossils represent nine species, seven of which were newly discovered. (December 1973) Owner: Municipal, Private

Las Animas County

RATON MESA—Ten miles south of Trinidad. Illustration of a mesa preserved by a thick lava cap which has resisted destruction from weathering and erosion. Only significant reference available illustrating the magnitude of erosion involved in developing the land surface of the Great Plains adjacent to the lower foothills of the Rocky Mountains. (April 1967) Owner: Private

SPANISH PEAKS (see *Huerfano County*)

Park County

*LOST CREEK SCENIC AREA—40 miles southwest of Denver. Illustrates structure of land through weathering along joint planes, containing spires, pinnacles, narrow ridges and steep narrow gorges. Lost Creek disappears and reappears at the surface at least nine times. (October 1966) Owner: Federal

Saguache County

RUSSELL LAKES—Ten miles south of Saguache. The most extensive bullrush marsh in Colorado, this area contains a number of shallow, largely alkaline lakes and supports large numbers of flora and fauna. The area is also an outstanding resting and breeding habitat for waterfowl. (May 1975) Owner: Private

CONNECTICUT (8)

Hartford County

*DINOSAUR TRACKWAY—Five miles south of Hartford. One of the largest known exposures of dinosaur tracks on a single bedding plane. From some 1,000 fossilized tracks, at least three types of reptiles have been identified. (April 1968) Owner: State

*McLEAN GAME REFUGE NATURAL AREAS—Four miles north-northwest of Simsbury. Two separate land tracks representing an excellent forest in southern New England, containing evidence of glacial activity and considerable species diversity. (November 1973) Owner: Private

Litchfield County

*BARTHOLOMEW'S COBBLE (extends into Berkshire County, Massachusetts)—One mile west of Ashley Falls, Massachusetts. Greatest natural concentration of ferns in the United States, containing 43 fern species and a remarkable assemblage of carefully documented plants and animals. (October 1971) Owner: Private

*BECKLEY BOG—Two and one-half miles southeast of Norfolk. The most southerly sphagnum-heath-black spruce bog in New England where peat moss underlies the bog up to a maximum depth of 51 feet. (May 1977) Owner: Private

BINGHAM POND BOG—One mile east of the New York State boundary. Extremely rare in Connecticut, an undisturbed cold northern spruce bog which is atypical due to the lack of sphagnum moss as a component of the floating mat on the bog. (May 1973) Owner: Private

*CATHEDRAL PINES—Near the southeast corner of Cornwall in the Berkshire Hills region. An old-growth white pine and hemlock forest which is the most massive single stand identified in the New England-Adirondacks natural region. (May 1982) Owner: Private

Middlesex County

CHESTER CEDAR SWAMP—Two miles west-southwest of Chester. One of the two finest remaining Atlantic white cedar swamps in Connecticut and an outstanding second-growth wooded swampland containing a small elongated pond with its adjacent bogland and some upland forest. (May 1973) Owner: State, Private

New London County

PACHAUG-GREAT MEADOW SWAMP—One and one-half miles northeast of Voluntown. Most extensive Atlantic white cedar swamp in Connecticut, and one of the two best, the area includes the Pachaug River and the Great Meadow Brook. (May 1973) Owner: State, Private

FLORIDA (17)

Alachua County

*DEVIL'S MILLHOPPER—Six miles northwest of Gainesville. An excellent example of karst topography in the Southeast and an important cutural and historic site in the Alachua area. The generally dry sink is an example of several ecosystems with many microhabitats and major plant associations which demonstrate vertical zonation. (December 1974) Owner: State

PAYNES PRAIRIE—Southern edge of Gainesville. Largest and most diverse freshwater marsh in northern Florida and a major wintering ground for many species of waterfowl as well as habitat for other wildlife, including two endangered species. A superlative example of prairie formation in a karst area; contains the Alachua Sink, one of Florida's largest and most famous sinks. (December 1974) Owner: State, Private

SAN FELASCO HAMMOCK—The center of the site is nine miles northwest of Gainesville. Largest remaining example of northern Florida's climax forest ecosystem, the upland mesic hammock, containing an extraordinary diversity of botanical resources supporting high quality woodland wildlife habitat. (December 1974) Owner: State, Private

Baker County

*OSCEOLA RESEARCH NATURAL AREA—20 miles northeast of Lake City. Includes an undisturbed mixed hardwood swamp with associated pine flatwoods and cypress swamp. The flatwoods are excellent wildlife habitat, and the presence of virgin cypress is a rare feature. (December 1974) Owner: Federal

Collier County

*BIG CYPRESS BEND—One mile west of State Route 29 on Tamiami Trail (U.S. 41). Includes about 215 acres of undisturbed virgin cypress, sawgrass prairie, and palmetto hammocks. (October 1966) Owner: State

*CORKSCREW SWAMP SANCTUARY—25 miles southeast of Fort Myers. Largest remaining stand of virgin bald cypress in North America, containing a wide variety of flora, including pond cypress, wet prairie and pineland, and sanctuary for a considerable wildlife population. (March 1964) Owner: Private

Columbia County

*ICHETUCKNEE SPRINGS (extends into Suwanee County)—Ichetucknee Springs State Park, 22 miles southwest of Lake City. Illustration of a large artesian spring group and the geologic history of the Floridian aquifer from which Florida's great springs emanate, containing abandoned relict channels ancestral to the present underground solution channels. (October 1971) Owner: State

Jackson County

*FLORIDA CAVERNS NATURAL AREA—Two miles north of Marianna. Unique disjunct relict community from a former temperate hardwood forest which has remained intact and isolated since the end of the Wisconsin glacial period and probably longer. The cave harbors three species of bats, including the Indiana bat, an endangered species, which uses the cave for winter hibernation. (December 1976) Owner: State

Lake County

EMERALDA MARSH (extends into Marion County)—Ten miles northeast of Leesburg. Virtually undisturbed inland freshwater riverine sawgrass marsh supporting several species of waterfowl, and including endangered and threatened species. Also provides an important fishery. (December 1974) Owner: Private

Levy County

*MANATEE SPRINGS—Manatee Springs State Park, 50 miles west-southwest of Gainesville. Ranks about sixth in size among the great artesian springs of Florida in close proximity to karst sinkholes, with proven underground connections with the headspring, and connecting with the Suwanee River. (October 1971) Owner: State

*WACCASASSA BAY STATE PRESERVE—40 miles west of Ocala. Example of northern Florida coastal ecosystem, including transition from mangrove to salt marsh to brackish marsh to freshwater marsh along the Waccasassa River to hardwood hammock forest. Serves as habitat for at least three endangered species. (December 1976) Owner: State

Liberty County

*TORREYA STATE PARK—12 miles north of Bristol along the Apalachicola River. Very significant relict habitat for ancient flora, including stinkingcedar, Florida yew and Croomia, which are descendants of the Arcto-Tertiary Geoflora which existed some 63 million years ago. (December 1976) Owner: State

Marion County

EMERALDA MARSH (see *Lake County*)

*RAINBOW SPRINGS—Four miles north-northeast of Dunnellon. Second of Florida's great artesian springs on the basis of its rate of discharge, and first as a single outlet spring, with glass-bottom cruise boats for observing spring cavities and aquatic life. (October 1971) Owner: Private

*SILVER SPRINGS—Five miles northeast of Ocala. Largest spring group in the United States, with glass-bottom boat rides. (October 1971) Owner: Private

Martin County

*REED WILDERNESS SEASHORE SANCTUARY—Eight miles south of Stuart. Unaltered east coast of Florida seashore, including semitropical plant associations of mangrove swamps, coastal strand and shell mound types, encompassing northern portion of Jupiter Island, and providing increasingly rare nesting site for Atlantic loggerhead turtles. (November 1967) Owner: Federal

Monroe County

*LIGNUMVITAE KEY—One-half mile north of the U.S. 1 causeway near the northern end of Matecumbe Key. One of the highest keys in the Florida Key chain providing a wide range of habitat, from wave-washed exposures of Key Largo limestone to mangrove swamp. Most vegetation is tropical hammock forest, the largest and best example of the type known in the United States. (October 1968) Owner: State

Suwanee County

*ICHETUCKNEE SPRINGS (see *Columbia County*)

Wakulla County

*WAKULLA SPRINGS—15 miles south of Tallahassee. An independent freshwater ecosystem and one of the largest and deepest springs in Florida. Rich in aquatic vegetation, fish, turtles, alligators, and birds, lined with huge cypress trees and a well-developed hardwood hammock containing significant fossil evidence from earlier eras. (October 1966) Owner: Private

GEORGIA (12)

Bartow County

SAG PONDS NATURAL AREA—Five miles southeast of Adairsville. The six ponds illustrate the various stages of ecological succession. Unique for their combination of dissimilar vegetation, containing relict flora persisting from the Pleistocene and significant fossils, evidence of the development of life. (May 1974) Owner: Private

Charlton County

*OKEFENOKEE SWAMP (extends into Clinch and Ware Counties)—Okefenokee National Wildlife Refuge, the center of the site is 28 miles south of Waycross. Largest and most primitive swamp in the country containing a diversity of ecosystems, and a refuge for native flora and fauna including many uncommon, threatened and endangered species. (December 1974) Owner: Federal

Chatham County

*WASSAW ISLAND—14 miles south of Savannah, in the Atlantic Ocean. Only island of Golden Isles with an undisturbed forest cover and one of the few remaining examples of the sea island ecosystem with a high degree of integrity, illustrating the building of the island from the sands of the Coastal Plain, and supporting a wide array of unusual animals. (April 1967) Owner: Federal, Private

Clinch County

*OKEFENOKEE SWAMP (see *Charlton County*)

Columbia County

HEGGIE'S ROCK—17 miles northwest of Augusta. An undisturbed example of the

characteristic plant species, community zonation, and successional stages occurring on well-exposed granitic outcrops. (August 1980) Owner: Private

Effingham County

EBENEZER CREEK SWAMP—The center of the site is 22 miles north-northwest of Savannah. Best remaining cypress-gum swamp forest in the Savannah River Basin illustrating the relationship and interactions between river and creek, and providing spawning grounds for the anadromous striped bass and habitat for the American alligator. (May 1976) Owner: Private

Emanuel County

*CAMP E. F. BOYD NATURAL AREA—Eight miles southwest of Swainsboro. Representative of rapidly disappearing flood plain—upland sand ridge ecosystem of the Coastal Plain and habitat for several rare plants and endangered species (May 1974) Owner: Private

Floyd County

*MARSHALL FOREST—Near Rome. Loblolly pine-shortleaf pine forest believed to have originated following an intense fire at about the time the Cherokee Indians were forcibly removed to Oklahoma. Forest has a ten-acre stand of virgin yellow poplar. (May 1966) Owner: Private

Harris County

*CASON J. CALLAWAY MEMORIAL FOREST—One mile west of Hamilton. Outstanding example of transitional conditions between eastern deciduous and southern coniferous forest types, containing the entire Barnes Creek watershed, an unpolluted stream system. (June 1972) Owner: Private

McIntosh County

*LEWIS ISLAND TRACT—Eight miles west-northwest of Darien. One of the most extensive bottomland hardwood swamps in Georgia, containing stands of virgin bald cypress and associated swamp hardwood species, and supporting uncommon wildlife species. (May 1974) Owner: State

Rockdale County

*PANOLA MOUNTAIN—15 miles southeast of Atlanta. The most natural and undisturbed monadnock of exposed granitic rock in the Piedmont region. The area supports a variety of plant communities. (August 1980) Owner: State

Seminole County

SPOONER SPRINGS—14 miles west of Bainbridge. One of the largest and least disturbed sinkhole wetlands in Georgia, supporting an abundance of American alligators. (May 1974) Owner: Private

Tattnall County

*BIG HAMMOCK NATURAL AREA—Ten miles southwest of Glennville. Contains relatively undisturbed broadleaf evergreen hammock forest and includes rare and endangered species. (May 1976) Owner: State

Ware County

*OKEFENOKEE SWAMP (see *Charlton County*)

GUAM (4)

*FACPI POINT—On the southwestern coast of Guam. Site contains pillow lavas, intersecting dikes, and a massive seastack of black coralline limestone. An illustration of the major episode of volcanism which created Guam Island. (November 1972) Owner: Government of Guam

*FOUHA POINT—On the southwestern coast of Guam, one mile northwest of the village of Umatac. Contains exposures of volcanic rock with a nearby intertidal platform of two levels of coralline limestone. (November 1972) Owner: Government of Guam

*MOUNT LAMLAM—Three miles north-northwest of Umatac. Remnant of a great caldera, it is the third key site on Guam disclosing the major volcanism which created the island. (November 1972) Owner: Government of Guam

*PUNTAN DOS AMANTES—Two miles north of Tumon. Illustrates the limestone deposition and subsequent subterranean erosion phases of Guam's geologic history. The area contains a 370-foot high cliff exposure of massive limestone. (November 1972) Owner: Government of Guam

HAWAII (7)

Island of Hawaii

MAKALAWENA MARSH—Near Kawikahale Point. One of two remaining ponds in Hawaii that support a resident population of the endangered, nonmigratory Hawaiian stilt, nesting site for the Hawaiian coot, and the only known breeding site of the black-crowned night heron on the Island of Hawaii. (June 1972) Owner: Private

MAUNA KEA—25 miles west-northwest of the city of Hilo. Exposed portion of the highest insular mountain in the United States, containing the highest lake in the country and evidence of glaciation above the 11,000-foot level. Most majestic expression of shield volcanism in the Hawaiian Archipelago, if not the world. (November 1972) Owner: State

Island of Maui

IAO VALLEY— West of the city of Wailuku. Valley and volcanic rocks on its enclosing slopes illustrate the major episode of volcanism which created the western portion of the island. Amphitheater shape is due to erosion on the volcanic rocks of a great caldera. (November 1972) Owner: State, Private

*KANAHA POND—One mile west of Kahului Airport. Most important waterbird habitat in Hawaii, and one of the few remaining brackish-water ecosystems providing refuge for both resident and migratory bird populations. (June 1971) Owner: State

Island of Molokai

NORTH SHORE CLIFFS—Between the villages of Halawa and Kalaupapa. Finest exposures of ancient volcanic rocks resulting from the major episode of volcanism creating Molokai, among the most ancient in the Hawaiian Island chain. (November 1972) Owner: State, Private

Island of Oahu

*DIAMOND HEAD—In the city of Honolulu. One of the best exposed and preserved examples of a typical volcanic cone of altered basaltic glass. Shows the bedding structure of the cone and the character of the rock. (February 1968) Owner: Federal, State

KOOLAU RANGE PALI—Three miles south of Kaneohe. The Pali is to the Island of Oahu what the Great Western Divide is to Sequoia National Park. Faulting and stream erosion are among the principal processes which give the cliffs their configuration. (November 1972) Owner: Private

IDAHO (11)

Adams County

*SHEEP ROCK—In Payette National Forest, 35 miles northwest of Council and two miles east of the Snake River. Provides the best view of the horizontally layered lavas that represent successive flows on the Columbia River Basalt Plateau, and an unobstructed view of two contrasting series of volcanic rocks separated by a major unconformity—an important geologic phenomenon. (December 1976) Owner: Federal

Bingham County

HELL'S HALF ACRE LAVA FIELD (extends into Bonneville County)—The center of the site is 20 miles west of Idaho Falls. A complete, young, unweathered, fully exposed pahoehoe lava flow and an outstanding example of pioneer vegetation establishing itself on a lava flow. (January 1976) Owner: Federal, State

Blaine County

*GREAT RIFT SYSTEM (extends into Minidoka and Power Counties)—43 miles northwest of Pocatello. As a tensional fracture in the Earth's crust that may extend to the crust-mantle interface, the Great Rift System is unique in North America and has few counterparts in the world. It also illustrates primary vegetation succession on very young lava flows. (April 1968, August 1980) Owner: Federal

Bonneville County

HELL'S HALF ACRE LAVA FIELD (see *Bingham County*)

Butte County

*BIG SOUTHERN BUTTE—37 miles northwest of Blackfoot. The view from this butte illustrates the scope and dimensions of Quaternary volcanism in the western United States and the largest area of volcanic rocks of young age in the United States. (January 1976) Owner: Federal

Cassia County

CASSIA SILENT CITY OF ROCKS—16 miles southeast of Oakley. Contains monolithic landforms created by exfoliation processes on exposed massive granite plutons, and the best example of bornhardts in the country. (May 1974) Owner: Federal, State, Private

Elmore County

CRATER RINGS—Two adjacent and symmetrical pit craters that are among the few examples of this type of crater in the continental United States. The pit craters, which are volcanic conduits in which the lava column rises and falls, were formed by explosions followed by collapse. (April 1980) Owner: Federal

Fremont County

BIG SPRINGS—54 miles northeast of Rexburg. The only first-magnitude spring in the county which issues forth from rhyolitic lava flows. It is the source of the South Fork of the Henrys Fork River. (August 1980) Owner: Federal

Gooding County

NIAGARA SPRINGS—20 miles west of Twin Falls. The least developed of the large springs discharging into the Snake River from the Snake River Plain aquifer system. It is outstandingly illustrative of the enormous volume of water transmitted through this aquifer. (April 1980) Owner: Private

Jefferson County

MENAN BUTTES (extends into Madison County)—Ten miles west of Rexburg. Contains outstanding examples of glass tuff cones, which are found in only a few places in the world. Their large size and unusual composition make them particularly instructive of an unusual aspect of basaltic volcanism. (April 1980) Owner: Federal, Private

Madison County

MENAN BUTTES (see *Jefferson County*)

Shoshone County

HOBO CEDAR GROVE BOTANICAL AREA—12 miles northeast of Clarkia. An outstanding example of pristine western red cedar forest. Two communities are represented: cedar/Oregon boxwood on the uplands and cedar/fern on the lowlands. (April 1980) Owner: Federal

Twin Falls County

HAGERMAN FAUNA SITES—West and southwest of Hagerman. Contains the world's richest known deposits of Upper Pliocene age terrestrial fossils, therefore considered to be of international significance. (May 1975) Owner: Federal, State

ILLINOIS (16)

Alexander County

*HORSESHOE LAKE NATURE PRESERVE—11 miles northwest of Cairo. Contains diverse aquatic and terrestrial flora and fauna and mature stands of bald cypress. The site is on the migration corridor of many waterfowl, as well as being an overwintering site for thousands of Canada geese. (November 1972) Owner: State

Carroll County

*MISSISSIPPI PALISADES—North of Savanna. Topography containing deep V-shaped valleys, caves and sinks, massive cliffs along the Mississippi River, and supporting numerous species of plant and animal life. (November 1972) Owner: State

Cook County

*BUSSE FOREST NATURE PRESERVE—23 miles northwest of Chicago. Situated on the flood plain and morainal uplands along Salt Creek. One of the best remaining examples of mesic and dry-mesic upland forest in the Eastern Central Lowands. The area has been protected for so long that there is no evidence of past logging throughout most of the site. (February 1980) Owner: County

Jackson County

LITTLE GRAND CANYON AREA—Ten miles west of Carbondale. Exceptional examples of a large box canyon with vertical overhanging walls. Contains a great diversity of ecosystems, including sandstone outcrops and overhangs, ravine slope forest, dry site oak-hickory forest, and hill prairies. The ravine is nationally known as a seasonal haven for a great variety of snakes that hibernate there. (February 1980) Owner: Federal

Johnson County

BUTTONLAND SWAMP (extends into Pulaski County)—32 miles south-southeast of Carbondale. Outstanding remnant of the swampy flood plain forest and open swamp that once covered an extensive area at the junction of the Mississippi and Ohio River valleys. Has many large trees including three trees larger than any on record for the species in the nation. (February 1980) Owner: Private

*HERON POND–LITTLE BLACK SLOUGH NATURAL AREA—25 miles south of Marion. This is the largest remaining cypress-tupelo swamp in Illinois. The site contains a heron rookery and the valley is an outstanding example of alluvial, colluvial, and lacustrine sedimentation within an entrenched meandering valley system. (November 1972, February 1980) Owner: State, Private

Lake County

*ILLINOIS BEACH NATURE PRESERVE—Illinois Beach State Park, three miles north-northeast of Waukegan. An area of beach ridges that supports a great diversity of natural communities, including savanna, sand prairie, wetland, and beach communities. Area supports over 60 species of animals and plants that are threatened or endangered in Illinois. (February 1980) Owner: State

*VOLO BOG NATURE PRESERVE—One and one-half miles north-northwest of Volo. This type of site is rare for Illinois. It contains many unusual or rare plants which are characteristic of the classic northern quaking bog. (November 1972) Owner: State

*WAUCONDA BOG NATURE PRESERVE—On the southern edge of the village of Wauconda. Mature bog that contains the farthest southern extension of bog vegetation in Illinois, representing an unusual biotic community in that region. (November 1972) Owner: State

McLean County

*FUNKS GROVE—11 miles southwest of Bloomington. Rare example of virgin forests once isolated on the prairies of the Midwest, illustrating a transition between oak-hickory association of the region and the western mesophytic association to the east. (May 1974) Owner: State, Private

Piatt County

*ALLERTON NATURAL AREA—28 miles southwest of Champaign. Example of rapidly disappearing Illinois stream valley ecosytem containing relatively undisturbed examples of bottomland and upland forests. (January 1970) Owner: State

Pope County

BELL SMITH SPRINGS—Shawnee National Forest. Fragile area containing some of the best examples of ecosystems typical of sharply dissected sandstone substrates. Also contains fine examples of landforms created by stream erosion and mass wasting. (February 1980) Owner: Federal

LUSK CREEK CANYON—15 miles south of Harrisburg. Excellent example of a gorge-like valley formed by mass wasting and stream erosion in lower Pennsylvanian sandstones. Also contains good examples of two major forest ecosystems; 10 endangered or threatened Illinois plant species occur here. (February 1980) Owner: Federal, State

Pulaski County

BUTTONLAND SWAMP (see *Johnson County*)

Union County

*GIANT CITY GEOLOGICAL AREA—Giant City State Park, 36 miles southwest of Harrisburg. Exceptional example of gravity sliding consisting of massive joint-bounded sandstone blocks of Pennsylvanian Age. Rich flora include xeric oak woods, oak-hickory and mesic forests dominated by sugar maple. (February 1980) Owner: State

*LaRUE–PINE HILLS ECOLOGICAL AREA—Shawnee National Forest. The center of the site is four miles north of Wolf Lake. The area contains one of the finest assemblages of diverse vegetation in the Midwest, representing species of northern, southern, eastern, and western affinities, including 40 species rare in Illinois. (May 1974) Owner: Federal, State, Private

Wabash County

*FOREST OF THE WABASH—Beall Woods Nature Preserve, three miles south of Mount Carmel. Essentially undisturbed upland and bottomland forests lying along the Wabash River. The upland stands are probably the finest remaining oak-hickory forest in this part of the country. (October 1965) Owner: State

INDIANA (28)

Crawford County

*WYANDOTTE CAVE—Harrison-Crawford State Forest, 30 miles west of New Albany. The cave has 23 miles of explored passageways, vertical relief encompassing several levels, huge rooms, gigantic

domepits, rubble breakdown and stalagmites. It is one of the great cave systems within the karst region of the east-central United States. (June 1972) Owner: State

Fayette County

*SHRADER-WEAVER WOODS—Seven miles northwest of Connersville. Outstanding presettlement beech-maple forest containing unusually large trees, such as a 56-inch diameter breast high (d.b.h.) burr oak and a 34-inch d.b.h. black maple. (May 1974) Owner: State

Floyd County

OHIO CORAL REEF (FALLS OF THE OHIO) (extends into Jefferson County, Kentucky—In the Ohio River between Jeffersonville, Indiana, and Louisville, Kentucky. Classic example of a Silurian and Devonian coral community from which nearly 900 nominal species have been founded on specimens collected here. The lower part of Jeffersonville limestone is composed of corals, matrix, and little else. (October 1966) Owner: State

Fountain County

*PORTLAND ARCH NATURE PRESERVE—Seven miles northeast of Covington. Contains massive crossbedded sandstone cliffs and a 7½-foot high natural bridge. Has many plant species unknown elsewhere in the State; some are relicts occurring here due to the unusual climate created by the canyon. (May 1973) Owner: State

Gibson County

HEMMER WOODS—Two miles northeast of Buckskin. Illustrates the transition from lowland to upland forest, containing one of the best mixed lowland stands remaining in Indiana, the largest known specimens of tulip tree in the State, and a great abundance of wildflowers. (November 1973) Owner: State, Private

Harrison County

HARRISON SPRING—Fragile area that has been vandalized in the past and is now closed to the public. Largest spring in Indiana and one of the best examples of alluviated cave springs in the United States due to its location in an abandoned meander loop, and the natural levee around its periphery. (February 1980) Owner: Private

Jefferson County

OFFICERS' WOODS—Seven miles northwest of Madison. One of the finest remnants of beech-maple forest south of the Wisconsin-age glacial boundary in Indiana. Two stands with slightly different composition, one of which contains an exceptionally high density of valuable black gum. (December 1974) Owner: Private

Lagrange County

*TAMARACK BOG NATURE PRESERVE—Pigeon River State Game Preserve, one mile southeast of the town of Mongo. Contains the largest, well-developed tamarack swamp-bog forest in Indiana supporting six distinct vegetation types and more than 34 mammal species. Also supports water birds, amphibians and fishes. (November 1973) Owner: State

Lake County

*HOOSIER PRAIRIE—Two miles southwest of Griffith. Last large tract of prairie near the eastern margin of the "Prairie Peninsula", containing a great diversity of community types. Almost 300 vascular plant species have been identified here. (May 1974) Owner: State

La Porte County

*PINHOOK BOG—Indiana Dunes National Lakeshore, four miles south of Waterford. A living demonstration of the textbook description of ecological succession from pond to woodland, lying within a bowl-shaped depression likely to be a glacial kettle, and surrounded by wooded hills. (October 1965) Owner: Federal

Lawrence County

*DONALDSON CAVE SYSTEM AND WOODS—Spring Mill State Park, five miles east of Mitchell. A tract containing 80 acres of prime virgin forest and a cave system associated with the Indiana karst region, including three separate units which are interconnected by underground passageways. (June 1972, November 1973) Owner: State

Montgomery County

BECKVILLE WOODS—Three miles south of Shannondale. One of the finest near-virgin remnant forests in the Tipton Till Plain of central Indiana, containing a great diversity of tree species due to a pronounced moisture gradient producing different habitats, and a great blue heron rookery. (December 1974) Owner: Private

*PINE HILLS NATURAL AREA—15 miles west-southwest of Crawfordsville. The tract is sharply dissected by deep, stream-carved canyons which have left narrow rock ridges or backbones, probably the most remarkable examples of incised meanders in the eastern United States. Contains a variety of habitats and a number of plant species considered to be Pleistocene relicts. (April 1968) Owner: State

Orange County

*PIONEER MOTHERS' MEMORIAL FOREST—Hoosier National Forest, one mile southeast of Paoli. One of the best examples of an original, undisturbed presettlement forest in Indiana containing the finest examples of forest-grown walnut trees in America. (May 1974) Owner: Federal

*RISE AT ORANGEVILLE—South of West Road in Orangeville. The State's second largest spring and the clearest illustration of subterranean stream resurgence in the famed Lost River karst area. (June 1972) Owner: Private

*TOLLIVER SWALLOWHOLE—Four miles north-northwest of Paoli. Extraordinary example of the disappearing stream aspect of karst topography. An elongated channel with a small opening at the bottom of the west end of the channel that opens into a segment of underground Lost River. (June 1972) Owner: Private

*WESLEY CHAPEL GULF—Two miles southeast of Orangeville. The most significant and spectacular feature of the Lost River Basin, one of the world's great karst areas. Probably the largest sinkhole in Indiana and a classic illustration of a uvala (feature formed by the coalescence of a series of sinkholes). (June 1972) Owner: Private

Owen County

HOOT WOODS—Three miles northwest of Freedom. Relatively undisturbed, isolated beech-maple forest where near climax conditions prevail. (November 1973) Owner: Private

Parke County

*ROCKY HOLLOW-FALLS CANYON NATURE PRESERVE—Turkey Run State Park, nine miles north of Rockville. Forest area containing virgin beech-maple stands, several steep sandstone gorges that harbor virgin boreal relict populations of eastern hemlock and Canada yew and some of the largest black walnut in the Midwest. (December 1974) Owner: State

Porter County

*COWLES BOG—Indiana Dunes National Lakeshore, 10 miles west of Michigan City. Illustrates marsh and bog, as well as transition to swamp and includes flora common to these habitats. (October 1965) Owner: Federal

*DUNES NATURE PRESERVE—Indiana Dunes State Park, along the the southeastern shore of Lake Michigan between Dune Acres and Beverly Shores. The best remaining example of undeveloped and relatively unspoiled dune landscape along the southern shore of Lake Michigan, a portion of which is known as the "Birthplace of American Ecology". Also contains Ancient Pines Nature Area, a prehistoric forest now exposed by dune blowouts. (December 1974) Owner: State

Putnam County

BIG WALNUT CREEK—35 miles west of Indianapolis. A branch of the Eel river formed as a result of glacial melt and postglacial water erosion, site contains one of the few stands in the State where beech, sugar maple and tulip poplar grow on alluvial Genesee soil. Includes relict species of a postglacial forest which occupied the area 5,000 to 6,000 years ago. (April 1968) Owner: State, Private

*FERN CLIFF—Seven miles southwest of Greencastle. Contains exceptional occurrences of mosses and liverworts including a noteworthy number of rare species. One of the best sites for bryophytes in the Central States. (February 1980) Owner: Private

Randolph County

CABIN CREEK RAISED BOG—14 miles east-southeast of Muncie. A fen (alkaline bog) elevated some 10 feet above the general flood plain level of Cabin Creek, supporting very rich flora, including many species at

or near their range limits. (December 1974) Owner: Private

*DAVIS-PURDUE AGRICULTURAL CENTER FOREST—13 miles northeast of Muncie. Best old-growth oak-hickory forest on the Tipton Till Plain and possibly one of the finest such forests in the eastern United States containing exceptionally large individuals of several tree species. (December 1974) Owner: State

Shelby County

*MELTZER WOODS—Two miles southwest of Blue Ridge. A presettlement forest now in dynamic equilibrium containing a juxtaposition of two contrasting forest types (beech-maple and lowland mixed forests) and exceptionally large individuals of several tree species. (November 1973) Owner: Private

Spencer County

*KRAMER WOODS—One and one-half miles southwest of Patronville. This area is the only example of Shumard's red oak-pin oak-hickory dominated stand of lowland mixed forest of any size in Indiana. (November 1973) Owner: Private

Vanderburgh County

*WESSELMAN PARK WOODS—Within the city limits of Evansville. Presettlement lowland mixed forest with the highest basal area per acre of any known stand in Indiana, dominated by sweet gum-tulip tree. (November 1973) Owner: Municipal

IOWA (5)

Clay County

*DEWEY PASTURE AND SMITH'S SLOUGH (extends into Palo Alto County)—Four miles north-northwest of Ruthven. Section of pothole lakes created during the last glacial epoch, containing considerable habitat diversity including wetlands, tallgrass prairie, and woodland supporting significant waterfowl population. (May 1975) Owner: State

Dickinson County

*CAYLER PRAIRIE—Five miles west of West Okoboji. An example of increasingly rare virgin prairie grassland; a unique outdoor laboratory. (October 1965) Owner: State

Dubuque County

*WHITE PINE HOLLOW PRESERVE—20 miles northwest of Dubuque. Only known remaining white pine tract in Iowa. (November 1967) Owner: State

Hamilton County

ANDERSON GOOSE LAKE—One mile east of Jewell. One of few essentially natural glacial pothole lakes remaining in the State, and important waterfowl habitat. (May 1975) Owner: Private

Howard County

*HAYDEN PRAIRIE—12 miles northwest of Cresco. A true prairie remnant where Iowa State University conducted research showing that true prairie declines when the quantity of litter exceeds annual herbage yield. Occasional burning or mowing corrects this, and gives minor plants an opportunity for establishment. (October 1965) Owner: State

Palo Alto County

*DEWEY PASTURE AND SMITH'S SLOUGH (see *Clay County*)

KANSAS (5)

Clark County

*BIG BASIN PRESERVE—13 miles west-northwest of Ashland. Excellent example of collapse feature formed by groundwater geological processes, and bluestem-grama prairie which is intensively grazed elsewhere in the central Great Plains. (March 1979) Owner: State

Douglas County

*BAKER UNIVERSITY WETLANDS—Three miles south of Lawrence. Undisturbed examples of wetland prairie, and breeding ground for pintails, mallards and Canada geese. (June 1969) Owner: Private

BALDWIN WOODS—11 miles south of Lawrence. A unique remnant oak-hickory stand approaching climax condition, located at the western edge of the eastern deciduous forest. (November 1980) Owner: Private

Gove County

*MONUMENT ROCKS NATURAL AREA—23 miles south of Oakley. This area includes pinnacles, small buttes, and spires of chalk of the Niobrara formation, erosional remnants of sediments deposited in the ancient Kansas sea of Cretaceous time, and is a rich source of fossils of Cretaceous marine animals. (October 1968) Owner: Private

Ottawa County

*ROCK CITY—Two and one-half miles southwest of Minneapolis. A unique cluster of about 200 great spherical sandstone concretions occurring in the midst of rolling farmland. (January 1976) Owner: Private

KENTUCKY (4)

Henderson County

HENDERSON SLOUGHS (extends into Union County)—Four miles northeast of Uniontown. One of the largest wetlands remaining in the State and an important habitat for waterfowl and other wildlife. Also the "home" of John James Audubon. (May 1974) Owner: Federal, State

Jefferson County

OHIO CORAL REEF (FALLS OF THE OHIO)—(see INDIANA)

Laurel County

*ROCK CREEK RESEARCH NATURAL AREA—Daniel Boone National Forest, two miles west of Baldrock. One of the few virgin hemlock-hardwood forests remaining in the State. (May 1975) Owner: Federal

Letcher County

*LILLEY CORNETT WOODS—25 miles southeast of Hazard. Probably the only surviving virgin tract of any size in the Cumberland Mountains section of the mixed mesophytic forest, which is characterized by a great variety of tree species. (June 1971) Owner: State

Menifee County

RED RIVER GORGE (extends into Powell and Wolfe Counties)—Daniel Boone National Forest, 50 miles east-southeast of Lexington. Contains examples of geological formations, including 41 natural bridges, and supports an extremely diverse flora, including endemic, rare and relict species. (January 1976) Owner: Federal, Private

Powell County

RED RIVER GORGE (see *Menifee County*)

Union County

HENDERSON SLOUGHS (see *Henderson County*)

Wolfe County

RED RIVER GORGE (see *Menifee County*)

MAINE (13)

Aroostook County

CRYSTAL BOG—Four miles southeast of Patten. One of the largest and most outstanding untouched sphagnum bogs in the State, containing stands of tamarack, black spruce and hemlock. (May 1973) Owner: Private

Cumberland County

*NEW GLOUCESTER BLACK GUM STAND—Two miles southwest of Upper Gloucester. Rare and outstanding small remnant of essentially virgin black gum-dominated swamp forest, near the northernmost limit for this species. (May 1975) Owner: Private

Franklin County

BIGELOW MOUNTAIN (extends into Somerset County)—The center of the site is six miles east of Stratton. One of the best and most representative alpine vegetation zones among lower elevation New England Mountains. (May 1975) Owner: State

Kennebec County

*COLBY-MARSTON PRESERVE—Two miles north of Belgrade. Classic example of a northern sphagnum bog with distinct and well-defined vegetation zonation. A kettle hole bog surrounded by hemlock—white pine and northern hardwood forests. (May 1973) Owner: Private

PENNY POND—JOE POND COMPLEX—Two and one-half miles south of Belgrade. Relatively untouched wetland area in a glacial outwash plain, containing a number of vegetative communities. (May 1973) Owner: Private

Lincoln County

MONHEGAN ISLAND—Ten miles south of Port Clyde, in the Atlantic Ocean. The northern half of the island is covered with dense, almost pure, red spruce forest. The island is located on the Atlantic flyway and supports a variety of bird species. (April 1966) Owner: Private

Penobscot County

*ORONO BOG—Six miles southwest of Old Town. An outstanding example of a northern sphagnum bog, and one of the

best natural orchid areas in Maine. (May 1973) Owner: Private

PASSADUMKEAG MARSH AND BOGLANDS—Two miles east of Passadumkeag. Passadumkeag Esker, or Enfield Horseback, a classic illustration of an esker, and one of the largest and finest unspoiled wetlands in the State. (May 1973) Owner: Municipal, Private.

Piscataquis County

*GULF HAGAS—14 miles east of Greenville. Significant illustration of the geological formation of a steep-walled, youthful gorge cut by a wild river through folded and tilted slates and siltstones, containing an excellent spruce-fir forest on the walls of the gorge. (April 1968) Owner: Private

*MOUNT KATAHDIN—Baxter State Park, 30 miles north of Millinocket. Outstanding example of glacial-geological features, such as kames, eskers, drumlins, kettleholes and moraines, containing virgin forests and alpine-tundra ecosystems surrounding unaltered lakes and streams. (November 1967) Owner: State

*THE HERMITAGE—Six miles northwest of Katahdin Iron Works. One of the very few undisturbed old-growth white pine stands left in all of New England. Also contains hemlock and northern hardwood stands. (May 1977) Owner: Private

Somerset County

BIGELOW MOUNTAIN (see *Franklin County*)

Washington County

*CARRYING PLACE COVE BOG—One and one-half miles south of South Lubec. One of the finest examples of coastal raised plateau bogs, of which there are only six undisturbed, fully featured examples in the nation. Also a fine example of a tombollo (tied island) eroded by the sea and encroached upon by a tidal beach. (April 1980) Owner: State

MEDDYBEMPS HEATH—Three miles west of Meddybemps. Outstanding example of a large, undisturbed northern bog, interspersed with small wooded islands. Area contains two major streams surrounded by vast, high heath shrub vegetation, and ringed with stands of black spruce and larch. (May 1973) Owner: Private

MARYLAND (6)

Baltimore County

*LONG GREEN CREEK AND SWEATHOUSE BRANCH—Gunpowder Falls State Park, two miles north of Perry Hall. Mature beech-tulip poplar-white oak forest representative of the climax mesic forest type in the region, containing an outstandingly rich herbaceous flora. (May 1977) Owner: State

Calvert County

*BATTLE CREEK CYPRESS SWAMP—On State Route 506, between Bowens and Port Republic. One of the most northerly cypress swamps in the country, containing a wide range of plant and animal life. (April 1965) Owner: Private

Cecil County

GILPIN'S FALLS—Seven miles northwest of Elkton. The area exposes a spectacular sequence of early Paleozoic rocks and probably the best outcrop of undeformed early paleozoic metavolcanic pillow basalts in the Middle Atlantic States. It is also a prime example of a Fall Zone stream. (August 1980) Owner: Private

Frederick County

*SUGAR LOAF MOUNTAIN—16 miles south of Frederick. Solutions to problems about age and structural relationships of rocks of the Piedmont Province are found here. Appears to be either an outlier to the east of the main mass of Catoctin Mountain or a root remnant of the ancient Appalachia land mass. (June 1969) Owner: Private

Garrett County

*CRANESVILLE SWAMP NATURE SANCTUARY (extends into Preston County, West Virginia)—Nine miles north of Terra Alta, West Virginia. Occupies a natural bowl where cool, moist conditions are conducive to plant and animal communities of more common northern locations. (October 1964) Owner: Private

Prince Georges County

BELT WOODS—15 miles east of Washington, D.C. One of few remaining old-growth upland forests in the Atlantic Coastal Plain physiographic province. An example of upland hardwood forest dominated by tulip poplar and white oak, supporting a dense and diverse bird population. (December 1974) Owner: Private

MASSACHUSETTS (9)

Berkshire County

*BARTHOLOMEW'S COBBLE—(see CONNECTICUT)

COLD RIVER VIRGIN FOREST—Mohawk Trail State Forest, nine miles southeast of North Adams. Probably the only virgin hemlock-northern hardwood forest in New England with the hemlocks and sugar maples exceeding 400 years in age. (April 1980) Owner: State

Bristol County

*ACHUSHNET CEDAR SWAMP—Northwestern edge of New Bedford. One of the State's largest, wildest and most impenetrable swamps, and an outstanding example of the diversity of conditions and species in the glaciated section of the oak-chestnut forest type. (June 1972) Owner: State

Dukes County

*GAY HEAD CLIFFS—On the western tip of Martha's Vineyard. An unusual cross section of Raritan and Magothy sediments of Cretaceous age and fossil-bearing sands of Miocene and either Pliocene or Pleistocene ages that rise as much as 150 feet above sea level, resting on the continental shelf and detached from the mainland. (October 1965) Owner: Municipal

Essex County

LYNNFIELD MARSH (extends into Middlesex County)—Between Wakefield and South Lynnfield. The area preserves the habitat requirements of many bird species and serves as breeding ground for the king rail and least bittern, rare species in the region. (June 1972) Owner: Municipal, Private

Franklin County

*HAWLEY BOG—One mile northwest of Hawley. Unspoiled cold northern boreal sphagnum-heath bog occupying an old shallow glacial lake basin which demonstrates bog succession from the central open water pond to the surrounding spruce-fir forest. (May 1974) Owner: State

Hampden County

*FANNIE STEBBINS REFUGE—Five miles south of Springfield. The area contains the only sizeable example of Connecticut River flood plain under preservation, exhibiting many successional stages including upland and flood plain forest, swamp, marsh, ponds, and meadows. (June 1972) Owner: Municipal, Private

Middlesex County

LYNNFIELD MARSH (see *Essex County*)

Nantucket County

MUSKEGET ISLAND—Five miles northwest of Nantucket Island. The only known locality where the Muskeget vole is found, and southernmost station where the grey seal breeds. The area supports an enormous nesting population of herring gulls and black-backed gulls. (April 1980) Owner: Municipal, Private

Plymouth County

NORTH AND SOUTH RIVERS—Centered about 20 miles southeast of Boston. Classic examples of drowned rivermouth estuaries, supporting at least 45 species of fish and many species of birds. The site contains salt marsh, brackish marsh and freshwater marsh areas. (May 1977) Owner: State, Municipal, Private

Worcester County

POUTWATER POND—North of Holden. An undisturbed sphagnum-heath bog in southern New England, illustrating ecological succession from open water in a glacial depression to upland forest. (June 1972) Owner: Private

MICHIGAN (11)

Bay County

*TOBICO MARSH—Tobico Marsh State Game Area, seven miles north of Bay City. Relatively undisturbed area with three distinct habitats: a wide expanse of open water, marshland, and a mixed hardwood forest used by large numbers of migrating waterfowl. (January 1976) Owner: State

Berrien County

GRAND MERE LAKES—Two miles southwest of Stevensville, the site contains four low areas created during the evolution of postglacial ancestors of Lake Michigan, providing a unique ecological area documenting the evolution of aquatic to terrestrial communities, surrounded by a buffer zone of dunes, and containing many

rare relict species. (April 1968) Owner: State, Private

WARREN WOODS NATURAL AREA—Three miles north of Three Oaks. Last known stand of virgin beech-maple forest in southern Michigan containing outstanding individual specimens of sycamore, beech, maple and other northern hardwoods. (November 1967) Owner: Private, leased to State

Cass County

*NEWTON WOODS—28 miles southwest of Kalamazoo. One of the last remaining old-growth oak-mixed hardwood stands on Michigan's lower peninsula. (January 1976) Owner: State

Ingham County

*TOUMEY WOODLOT—On the Michigan State University campus in East Lansing. An extremely rare example of a virgin stand of beech-maple forest serving as an important source for ecological research. (January 1976) Owner: State

Jackson County

*BLACK SPRUCE BOG NATURAL AREA—Ten miles northeast of Jackson. Boreal bog forest illustrating the last stage of succession in the sphagnum bog ecosystem, containing an excellent stand of black spruce. (December 1976) Owner: State

Marquette County

*DUKES RESEARCH NATURAL AREA—Upper Peninsula Experimental Forest, 17 miles southeast of Marquette. Undisturbed white cedar and mixed conifer swamp containing old-growth hardwood stands. (May 1974) Owner: Federal

Missaukee County

*DEAD STREAM SWAMP (extends into Roscommon County)—Houghton Lake State Forest, 30 miles northeast of Cadillac. A large example of a northern white cedar swamp considered to be the climax in bog forest development. (January 1976) Owner: State

Oakland County

*HAVEN HILL STATE NATURAL AREA—Highland State Recreation Area, 14 miles west of Pontiac. This area contains all of southern Michigan's principal forest types in one small tract, supporting 17 mammal and over 100 bird species. (January 1976) Owner: State

Roscommon County

*DEAD STREAM SWAMP (see *Missaukee County*)

ROSCOMMON VIRGIN PINE STAND—Ten miles east of Roscommon. A State natural area containing one of the best old-growth red-pine stands in the Superior Upland natural region, with evidence of fires in 1798, 1888, and 1928. (November 1980) Owner: State

Schoolcraft County

*STRANGMOOR BOG—Seney National Wildlife Refuge, southwest of Seney. One of the most southern, undisturbed, patterned or stringed bogs in the country, resulting from the underlying arrangement of sand knolls or extinct dunes on a sloping sand plain. (November 1973) Owner: Federal

MINNESOTA (8)

Anoka County

*CEDAR CREEK NATURAL HISTORY AREA—ALLISON SAVANNA (extends into Isanti County)—30 miles north of Minneapolis. Relatively undisturbed ecological area where three biomes meet (tall grass prairie, eastern deciduous forest and boreal coniferous forest), supporting 61 species of mammals and 183 species of birds. A nationally and internationally famous research center. (May 1975, February 1980) Owner: State, Private

Beltrami County

UPPER RED LAKE PEATLAND—The center of the site is 15 miles northwest of Waskish. One of the largest peatlands remaining in the conterminous United States illustrating a variety of geological features and plant associations, especially the dominant and rare string bog, and an outstanding habitat for wildlife including endangered species. (May 1975) Owner: Federal, State, Private, Indian trust (Red Lake Tribe

Big Stone County

*ANCIENT RIVER WARREN CHANNEL (extends into Traverse County, Minnesota and Roberts County, South Dakota) near Browns Valley. A channel cut by the Ancient River Warren during the Ice Age, containing the Hudson Bay-Gulf of Mexico divide with a lake on each side as evidence of the irregularities in Ice Age sedimentation. (April 1966) Owner: State, Private

Cass County

*PINE POINT RESEARCH NATURAL AREA—Chippewa National Forest, 26 miles southeast of Bemidji. Contains undisturbed stands of red pine and mixed pine that have been protected for over 70 years, as well as bald eagle and osprey nests. (February 1980) Owner: Federal

Clearwater County

*ITASCA NATURAL AREA—Itasca State Park, 30 miles southwest of Bemidji, the area contains some of the finest remaining stands of virgin red pine, spruce-balsam, and maple-basswood-aspen forest, supporting 141 bird and 53 mammal species, including bald eagles. (November 1965) Owner: State

Isanti County

*CEDAR CREEK NATURAL HISTORY AREA—ALLISON SAVANNA (see *Anoka County*)

Koochiching County

*LAKE AGASSIZ PEATLANDS NATURAL AREA—30 miles south of International Falls, an example of the extensive peatlands occupying the bed of ancient glacial Lake Aggassiz, illustrating the process of peat accumulation over about 11,000 years. The area contains Myrtle Lake Bog, which developed contrary to the usual successional process of lake filling, and is an excellent example of both raised and string bogs. (November 1965) Owner: State

Lake County

KEELEY CREEK NATURAL AREA—Superior National Forest, 12 miles southeast of Ely. The area contains a large tract of undisturbed mixed pine and black spruce forests with rare mature jackpine stands and significant upland bogs. (February 1980) Owner: Federal

St. Louis County

LAC LA CROIX RESEARCH NATURAL AREA—Boundary Waters Canoe Area, 24 miles northwest of Ely. This area consists of old-growth virgin pine forests, and contains most of the physiographic and ecological features characteristic of the Boundary Waters region. (February 1980) Owner: Federal

Traverse County

*ANCIENT RIVER WARREN CHANNEL (see *Big Stone County*)

MISSISSIPPI (5)

Calhoun County

*CHESTNUT OAK DISJUNCT—16 miles north of Bruce. An isolated chestnut oak stand well removed from its normal range, surrounded by loblolly pine forest. (October 1966) Owner: Private

Madison County

*MISSISSIPPI PETRIFIED FOREST—17 miles north of Jackson. A relatively undisturbed accumulation of ancient fir and maple driftwood which was buried in Teritary sands and subsequently covered with loess. Surface water has eroded gullies and exposed the logs. (October 1965) Owner: Private

Scott County

*BIENVILLE PINES SCENIC AREA—Bienville National Forest, south of the town of Forest. One of the largest, protected old-growth loblolly pine stands in the region. (May 1976) Owner: Federal

*HARRELL PRAIRIE HILL—Bienville National Forest, two miles southeast of the town of Forest. Tall grass prairie that is one of the last and most representative remnants of the Jackson Prairie, a disjunct of the Black Belt region in Mississippi and Alabama. (May 1976) Owner: Federal

Sharkey County

*GREEN ASH-OVERCUP OAK-SWEETGUM RESEARCH NATURAL AREAS—Delta National Forest, three noncontiguous tracts that are 18 miles west-northwest of Yazoo City. Contains three very rare remnants of virgin bottomland hardwood forest remaining in the Mississippi River delta region. Some of the oldest sweetgum stands are 250 to 300 years old. (May 1976) Owner: Federal

MISSOURI (14)

Barton County

*GOLDEN PRAIRIE—16 miles northeast of Carthage. Example of an essentially virgin tall grass prairie ecosystem providing habitat for many species of flora and fauna, including a large population of greater prairie chicken. (May 1975) Owner: Private

Callaway County

*TUCKER PRAIRIE—Seven miles north-northwest of Fulton. Virgin tall grass prairie occurring within the transition zone between the oak-hickory forest and typical tall grass prairie. (May 1975) Owner: Private

Camden County

CARROLL CAVE—Dendritic system of subsurface karst streams and tributaries. A dangerous cave which must not be visited without owner permission. (May 1977) Owner: Private

Clay County

*MAPLE WOODS NATURAL AREA—A nearly virgin sugar maple and mockernut hickory forest; the combination of these two forest species is rare in the region. (April 1980) Owner: State

Crawford County

*ONONDAGA CAVE—Five miles southeast of Leasburg. The cave contains an unusually large and varied number of speleothems and a ponded stream with a mean flow of about a million gallons per day. (April 1980) Owner: Private

Marion County

*MARK TWAIN AND CAMERON CAVES—Two miles southeast of Hannibal. Two caves on either side of a small valley, Cave Hollow, which are exceptionally good examples of the maze type of cavern development. (June 1972) Owner: Private

Oregon County

GREER SPRING—52 miles west of Poplar Bluff. The second largest spring in the Ozarks which discharges into a high quality, cascading stream. A very diverse forest surrounds the spring and river. (April 1980) Owner: Private

Phelps County

*MARAMEC SPRING—Maramec Spring Park, 8 miles southeast of St. James. One of the large springs in the Missouri Ozarks, and a source of water power from 1826 to 1877 for an ironworks, the ruins of which are still visible. (October 1971) Owner: Private

Ripley County

*CUPOLA POND—Mark Twain National Forest, 12 miles south-southeast of Fremont. One of the most ancient sinkhole ponds in the Ozark Plateaus, containing a nearly pure stand of disjunct water tupelo and very rare yellow-fringed orchids. (December 1974) Owner: Federal

St. Clair County

*TABERVILLE PRAIRIE—Two and one-half miles north of Taberville. One of the largest remaining virgin tall grass prairies containing typical prairie flora and fauna. (May 1975) Owner: State

Ste. Genevieve County

PICKLE SPRINGS—Seven miles east of Farmington. A deep, forested gorge containing one of the finest Pleistocene relict habitats in Missouri, supporting numerous relict herbaceous plant species including one rare moss of tropical affinity and several plant species characteristic of the Applachian Mountains. (May 1975) Owner: Private

Stone County

*MARVEL CAVE—50 miles south of Springfield. Dome-shaped sinkhole entrance and giant domepits below including one of the great dripstone units of all Ozark caves. (June 1972) Owner: Private

Taney County

*TUMBLING CREEK CAVE—A large, varied cave that contains the most diverse fauna known for any cave west of the Mississippi River, including a large colony of the endangered grey bat. This is a fragile cave that can be critically damaged by unsupervised visitation. (April 1980) Owner: Private

Warren County

WEGENER WOODS—One-quarter mile north of Holstein. Rare, essentially virgin oak-hickory-dominated forest in a condition of gradual change to a sugar maple-dominated forest, offering an opportunity to study the composition and dynamics of the presettlement condition of the eastern deciduous forest. (May 1975) Owner: Private

MONTANA (10)

Beaverhead County

*RED ROCK LAKES NATIONAL WILDLIFE REFUGE—Two miles north of Lakeview. Relatively undisturbed, high-altitude ecosystem types representative of presettlement conditions, including wetlands supporting waterfowl and several uncommon species. Instrumental in the survival of the trumpeter swan. (May 1976) Owner: Federal

Big Horn County

CLOVERLY FORMATION SITE—The area contains early Cretaceous vertebrate fossils. (November 1973) Owner: Indian Trust (Crow Tribe), Private

Carbon County

BRIDGER FOSSIL AREA—This site contains fossils of *deinonychus antirrhopus*, a new genus and species of carnivorous dinosaur which was only about 3 feet tall and 8 feet in length. (November 1973) Owner: Federal

Carter County

*CAPITOL ROCK—30 miles southeast of Ekalaka. Remnant of the once continuous blanket of Tertiary deposits that covered much of the Great Plains. Late Cretaceous, Paleocene, Oligocene, and Miocene strata are well displayed. (December 1976) Owner: Federal

Chouteau County

SQUARE BUTTE—49 miles east of Great Falls. An igneous rock intrusion between sedimentary beds (laccolith) which provides one of the best examples of banded magmatic rock in the United States, with a clear distinction between dark and light fractions. The butte's flat crest supports relatively natural grassland communities. (August 1980) Owner: Federal, Private

Gallatin County

MIDDLE FORK CANYON—30 miles north of Bozeman. The area illustrates rocks deformed by crustal movements that created the Rocky Mountains, and includes an outstanding example of a canyon cut across the grain of the geologic structure by a superposed stream. (May 1977) Owner: Federal, Private

Garfield County

HELL CREEK FOSSIL AREA—near Jordan. Fossils representative of large dinosaurs, including *Tyrannosaurus rex*, *Ankylosaurus magniventris*, *Brachychampsa fontana* (oldest known true alligator), and *Triceratops prorsus* (a horned dinosaur). (October 1966) Owner: Federal, Private

McCone County

BUG CREEK FOSSIL AREA—east-northeast of Hell Creek Fossil Area. The site contains small mammal fossils. Taken together with the Hell Creek Fossil Area, the two sites span the decline of dinosaurs and beginning of mammalian dominance. (May 1966) Owner: Federal

Sanders County

GLACIAL LAKE MISSOULA—12 miles north of Perma. This was the largest of several lakes impounded by the Cordilleran Ice Sheet during the Quaternary period containing flood ripples 15 to 50 feet high, 100 to 250 feet broad, and from 100 yards to one-half mile long. (May 1966) Owner: Private

Sheridan County

MEDICINE LAKE SITE—20 miles north of Culbertson. An exceptional example of the processes of continental glaciation, including till, outwash, eskers, kames, and terrace deposits. A variety of grassland plant and animal species is found here. (August 1980) Owner: Federal

NEBRASKA (2)

Cherry County

*VALENTINE NATIONAL WILDLIFE REFUGE—25 miles south of Valentine. One of the few remaining examples of the sandhill tall grass prairie ecosystem unique to the central Great Plains. It provides habitat for many rare species. (January 1976) Owner: Federal

Sarpy County

*FONTENELLE FOREST—One mile south of Omaha. The largest remaining stand of virgin forest in the State, also containing high bluffs, river flood plain of the Missouri

River and 20 acres of true prairie. (March 1964) Owner: Private

NEVADA (6)

Clark County

*VALLEY OF FIRE—35 miles northeast of Las Vegas. An outstanding example of overthrusting, a great fold has been exposed through erosion processes creating huge rock formations, deep canyons, and a great variety of colors. The area supports gila monsters in the northern extreme of their range. (April 1968) Owner: State

Elko County

RUBY MARSH (extends into White Pine County)—Ruby Lake National Wildlife Refuge, 50 miles south-southeast of Elko. One of the largest and finest natural wetlands in the State, and a stopover and nesting area for many migratory birds, including the greater sandhill crane and trumpeter swan. (November 1972) Owner: Federal

Nye County

*HOT CREEK SPRINGS AND MARSH—35 miles south of Lund. The White River springfish, a relict species, is found in large numbers here. The area is outstanding both as spring and wetland area. (November 1972) Owner: State

*ICHTHYOSAUR SITE—Within Berlin-Ichthyosaur State Park, 20 miles east of Gabbs. The only known site containing fossil remains of 37 of the largest form of ichthyosaur, some up to 45 feet in length. (May 1973) Owner: Federal

LUNAR CRATER—70 miles east-northeast of Tonopah. A 400-acre depression that is thought to have been formed by a past volcanic explosion, and one of two maars in the volcanic field of Pancake Range. (May 1973) Owner: Federal

TIMBER MOUNTAIN CALDERA—Nellis Air Force Gunnery Range and Nevada Test Site. A restricted area containing a remnant of an elliptical caldera developed in the late Miocene and early Pliocene, it covers 8 to 10 miles and is surrounded by a moat-like depression extending to the rim of an older caldera. (May 1973) Owner: Federal

White Pine County

RUBY MARSH (see *Elko County*)

NEW HAMPSHIRE (9)

Carroll County

*HEATH POND BOD—Two miles northeast of Center Ossipee. A prime, unspoiled example of bog succession from open water to sphagnum-heath-black spruce bog. (June 1972) Owner: State

*MADISON BOULDER—Three miles north of Madison. A rectangular granite boulder 83 feet long, 37 feet wide and 23 feet high. The largest known glacial erratic in North America. (January 1970) Owner: State

WHITE LAKE PITCH PINE—Seven miles northeast of Center Ossipee. A mature, undisturbed pitch pine and bear-oak forest which is becoming rare in the Northeast. (April 1980) Owner: State

Cheshire County

*RHODODENDRON NATURAL AREA—13 miles south of Keene. A portion of Rhododendron State Park in the New England-Adirondacks natural region, this is the largest and most viable stand of rhododendron known at the northern extension of the species' range. (May 1982) Owner: State

Coos County

EAST INLET NATURAL AREA—Northeast of the Second Connecticut Lake, 50 miles north of Berlin. Virgin spruce-fir forest and spruce-tamarack bog in one unit. Excellent for study of edaphic influences on environment. (June 1972) Owner: Private

*FLOATING ISLAND—Two and one-half miles east-northeast of Erroll. Superb ecological community illustrating characteristics of a bog, pond, and river complex. Last potential habitat in New Hampshire for two endangered species—osprey and bald eagle. (June 1972) Owner: Private

*PONDICHERRY WILDLIFE REFUGE—Two miles northeast of Whitefield Airport in Jefferson. A relatively stable bog-forest supporting an unusual variety of birdlife. (June 1972) Owner: State, Private

Grafton County

*FRANCONIA NOTCH—16 miles south of Littleton. A deep gorge formed by glacial movement, including landslide scars, talus slopes and stream-cut gorges. (June 1971) Owner: State

Strafford County

SPRUCE HOLE BOG—Two miles west-southwest of Durham. A complete ecological community occupying a true kettle hole, the last of six similar sites; five have been destroyed. (June 1972) Owner: Municipal

NEW JERSEY (10)

Cape May County

*STONE HARBOR BIRD SANCTUARY—In the southern end of Stone Harbor. The site is used exclusively as a sanctuary for birds and is probably the greatest single influence increasing the heron populations in New Jersey. (October 1965) Owner: Private

Essex County

RIKER HILL FOSSIL SITE—In Roseland. One of the only two known localities of major size along the Northeastern coast where large numbers of various kinds of dinosaurian footprints can be preserved *in situ*. (June 1971) Owner: County

Middlesex County

PIGEON SWAMP—About six miles south of New Brunswick, this 1,250-acre landmark contains a complex of habitats from open ponds to upland hardwood forest. It is significant because it contains a sizeable example of mature inner coastal plain lowland hardwood forest. (December 1976) Owner: State, Private

Morris County

*GREAT SWAMP—Great Swamp National Wildlife Refuge, seven miles south of Morristown. Great Swamp is a unique blend of unspoiled forest, swamp, and marshland with many kinds of wildlife. (May 1966) Owner: Federal

TROY MEADOWS—One-half mile from Troy Hills. The area contains the last unpolluted freshwater marsh of any size in this region. It is an important habitat for a variety of birds and animals. (November 1967) Owner: State, Private

Ocean County

*MANAHAWKIN BOTTOMLAND HARDWOOD FOREST—Manahawkin Fish and Wildlife Management Area, two miles southeast of Manahawkin. This site contains a mature bottomland hardwood forest dominated by sweetgum, red maple and black gum. It is one of the finest remaining examples of bottomland hardwood forests in the northern Atlantic Coastal Plain region. (January 1976) Owner: State

Passaic County

*GREAT FALLS OF PATERSON—In city of Paterson. The site is a unique illustration of a series of geological events and processes which influenced the present day landforms over a large area of north-central New Jersey. (April 1967) Owner: Municipal

Somerset County

*WILLIAM L. HUTCHESON MEMORIAL FOREST—Six miles west of New Brunswick. The site contains a virgin mixed oak upland forest dominated by white, red, and black oaks. It is probably the best example of an old-growth mixed forest in New Jersey. (December 1976) Owner: State

*MOGGY HOLLOW NATURAL AREA—Two miles east of Far Hills. A 90-foot gorge which formerly was the outlet for ancient glacial Lake Passaic. The area is a superlative illustration of a phase of Ice Age glaciation. (January 1970) Owner: Private

Warren County

*SUNFISH POND—Three miles northeast of the Delaware Water Gap. A spring-fed mountain lake surrounded by a hardwood forest. It is an outstanding illustration of glacial sculpture. (January 1970) Owner: State

NEW MEXICO (12)

Chaves County

BITTER LAKE GROUP—Nine miles northeast of Roswell. Contains sinkhole depressions formed by solution of gypsum-bearing rocks and supports shrub-grassland vegetation representative of the northern Chihuahuan Desert. (August 1980) Owner: Federal

*MATHERS RESEARCH NATURAL AREA—41 miles east of Roswell. The best example of shinnery oak-sand prairie community in the southern Great Plains natural region. (May 1982) Owner: Federal

MESCALERO SANDS SOUTH DUNE—41 miles east of Roswell. The best example of an active sand dune system in the southern

Great Plains natural region. A variety of successional stages from active dunes to a climax shinnery oak-sand prairie community is represented. (May 1982) Owner: Federal, State, Private

Dona Ana County

KILBOURNE HOLE—26 miles southwest of Las Cruces. An uncommon volcanic feature known as a maar, which is a depression caused by volcanic explosion that emits little volcanic material except gas. (May 1975) Owner: Federal, Private

Harding County

*BUEYEROS SHORTGRASS PLAINS—17 miles east of Bueyeros. An example of the blue grama-buffalograss prairie of the Great Plains considered to be typical of the pre-cattle-grazing era. Two of the three dominant natural grazing animals (antelope and prairie dogs) are still in the area. (February 1980) Owner: Private

Lincoln County

BORDER HILLS STRUCTURAL ZONE—24 miles west of Roswell. One of the several buckles on the Pecos slope located in otherwise gently dipping Permian strata. (February 1980) Owner: Federal, Private

*FORT STANTON CAVE—Seven miles west of Lincoln. The cave is characterized by very long and large open passages containing distinctive examples of selenite needles, starbursts, and velvet flowstone. (May 1974) Owner: Federal

*TORGAC CAVE—20 miles southeast of Corona. Significant because of its abundant and intricate gypsum speleothems. The branching stalactite and helictite are so distinctive that the cave lends its name to the type: Torgac stalactites. (May 1974) Owner: Federal

Rio Arriba County

*GHOST RANCH—South of Canjilon. The tract is predominantly shale and sandstone, and has yielded fossils, including many well-preserved skeletons of *Coelophsis*, the oldest and most primitive carnivorous dinosaur. (January 1976) Owner: Private

VALLES CALDERA (extends into Sandoval County)—30 miles northwest of Santa Fe. A large circular depression, 12 to 15 miles in diameter, with scalloped walls rising from a few hundred, to more than 2,000, feet above the present floor. It is one of the largest calderas in the world. (May 1975) Owner: Private

Sandoval County

VALLES CALDERA (see *Rio Arriba County*)

San Juan County

*SHIP ROCK—35 miles west of Farmington. Ship Rock is an outstanding example of an exposed volcanic neck accompanied by radiating dikes; it towers 1400 feet above the surrounding plain. (May 1975) Owner: Indian trust (Navajo Tribe)

Valencia County

GRANTS LAVA FLOW—Extends 25 miles south from Grants—A classic example of recent extrusive volcanism. It contains lava flows that appear very fresh and unweathered. Its gigantic pressure ridges, collapse depressions and lava tubes are outstanding. (July 1969) Owner: Federal, State, Private

NEW YORK (26)

Albany County

*BEAR SWAMP—Three miles south of Westerlo. A low, swampy woodland consisting of red maple, yellow birch, black ash, white elm, white pine, and hemlock. Its most outstanding feature is the great laurel covering 60 acres of the swamp. (May 1973) Owner: Private

Allegany County

*MOSS LAKE BOG—Two miles southwest of Houghton. The site is a classic example of a postglacial sphagnum bog invading and filling a small kettle lake, with the various stages of bog succession well illustrated. (May 1973) Owner: Private

Cattaraugus County

*DEER LICK NATURE SANCTUARY—Four miles southeast of Gowanda. The area includes a gorge that clearly illustrates exposed stratifications of the Onondaga Escarpment, and supports a mature northern hardwood forest. (November 1967) Owner: Private

Dutchess County

*THOMPSON POND—20 miles east of Kingston. The 75-acre, glacially created pond is not more than four feet deep, fringed by cattail marshes, with reeds and water lillies in deeper water. Well-developed ecosystems from the open pond to the mountain cliffs illustrate great ecological diversity. (May 1973) Owner: Private

Genesee County

*BERGEN-BYRON SWAMP—Between Bergen and Byron, 25 miles west of Rochester. This landmark consists of an area of some 2,000 acres that is unusually rich in plant and animal life. (March 1964) Owner: Private

*FOSSIL CORAL REEF—Four miles northwest of Le Roy. An exposed fossil site in an abandoned limestone quarry surrounded by woodland. It is extremely rich in fossil coral specimens. (November 1967) Owner: Private

*OAK ORCHARD CREEK MARSH (extends into Orleans County)—Iroquois National Wildlife Refuge, seven miles southeast of Medina. The area is a relatively undisturbed marsh that is rare for this part of New York State. (May 1973) Owner: Federal

Herkimer County

MOSS ISLAND—Within the city limits of Little Falls. The island is part of an uplifted fault block of ancient crystalline rock. It contains the best exposure of glacial age potholes eroded by meltwater floods in the eastern United States. (May 1976) Owner: State

Jefferson County

*DEXTER MARSH—Two miles southwest of Dexter. The site is a relatively undisturbed, extensive example of a large bay-head marsh complex at the eastern end of Lake Ontario. (May 1973) Owner: State

*IRONSIDES ISLAND (extends into St. Lawrence County)—In the St. Lawrence River, eight miles northeast of Alexandria Bay. A glacier-scoured granite knoll; the most significant feature is the breeding colony of great blue herons. (April 1967) Owner: Private

LAKEVIEW MARSH AND BARRIER BEACH—20 miles southwest of Watertown. One of the best and most extensive marshlands that lie in protected bays and behind barrier beaches along eastern Lake Ontario. The marsh-swamp-pond complex demonstrates great wetlands diversity. (May 1973) Owner: State

Livingston County

*FALL BROOK GORGE—One and one-half miles south of Geneseo. One of America's finest exposures of Upper and Middle Devonian age strata. Significant fossil remains are found at this site. (January 1970) Owner: Private

Monroe County

*HARTS WOODS—Ten miles southeast of Rochester. A rare remnant of the original beech-maple forest that once occupied a large glaciated area extending from southeastern Wisconsin to north-central New York. (June 1972) Owner: Municipal

*MENDON PONDS PARK—11 miles south of Rochester. A unique complex of glacial features including kames, eskers, esker fans, kettle holes, erratics, bogs, and ponds. (November 1967) Owner: County

Onondaga County

*ROUND LAKE—Green Lakes State Park, two miles northeast of Fayetteville. The site contains one of 11 meromictic lakes reported in the United States, and about 20 acres of outstanding virgin mesophytic forest that adjoin the lake. (May 1973) Owner: State

Orleans County

*OAK ORCHARD CREEK MARSH (see *Genesee County*)

Rockland County

*HOOK MOUNTAIN AND NYACK BEACH STATE PARK—One mile north of Nyack. The area contains a portion of the Palisade Sill. The geological features are deposits characterstic of the filling of basins that developed during rifting and opening of the North Atlantic Basin 180-200 million years ago. (April 1980) Owner: State

*IONA ISLAND MARSH—Two miles south of Fort Montgomery. A brackish estuarine marsh in a near natural state that fringes the Hudson River. Many rare plants are found here. (May 1974) Owner: State

St. Lawrence County

*IRONSIDES ISLAND (see *Jefferson County*)

Saratoga County

*PETRIFIED GARDENS—Four miles west of Saratoga Springs. The area includes the best exposure of fossil reefs made up of calcareous algae, known as cryptozoon,

which constitute a milestone in the evolution of plant life. (April 1967) Owner: Private

Seneca County

*MONTEZUMA MARSHES—Montezuma National Wildlife Refuge, four miles northeast of Seneca Falls. A marsh dominated by broadleaved cattail. A small 100-acre area within the site is one of the best examples of undisturbed swamp woodlands in New York or New England. (May 1973) Owner: Federal

Suffolk County

*BIG REED POND—Three miles west of Montauk Point. The freshwater pond supports a herd of whitetail deer and other wildlife, and has no extensive man-made development along its shoreline. (May 1973) Owner: County

GARDINER'S ISLAND—100 miles east of New York City, in Block Island Sound off Long Island. The island is a breeding ground for osprey and is an important habitat of other fauna, particularly waterfowl and shore birds. (April 1967) Owner: Private

*LONG BEACH, ORIENT STATE PARK—One mile south of Orient. One of the finest remaining examples in New York of a sandgravel spit illustrating succession from salt marsh to maritime forest. The area contains a breeding colony of common and roseate terns, species which are becoming scarce in other North Atlantic breeding grounds. (April 1980) Owner: State

Tompkins County

*McLEAN BOGS—One and one-half miles east-southeast of McLean. The bogs contain rare plant species and one of the best examples of a northern deciduous forest in New York. (May 1973) Owner: Private

Ulster County

*ELLENVILLE FAULT-ICE CAVES—Five miles southeast of Ellenville. The largest known exposed fault system in the United States, along with a series of ice caves formed from fault debris. (November 1967) Owner: Municipal

Wayne County

*ZURICH BOG—Nine miles north of Newark. A good example of northern bog and bog forest vegetation that is uncommon in north-central New York State. (May 1973) Owner: Private

Westchester County

*MIANUS RIVER GORGE—Two miles south of Bedford. An exceptional illustration of piedmont physiography and geomorphology. It contains an excellent climax hemlock forest. (March 1964) Owner: Private

NORTH CAROLINA (11)

Alleghany County

*STONE MOUNTAIN (extends into Wilkes County)—Stone Mountain State Park, nine miles southeast of Sparta. The best example of a monadnock in massive granite in North Carolina. Unique, endemic plants persist on the granite outcrops. (May 1974) Owner: State

Ashe County

LONG HOPE CREEK SPRUCE BOG (extends into Watauga County)—Ten miles north-northeast of Boone. One of the rarest plant communities of North Carolina and the Southeast, including American yew and buckbean. (May 1974) Owner: Private

*MOUNT JEFFERSON STATE PARK—One mile east of West Jefferson. The mountain's uppermost forest is virtually undisturbed northern red oak and represents one of the finest remaining examples of oak-chestnut forest in the Southeast. (May 1974) Owner: State

Beaufort County

GOOSE CREEK STATE PARK NATURAL AREA—Ten miles east of Washington. An excellent example of a gently sloping mainland undergoing rapid ocean transgression. Contains the following diverse ecological units: brackish creeks and marshes, marsh transition areas, river swamp forest, and low pine forests. (April 1980) Owner: State

Brunswick County

GREEN SWAMP—Nine miles north of Supply. The largest and most unique mosaic of wetland communities in the Carolinas. The site is also a refuge for rare animal species. (May 1974) Owner: Private

Dare County

NAGS HEAD WOODS AND JOCKEY RIDGE—One and one-half miles northwest of Nags Head on Bodie Island. The site illustrates the entire series of dune development and plant succession from shifting open dunes to forested stabilized dunes. (May 1974) Owner: State, County, Municipal, Private

Davie County

*ORBICULAR DIORITE—An unusual plutonic igneous rock consisting of hornblende, pyroxene, and feldspars. (August 1980) Owner: Private

Onslow County

BEAR ISLAND—Hammocks Beach State Park, 4 miles south-southeast of Swansboro. The area contains one of the largest and best examples of coastal aeolian landforms in the Atlantic Coastal Plain. Dune movement has created a dynamic landscape of outstanding scenic beauty. (April 1980) Owner: State

Surry County

*PILOT MOUNTAIN—Pilot Mountain State Park, 3 miles south of Pilot Mountain. A classic monadnock that harbors disjunct Blue Ridge Mountain vegetation. (May 1974) Owner: State

Wake County

*PIEDMONT BEECH NATURAL AREA—William B. Umstead State Park, 7 miles northwest of Raleigh. Perhaps the finest example of mixed mesophytic forest in the eastern Piedmont of North Carolina, with unusually fine climax stands of beech in portions of the site. (May 1974) Owner: State

Watauga County

LONG HOPE CREEK SPRUCE BOG (see *Ashe County*)

Wilkes County

*STONE MOUNTAIN (see *Alleghany County*)

Yancey County

*MOUNT MITCHELL STATE PARK—20 miles northeast of Asheville. Mount Mitchell (6,684 feet above sea level) is the highest mountain in the eastern half of the United States. The park has the most extensive stand of Fraser's fir remaining in America. (May 1974) Owner: State

NORTH DAKOTA (4)

Billings County

*TWO-TOP MESA AND BIG TOP MESA—14 miles northwest of Fairfield. Both mesas, one mile apart, are in a badlands terrain of sandstones, siltstones and clay. The mesas are characterized by an unbroken cover of grass on flat relief. (October 1965) Owner: Federal

Cavalier County

*RUSH LAKE—Five miles south of Hannah. A large, shallow, essentially undisturbed prairie pothole lake that is an important staging area for waterfowl. (May 1975) Owner: Private

Kidder County

SIBLEY LAKE—five miles north of Dawson. A large, permanent alkaline lake, it provides a breeding and resting area for one of the largest and most diverse waterbird populations found in pothole lakes in the State. (May 1975) Owner: State, Private

Stutsman County

FISCHER LAKE—25 miles northwest of Jamestown. Highly representative of the glacial moraine and pitted outwash plain surface of North Dakota. The area contains relatively undisturbed grasslands and lush prairie woodlands. (April 1980) Owner: State, Private

OHIO (23)

Adams County

*BUZZARDROOST ROCK-LYNX PRAIRIE-THE WILDERNESS—25 miles west of Portsmouth. The site contains a number of different plant associations, including many rare or uncommon species. Has an almost 50-year history of scientific observations. (April 1967, December 1974, February 1980) Owner: Private

SERPENT MOUND CRYPTOEXPLOSIVE STRUCTURE (extends into Highland and Pike Counties)—31 miles southwest of Chillicothe. A structure of undertermined origin exposed by differential erosion. It is the smaller of two such outstanding cryptoexplosive structures in the Interior Low Plateaus and is the classic American example. (February 1980) Owner: Private

Ashland County

*CLEAR FORK GORGE—Mohican State Park, four miles south of Loudenville. A

geologically significant area of the Mohican River Valley that clearly shows evidence of stream reversal due to the Wisconsin glacier. (November 1967) Owner: State

*CRALL WOODS—Five miles south-southwest of New London. A near-virgin remnant maple-basswood-beech hardwood forest representing the original vegetation found in Ohio's glaciated till plain. (December 1974) Owner: Private

Belmont County

*DYSART WOODS—11 miles southwest of St. Clairsville. The area contains one of the finest remaining samples of the once superb white oak forests of eastern Ohio. (April 1967) Owner: State

Butler County

*HUESTON WOODS (extends into Preble County)—Hueston Woods State Park, four miles north of Oxford. A noteworthy example of a beech-maple climax forest that has never been cut. (April 1967) Owner: State

Champaign County

*CEDAR BOG—Cedar Bog State Memorial, seven miles north of Springfield. An excellent example of a marl swamp, containing a white cedar stand preserved in virgin condition. (April 1967) Owner: Private

Cuyahoga County

*ARTHUR B. WILLIAMS MEMORIAL WOODS—Within Mayfield. The site contains a remarkably pristine remnant beech-maple forest, among the finest timber stands remaining in the state of Ohio. (December 1974) Owner: Municipal

*TINKERS CREEK GORGE—12 miles southeast of Cleveland. Oak-hickory and beech-maple-hemlock predominate in this virgin forest. (November 1967) Owner: Municipal

Delaware County

*HIGHBANKS NATURAL AREA (extends into Franklin County)—13 miles north of Columbus. A forested bluff overlooking the Olentangy River and containing a diverse and healthy herbaceous layer as well as outstanding examples of oak-hickory, beech-maple, and flood plain hardwood forests. The bluffs are crested with a disjunct acid xeric community of lichens and mosses. (February 1980) Owner: County

Erie County

*GLACIAL GROOVES STATE MEMORIAL—On Kelleys Island, 5 miles offshore from Marblehead. This area is made up of very large limestone glacial grooves that measure several feet in depth. (November 1967) Owner: Private

Fairfield County

*BLACKLICK WOODS—One mile south of Reynoldsburg. The tract is an outstanding example of relatively undisturbed, old-growth beech-maple and swamp forest communities of the type that once covered that flat till plain of central Ohio. (December 1974) Owner: County

Franklin County

*HIGHBANKS NATURAL AREA (see *Delaware County*)

Fulton County

*GOLL WOODS—Goll Woods State Forest, three miles northwest of Archbold. One of the best remaining examples of an oak-hickory-dominated forest in the State. (December 1974) Owner: State

Geauga County

*HOLDEN NATURAL AREAS (extends into Lake County)—30 miles east of Cleveland. A complex of three natural areas: Steblins Gulch, possessing geological formations of Chardon, Brea sandstone, Bedford and Cleveland types; Bole Forest, a northern hardwood virgin forest; and Hanging Rock Farm, a stand of natural northern hardwoods. The three areas serve as a unique control of arboretum lands abutting this landmark. (November 1967) Owner: Private

WHITE PINE BOG FOREST—Three miles south-southwest of Burton. The only remaining near-virgin remnant white pine boreal bog in Ohio. (January 1976) Owner: Municipal, Private

Greene County

*CLIFTON GORGE—Ten miles south of Springfield. The gorge is exemplary of interglacial and postglacial canyon-cutting into the dolomites of the Niagara Escarpment. (April 1967) Owner: State

*GLEN HELEN NATURAL AREA—In Yellow Springs. Yellow Springs has built a travertine bowl around its pool. Downstream, Yellow Spring Creek is deeply incised into the dolomitic base rock. Old-growth hardwoods dominate the surrounding valley. (October 1965) Owner: Private

Hamilton County

*HAZELWOOD BOTANICAL PRESERVE—One-half mile east of Hazelwood. The highly detailed study of its plant ecology by John G. Segelken, published in 1929, makes this area an ecological benchmark. (December 1974) Owner: State

Highland County

*FORT HILL STATE MEMORIAL—Three milles north-northwest of Sinking Spring. Possesses excellent outcrops of Silurian, Devonain, and Mississippian sedimentary bedrock, a natural bridge and an example of glacial stream reversal. (December 1974) Owner: Private

SERPENT MOUND CRYPTOEXPLOSIVE STRUCTURE (see *Adams County*)

Lake County

*HOLDEN NATURAL AREAS (see *Geauga County*)

*MENTOR MARSH—Near Painesville. The site consists of marsh vegetation, aquatic plants, swamp and bottomland forest, and upland forest. A migration stopover and year-round habitat for birds and mammals, the site is a rarity in heavily populated northern Ohio. (October 1964) Owner: State, Private

Licking County

*CRANBERRY BOG—20 miles east of Columbus. The dominant vegetation of this cranberry sphagnum bog is a relict of post-glacial time. It is a "floating island" in Buckeye Lake and is the only known bog of its type in existence. (October 1968) Owner: State

Pike County

SERPENT MOUND CRYPTOEXPLOSIVE STRUCTURE (see *Adams County*)

Portage County

MANTUA SWAMP—At the southeastern edge of Mantua. The area contains many different wetland communities including a flood plain swamp forest, cattail marshes, a beaver pond, and a relict boreal bog. (January 1976) Owner: State, Private

Preble County

HUESTON WOODS (see *Butler County*)

Wayne County

*BROWN'S LAKE BOG—11 miles southwest of Wooster. This site is well known to Ohio biologists and ecologists as one of the few, well-preserved, virgin boreal acid bogs remaining in a region where wetland has been drained for agricultural use. (April 1967) Owner: Private

OKLAHOMA (2)

Canadian County

DEVIL'S CANYON—22 miles west-southwest of El Reno. The disjunct flora containing many mesic plant species and the close proximity of two distinctly vegetation types, oak woodland-tall grass prairie ecotone and eastern deciduous forest vegetation, form a unique ecological community. (December 1974) Owner: Private

McCurtain County

*McCURTAIN COUNTY WILDERNESS AREA—The center of the site is 12 miles south of Smithville. The area's overall size and high degree of integrity make it a classic example of a xeric upland oak-pine forest. (December 1974) Owner: Federal, State

OREGON (4)

Deschutes County

*HORSE RIDGE NATURAL AREA—16 miles southeast of Bend. The area is distinguished by a high quality example of western juniper woodland in vigorous condition. (April 1967) Owner: Federal

*NEWBERRY CRATER—Deschutes National Forest, 24 miles south-southeast of Bend. The crater is a basin at the top of a dormant, though young, volcano which is the largest Pleistocene volcano east of the Cascade Range. (January 1976) Owner: Federal

Lake County

*FORT ROCK STATE MONUMENT—49 miles south-southeast of Bend. A striking example of a circular, fortlike volcanic outcrop. (January 1976) Owner: State

Multnomah County

*CROWN POINT—24 miles east of Portland. A promontory rising nearly vertically about 725 feet above the Columbia River. It provides a strategic vantage point for observing a classic illustration of riverine processes. (June 1971) Owner: State

PENNSYLVANIA (25)

Berks County

*HAWK MOUNTAIN SANCTUARY—30 miles north of Reading. It is a sanctuary for hawks migrating along its ridge and a fine example of the geology and ecology of the forested ridges of the eastern Appalachians. (October 1965) Owner: Private

Bucks County

*MONROE BORDER FAULT—Two miles south of Riegelsville. The fault illustrates an episode of orogenic compression in which Precambrian rocks were thrust northward over lower Paleozoic deposits. (August 1980) Owner: State

Carbon County

*HICKORY RUN BOULDER FIELD—Hickory Run State Park, five miles southeast of White Haven. A geologically significant field of unsorted, loosely packed boulders that resulted from periglacial conditions and that is unique in the country by reason of its large size and low (one percent) gradient. (November 1967) Owner: State

Centre County

*BEAR MEADOWS NATURAL AREA—Six miles southeast of State College. The area includes a shallow peat bog, and a surrounding buffer zone of typical Appalachian forest. The vast accumulation of pollen in the peat has helped understanding of vegetational and climatic changes in this region. (October 1965) Owner: State

Clarion County

*COOK FOREST—Cook Forest State Park, one mile north of Cooksburg. It is a significant relict of the forest type that once covered northern Pennsylvania. Eastern white pine predominates with some hemlock and mixed hardwood. (November 1967) Owner: State

Cumberland County

*FLORENCE JONES REINEMAN WILDLIFE SANCTUARY (extends into Perry County)—Eight miles northwest of Carlisle. The area is a large, protected ecological community that lies on the migration route of various hawks. (November 1972) Owner: Private

Erie County

*PRESQUE ISLE—Near Erie. The isle is actually a peninsula or "flying spit" formed by sands carried by the currents of Lake Erie. It is an impressive illustration of this type of formation. (November 1967) Owner: State

TITUS AND WATTSBURG BOGS—Two different bogs in excellent condition that are representative of their ecosystem types and noted for rare and unusual species among their rich but divergent floras. (May 1977) Owner: Private

Fayette County

*FERNCLIFF PENINSULA NATURAL AREA—Ohiopyle State Park, 20 miles southeast of Connellsville. This area is one of the best and most typical late successional forests in the Allegheny Mountains. (November 1972) Owner: State

Lancaster County

*FERNCLIFF WILDFLOWER AND WILDLIFE PRESERVE—Three miles west of Wakefield. The vegetation in the preserve, which is thought to be virgin, is an excellent example of a mixed mesophytic forest. (November 1972) Owner: Private

Lawrence County

*McCONNELL'S MILL STATE PARK—40 miles north of Pittsburgh. An outstanding geological example of land and watershed formation indirectly resulting from glacial diversion of a stream. (November 1972) Owner: State

Luzerne County

*THE GLENS NATURAL AREA (extends into Sullivan County)—In Ricketts Glen State Park, 25 miles east of Williamsport. A relict eastern deciduous forest containing examples of stream erosion and spectacular waterfalls. (April 1968) Owner: State

McKean County

*TIONESTA SCENIC AND RESEARCH NATURAL AREAS (extends into Warren County)—Allegheny National Forest, 7 miles south of Ludlow. The area is the largest virgin forest in the hemlock-white pine/northern hardwood forest regions of North America. (May 1973) Owner: Federal

Monroe County

TANNERVILLE CRANBERRY BOG—Five miles northwest of Stroudsburg. One of the best developed boreal bogs in Pennsylvania and perhaps the most southern black spruce-tamarack bog along the eastern seaboard. (December 1974) Owner: Private

Perry County

*BOX HUCKLEBERRY SITE—Two miles south of New Bloomfield. One of the few localities where the box huckleberry plant is found. (April 1967) Owner: State

*FLORENCE JONES REINEMAN WILDLIFE SANCTUARY (see *Cumberland County*)

*HEMLOCKS NATURAL AREA—Tuscarora State Forest, 12 miles south of Blain. A virgin forest that has more resemblance to the hemlock-northern hardwood forests than to the oak-chestnut forests in which it is located. (November 1972) Owner: State

*SUSQUEHANNA WATER GAPS—18 miles north of Harrisburg. An excellent, typical example of a geological process that produces water gaps. (April 1968) Owner: State

Philadelphia County

*TINICUM WILDLIFE PRESERVE—Philadelphia. The area contains representative tidal marsh flora and fauna and an excellent wildlife population. (October 1965) Owner: Federal

*WISSAHICKON VALLEY—Fairmount Park, Philadelphia. A virtually untouched valley, ecologically varied and complete, that exists within the bounds of one of America's great metropolitan complexes. (March 1964) Owner: Municipal

Snyder County

*SNYDER-MIDDLESWARTH NATURAL AREA—Five miles west of Troxelville. An outstanding example of a relict forest composed predominantly of hemlock, birch, and pine, with scattered oaks. (November 1967) Owner: State

Sullivan County

*THE GLENS NATURAL AREA (see *Luzerne County*)

Tioga County

*PINE CREEK GORGE—A 12-mile roadless stretch along Pine Creek between Ansonia and Blackwell. It contains superlative scenery, geologic and ecologic value, and is one of the finest examples of a deep gorge in the eastern United States. (April 1968) Owner: State

REYNOLDS SPRING AND ALGERINE SWAMP BOGS—Tioga State Forest, three miles south of Leetonia. Reynolds Spring Bog is one of the finest and most representative high mountain bogs in the Allegheny Mountains section of Pennsylvania. (December 1974) Owner: State

Warren County

*HEARTS CONTENT SCENIC AREA—Allegheny National Forest, 14 miles southwest of Warren. A virgin forest site consisting of white pine over 400 years old and hemlocks about 50 years younger. (May 1973) Owner: Federal

TAMARACK SWAMP—Four miles northeast of Columbus. A large headwater swamp occurring in a glacially blocked stream valley. The two bogs are the finest example of kettle hole bogs in this region. (May 1977) Owner: State

*TIONESTA SCENIC AND RESEARCH NATURAL AREAS (see *McKean County*)

Wayne County

*LAKE LACAWAC—25 miles east of Scranton. One of the southernmost lakes of glacial origin in the northeastern United States. (April 1968) Owner: Private

PUERTO RICO (5)

BANO DE ORO NATURAL AREA—Caribbean National Forest, six miles southwest of Luquillo. Contains virgin forest and is the only area in Puerto Rico with subtropical wet and rain forest and lower montane wet and rain forest, dwarf forest, and *Pterocarpus* in a contiguous area. Also contains many endemic plant and animal species. (April 1980) Owner: Federal

CABO ROJO—At the extreme southwestern tip of Puerto Rico. This scenic site includes an excellent example of a tombolo (tied island) with double spit, mangroves, beaches, reddish cliffs, xeric vegetation.

and seabird nesting habitat. (April 1980) Owner: Federal, Commonwealth of Puerto Rico

MONA AND MONITA ISLANDS—Two separate islands in the Caribbean, west of the main island of Puerto Rico. The sea caves on these islands are probably the largest, most extensive and most unusual in the world. The islands harbor a significant endemic biota and provide important seabird rookery areas. (May 1975) Owner: Federal, Commonwealth of Puerto Rico

PUERTO MOSQUITO—One mile east of Esperanza. A deep inlet in the cliffed southern coast of Vieques Island which is considered the best example of a bioluminescent bay in the United States. (August 1980) Owner: Federal, Commonwealth of Puerto Rico

RIO ABAJO FOREST—Nine miles south of Arecibo. An excellent example of karst topography with numerous sinkholes and well-developed tower karst. It is the only place in Puerto Rico where the great Eocene-Oligocene unconformity can be clearly seen. (February 1980) Owner: Commonwealth of Puerto Rico

RHODE ISLAND (1)

Washington County

*ELL POND—Two miles southwest of Rockville. A kettle hole lake bounded by a red maple-Atlantic white cedar swamp and by steep granitic monadnocks. The combination of a hydric plant community and a xeric plant community within such a small area provides an excellent opportunity for ecological research and education. (May 1974) Owner: State, Private

SOUTH CAROLINA (4)

Berkeley County

*FRANCIS BEIDLER FOREST (extends into Dorchester County)—35 miles northwest of Charleston. One of the last large virgin stands of bald cypress-tupelo gum swamp in the United States with five major community types providing for a rich diversity of species. (March 1979) Owner: Private

Dorchester County

*FRANCIS BEIDLER FOREST (see *Berkeley County*)

McCormick County

*JOHN DE LA HOWE FOREST—23 miles southwest of Greenwood. An old-growth stand of oak-pine forest protected against fire and timbering since 1797, and one of the best remaining examples of this type forest in the Piedmont. (January 1976) Owner: State

*STEVENS CREEK NATURAL AREA—Pleistocene relict ecosystem harboring flora considered unusual for its combination of plants in this southern location due to unique microenvironmental conditions. (March 1979) Owner: State

Richland County

CONGAREE RIVER SWAMP—20 miles southeast of Columbia. The most extensive, mature cypress-gum swamp and bottomland hardwood forest complex in the State and a sanctuary for wildlife. (May 1974) Owner: Federal, Private

SOUTH DAKOTA (12)

Brule County

*RED LAKE—Eight miles southeast of Chamberlain. One of the largest remaining natural and unmanipulated prairie pothole lakes, and a valuable waterfowl breeding and resting area. (May 1975) Owner: State

Charles Mix County

BIJOU HILLS—23 miles northwest of Platte. An excellent example of an erosional remnant of soft clays and shales capped by a channel sandstone and quartzite. (January 1976) Owner: Private

Custer County

*CATHEDRAL SPIRES AND LIMBER PINE NATURAL AREA—Custer State Park, 23 miles southwest of Rapid City. An excellent, rare example of joint-controlled weathering of granite, as well as a disjunct relict stand of limber pine. (May 1976) Owner: State

Fall River County

MAMMOTH SITE OF HOT SPRINGS—Within the city limits of Hot Springs. This two-acre tract contains one of the largest concentrations of mammoth remains in the United States, as well as bones of other vertebrates including peccary, bear, coyote, camel, and rodents. (August 1980) Owner: Private

Gregory County

*FORT RANDALL EAGLE ROOST—Directly below the Fort Randall Dam, on the Missouri River. Two endangered species, the bald and the golden eagles, use this site as a prime winter roosting area. (November 1967) Owner: Federal

Harding County

*THE CASTLES—20 miles east-southeast of Buffalo. Steep-walled, flat-topped buttes standing 200 to 400 feet above the surrounding prairie containing exposed rock of upper Cretaceous, Paleocene, Oligocene, and Miocene ages. Cretaceous and Tertiary beds contain a variety of flora and fauna fossils. (December 1976) Owner: Federal

Kingsbury County

*LAKE THOMPSON—Eight miles southeast of De Smet. Largest natural lake bed in South Dakota, containing a large undisturbed and unmanipulated marsh. Also an outstanding waterfowl breeding and resting area. (May 1975) Owner: State

Lake County

BUFFALO SLOUGH—20 miles north of Sioux Falls. An excellent example of a prairie pothole (a product of glacial activity), the surrounding native emergent vegetation, and native bluestem prairie. The area is used extensively by many species of waterfowl and small mammals. (August 1980) Owner: State

Marshall County

*SICO HOLLOW (extends into Roberts County)—Ten miles northwest of Sisseton. The area displays many facets of natural history, including the glacial story of the River Warren, pothole lakes on the upland of Coteau, grasslands and prairie, and ravines where eastern-type deciduous forests grow. Includes the eastern face of the escarpment of the Coteau des Prairies. (November 1967) Owner: State

Meade County

*BEAR BUTTE—Five miles north of Fort Meade. A cone-shaped mass of igneous rock standing alone, 1,300 feet above the surrounding plains, which illustrates the geological processes of igneous intrusion, folding and faulting, and exposure by differential erosion. (April 1965) Owner: State

Roberts County

*ANCIENT RIVER WARREN CHANNEL (see MINNESOTA)

COTTONWOOD SLOUGH-DRY RUN—Extends for 11 miles south of Victor. A glaciated finger outlet of the world's largest Pleistocene glacial lake, and a completely undisturbed wetland complex which includes potholes, streams, shallow open water, lakes, and marsh. (May 1975) Owner: State, Private

*SICO HOLLOW (see *Marshall County*)

Washabaugh County

*SNAKE BUTTE—Pine Ridge Reservation. One of two types of sand calcite deposits in the world. (November 1967) Owner: Indian Trust (Oglala Sioux Tribe)

TENNESSEE (13)

Coffee County

*ARNOLD ENGINEERING DEVELOPMENT CENTER NATURAL AREAS—Two non-contiguous tracts, respectively located four miles south-southeast and seven miles southeast of Manchester. Extremely rare virgin swamp forest and pristine example of an open marsh; both tracts contain disjunct plant species whose distribution is normally confined to the Coastal Plain province. (December 1974) Owner: Federal

*MAY PRAIRIE—Three and one-half miles southeast of Manchester. The largest and best relict prairie remaining in the State. (May 1974) Owner: State

Cumberland County

GRASSY COVE KARST AREA—Nine miles southeast of Crossville. One of the Nation's best illustrations of karst development and underground drainage, containing several smaller caves within the area (November 1973) Owner: Private

Franklin County

DICK COVE—Two and one-half miles northwest of Sewanee. A near-virgin forest important for study of mixed mesophytic region and western mesophytic region forest relationships. (May 1973) Owner: Private

Grundy County

CONLEY HOLE—Two miles southeast of Viola. One of the most spectacular and outstanding examples of a pit cave in the United States. This cave is dangerous, and

entrance is limited to adequately equipped, experienced speleologists. (November 1973) Owner: Private

*SAVAGE GULF—25 miles southeast of McMinnville. The best and largest virgin forest left in the mixed mesophytic region of the eastern deciduous forest. (June 1971) Owner: State

Hardeman County

*McANULTY'S WOODS—Within the city limits of Bolivar. Only known example in western Tennessee of the upland forests of the Mississippi Embayment section of the western mesophytic forest region. (May 1973) Owner: Private

Lake County

*REELFOOT LAKE (extends into Obion County)—18 miles west-southwest of Union City—an area of cypress swamps, saw-grass jungles, water lily glades and scattered bodies of open water formed in the winter of 1811–12 as a result of shocks known as the New Madrid earthquake, the most severe of any recorded in the country. The site contains domes, sunken lands, fissures, sinks, sand blows and large landslides. (May 1966) Owner: State

Monroe County

*LOST SEA (CRAIGHEAD CAVERNS)—Five miles southeast of Sweetwater. Cavern system including the largest known underground lake in the country, an abundance of crystal clusters called anthodites, stalactites and stalagmites, and a waterfall. The area once yielded bones and footprints of a giant Pleistocene jaguar. (November 1973) Owner: Private

Obion County

*REELFOOT LAKE (see *Lake County*)

Rhea County

*PINEY FALLS—Two miles north of Spring City. The area contains a rare virgin mixed mesophytic forest stand representative of the primeval eastern deciduous forest biome. (May 1974) Owner: State

Van Buren County

*BIG BONE CAVE—Five miles west-northwest of Spencer. Site of discoveries of the bones of *Megalonyx jeffersoni* and other extinct animals. (November 1973) Owner: State

Warren County

*CUMBERLAND CAVERNS (HIGGINBOTHAM AND HENSHAW CAVES)—Five miles east of McMinnville. One of the largest cave systems in the country. Two interconnecting caves known to be at least 16 miles in extent containing stalagmites and stalactites, helictites, flowstone, cave pearls, botryoidal coral, gypsum flowers, needles, and pure white gypsum snow, as well as a wide variety of cave life. (November 1973) Owner: Private

Wilson County

*CEDAR GLADES NATURAL AREA—Cedars of Lebanon State Forest, 10 miles south of Lebanon. Unique cedar glade community, a rare and endangered ecosystem. (November 1973) Owner: State

TEXAS (18)

Armstrong County

*PALO DURO CANYON STATE PARK (extends into Randall County)—22 miles south-southwest of Amarillo. Canyon cut by waters of a fork of the Red River contains cross-sectional views of sedimentary rocks representing four geological periods and some Triassic and Pliocene vertebrate fossils. (May 1976) Owner: State

Bailey County

MULESHOE NATIONAL WILDLIFE REFUGE—59 miles northwest of Lubbock. The area contains playa lakes (shallow, flat-bottomed depressions) and shortgrass grama grasslands characteristic of the High Plains. The lakes attract enormous seasonal concentrations of waterfowl. (August 1980) Owner: Federal

Bandera County

*LOST MAPLES STATE NATURAL AREA (extends into Real County)—61 miles northwest of San Antonio. An excellent illustration of Edwards Plateau flora and fauna, and a relict population of bigtooth maple. It contains the largest known nesting population of the rare golden-cheeked warbler. (February 1980) Owner: State

Blanco County

*LITTLE BLANCO RIVER BLUFF—The best example of the few remaining Edwards Plateau limestone bluff plant communities in the Great Plains natural region. The area supports diverse flora, including an estimated 250 species in 25 families. (May 1982) Owner: Private

Burnet County

*LONGHORN CAVERN—Longhorn Cavern State Park, 11 miles southwest of Burnet. A cavern formed in limestone of Ordivician age at least 450 million years old, unsurpassed as a natural exhibit of features such as crystals of calcite, potholes, solution domes, channels and pits of unusual geologic interest. (October 1971) Owner: State

Cameron County

BAYSIDE RESACA AREA—Laguna Atascosa National Wildlife Refuge, 28 miles north of Brownsville. The area contains an excellent example of resaca, or meandering channel, which supports a variety of vegetation including several types of coastal salt marsh communities, and a number of rare and unusual bird species which enter the United States only at the southern tip of Texas. (August 1980) Owner: Federal

Colorado County

*ATTWATER PRAIRIE CHICKEN PRESERVE—55 miles west of Houston in Attwater Prairie Chicken National Wildlife Refuge. The only significant segment of Gulf Coastal Prairie that has rejuvenated and restored itself through protection and proper range management. The area now provides habitat for the Attwater prairie chicken, an endangered species. (April 1968) Owner: Federal

Comal County

*NATURAL BRIDGE CAVERNS—16 miles west of new Braunfels. A multilevel cavern system replete with beautiful and unusual "fried egg" speleothems and intricate helictites. (October 1971) Owner: Private

Ector County

*ODESSA METEOR CRATER—Ten miles southwest of Odessa. One of only two known meteor sites in the country, the largest of two meteor impact craters at the site being 550 feet in diameter. Meteorites of nickel-iron composition have been found within the craters and two square miles north and northwest of them. (April 1965) Owner: County

Edwards County

DEVIL'S SINK HOLE—Nine miles northeast of Rocksprings. A deep, bell-shaped, collapsed limestone sink, the pit of which flares into an extensive system of passageways and caverns. It houses a colony of bats estimated to number in the tens of millions. (October 1972) Owner: Private

Gillespie County

*ENCHANTED ROCK (extends into Llano County)—12 miles southwest of Oxford. A classic illustration of a batholith and of the exfoliation process exposed on its dome-shaped surface, composed of coarse-grained pink granite uniform in composition and texture throughout, and unique in the Llano Uplift area. (October 1971) Owner: State

Hays County

*EZELL'S CAVE—Within the city limits of San Marcos. Biologically significant because it houses at least 36 species of cave fauna, including six endemic aquatic species and one major order of small crustaceans formerly thought to have been restricted to the Mediterranean area. (October 1971) Owner: Private

Hildogo County

*SANTA ANNA NATIONAL WILDLIFE REFUGE—Seven miles south of Alamo. A living museum of the lowland forested area of the Lower Rio Grande Valley, containing jungle-like vegetation and providing habitat for over 300 species of birds and some rare mammals. (October 1966) Owner: Federal

Llano County

*ENCHANTED ROCK (see *Gillespie County*)

Montague County

GREENWOOD CANYON—Along a tributary of the Braden Branch. A rich source of Cretaceous fossils. (May 1975) Owner: Private

Randall County

HIGH PLAINS NATURAL AREA—Buffalo Lake National Wildlife Refuge, 26 miles southwest of Amarillo. A grama-buffalo shortgrass association representative of the High Plains region. (August 1980) Owner: Federal

*PALO DURO CANYON STATE PARK (see *Armstrong County*)

Real County

*LOST MAPLES STATE NATURAL AREA (see *Bandera County*)

Somervell County

*DINOSAUR VALLEY—Dinosaur Valley State Park, four miles west of Glen Rose. Fossil footprint trackways exposed in the bed of the Paluxey River and tributary creeks that give important information on the habits and locomotion methods of large dinosaurs. (October 1968) Owner: State

Sutton County

*CAVERNS OF SONORA—16 miles southwest of Sonora. The cave displays unusual formations, such as bladed helictites and coralloid growths. (October 1965) Owner: Private

Tarrant County

*FORT WORTH NATURE CENTER AND REFUGE—Within the city limits of Fort Worth. A portion of the larger refuge containing remnants of the Fort Worth Prairie, a unique oak-hickory forest association called cross timbers, riparian forest, and limestone ledges and marshes. (November 1980) Owner: Municipal

UTAH (4)

Emery County

*CLEVELAND-LLOYD DINOSAUR QUARRY—Seven miles east of Cleveland. The quarry has provided more than 10,000 fossil bones from at least seven different genera of the Jurassic Period and representing more than 60 individual animals. Restricted access. (October 1965) Owner: Federal

Garfield County

LITTLE ROCKIES—43 miles south-southeast of Hanksville. The area exhibits a particular type of igneous structure of fundamental significance in understanding geological processes, and represents the classic site of such formations to geologists around the world. (May 1975) Owner: Federal, State

Salt Lake County

*NEFFS CANYON CAVE—Wasatch National Forest. An extremely dangerous cave with no significant horizontal passages. Most passages dip steeply at a 45–60 degree gradient. The cave was formed by the capture of a surface stream. (May 1977) Owner: Federal

Washington County

*JOSHUA TREE NATURAL AREA—Ten miles southwest of St. George. The only Joshua tree forest in Utah and one of the northernmost stands of tree yuccas in the county. Contains vegetation and animals predominantly of Mohave Desert affinity. (October 1966) Owner: Federal

VERMONT (11)

Addison County

BATTELL BIOLOGICAL PRESERVE—Four miles east of Middlebury. A rare, undisturbed, virgin hemlock northern hardwoods climax forest. (May 1976) Owner: Private

*CORNWALL SWAMP—Two miles southeast of Cornwall. The largest, unbroken red maple swamp in the State. (November 1973) Owner: State, Private

LITTLE OTTER CREEK MARSH—Two miles north-northwest of Ferrisburg. An outstanding, unspoiled example of a shallow water marsh maintaining itself under prevailing natural conditions. (May 1973) Owner: State, Private

Bennington County

*FISHER-SCOTT MEMORIAL PINES—Two miles north of Arlington. A unique stand of old-growth white pine representing the culmination of the white pine subclimax forest in New England, containing the largest pines in Vermont. (May 1976) Owner: State

Chittenden County

*CAMEL'S HUMP (extends into Washington County)—Midway between Montpelier and Burlington. An exceptional illustration of the complex anticlinal deformation which formed the Green Mountains, and the altitude-related zonation of its biota, containing the second largest extent of alpine-tundra vegetation in Vermont. (April 1968) Owner: State

MOUNT MANSFIELD NATURAL AREA (extends into Lamoille County)—Three miles east of Underhill Center. An isolated, little-disturbed site with virgin spruce-fir forest on its upper slopes and an exceptional alpine tundra area on the summit ridge. (April 1980) Owner: State, Private

Franklin County

FRANKLIN BOG—One mile east-northeast of Franklin. A magnificent example of an unspoiled, large, cold northern sphagnum-heath bog. (May 1973) Owner: Private

Lamoille County

MOLLY BOG—Three and one-half miles northeast of Stowe. A beautiful, classic example of a small, early successional, absolutely unspoiled cold northern bog. (May 1973) Owner: State, Private

MOUNT MANSFIELD NATURAL AREA (see *Chittenden County*)

Orleans County

*BARTON RIVER MARSH—Three miles south of Newport. One of the best large, shallow, freshwater marshes in New England. (May 1973) Owner: State

*LAKE WILLOUGHBY NATURAL AREA—Town of Westmore. The deepest lake in Vermont, and an exceptionally fine example of a trough cut by glacial scouring, containing multiple examples of the work of glaciers. (November 1967) Owner: State

Rutland County

GIFFORD WOODS—Nine miles northeast of Rutland. A prime example of an undisturbed, old-growth northern hardwood climax forest. (April 1980) Owner: State

Washington County

*CAMEL'S HUMP (see *Chittenden County*)

VIRGINIA (9)

Accomack County

*VIRGINIA COAST RESERVE (extends into Northampton County)—Ten miles south of Assateague Island. An extensive, relatively undisturbed barrier island-lagoon complex serving as a valuable refuge for migratory shorebirds and waterfowl and for colonial nesting birds. (March 1979) Owner: Private

Augusta County

GRAND CAVERNS—On the southern edge of Grottoes. The Caverns contain unique shield formations as well as draperies, flowstone, stalactites and stalagmites. (November 1973) Owner: Regional Park Authority, Private

Bath County

BUTLER CAVE—BREATHING CAVE—One half mile north of Burnsville. A tract containing two major cave systems, a 40-foot waterfall, a natural bridge, unusually fine "floating" crystalline formations, and an underground lake. (November 1973) Owner: Private

King George County

*CALEDON STATE PARK—Five miles north-northeast of King George. One of the best examples of an old, undisturbed, oak-tulip poplar-dominated virgin upland forest in the country. (December 1974) Owner: State

Nansemond County

GREAT DISMAL SWAMP—20 miles southwest of Norfolk. A remnant of the original Great Dismal Swamp containing geological and ecological elements unique in the Nation, if not the world. The variety of flora and fauna makes it a superb outdoor laboratory for the study of ecological processes. (June 1972) Owner: Federal

Northampton County

*VIRGINIA COAST RESERVE (see *Accomack County*)

Page County

*LURAY CAVERNS—One and one-half miles west of Luray. A cave which is ornately decorated with cascades, columns, stalactites, stalagmites and pools. Discovered in 1878. (November 1973) Owner: Private

Rockbridge County

RICH HOLE—George Washington National Forest, 13 miles northwest of Lexington. An outstanding example of a "cove" hardwood forest. A well-protected watershed containing a virgin forest with remarkably large trees of several species. (December 1974) Owner: Federal, Private

Sussex County

*CHARLES C. STEIRLY NATURAL AREA—Two miles west of Dendron. An essentially virgin stand of climax bald cypress-water tupelo swamp forest. (December 1974) Owner: State

Virginia Beach

*SEASHORE NATURAL AREA—Virginia Beach. Parallel dunes densely wooded with two distinct forest types of semitropical character, and a sanctuary for abundant wildlife. (April 1965) Owner: State

VIRGIN ISLANDS (7)

St. Croix

GREEN CAY—Two-and-one-half miles east of Christiansted, one-quarter mile off St. Croix's northern shore. The cay is the nesting ground for the American oyster catcher, brown pelican and other shore birds. It is also one of the only two islands where the St. Croix ground lizard, now extinct on St. Croix and listed as an endangered species, still exists. (August 1980) Owner: Federal

SANDY POINT—One mile south of Frederiksted. The only place in the United States which is regularly used for nesting by the endangered leatherback sea turtle. In addition, unique sand spits enclose a salt pond at this site. (August 1980) Owner: Virgin Islands Government, Private

SALT RIVER BAY—Three and one-half miles northwest of Christiansted. The best remaining stands of mangrove in the Virgin Islands are found here, illustrating the zonation of red, black, and white mangrove. (February 1980) Owner: Virgin Islands Government, Private

VAGTHUS POINT—The best-known fossil locality for Upper Cretaceous rocks in the Virgin Islands. (February 1980) Owner: Private

St. John

LAGOON POINT—On the southeastern shore of St. John, between Johnson Bay and Friis Bay. An excellent example of a Caribbean fringing reef. The site also includes a mangrove area and a salt pond. (February 1980) Owner: Virgin Islands Government, Private

St. Thomas

COKI POINT CLIFFS—Three and one-half miles east of Charlotte Amalie. These sea cliffs are one of the rare localities on St. Thomas Island where fossils are found. (Febuary 1980) Owner: Virgin Islands Government, Private

WEST END CAYS—A group of cays off the western coast of St. Thomas Island. A high quality nesting area for many sea birds with different species on each cay. (February 1980, May, 1982) Owner: Virgin Island Government

WASHINGTON (10)

Asotin County

GRANDE RONDE FEEDER DIKES—25 miles south of Clarkston, the best example of basalt dikes, the congealed feeder sources of the Columbia River basalt plateau. The site illustrates how these flows originated by eruption along multiple fissures. (August 1980) Owner: Private

GRANDE RONDE GOOSENECKS—20 miles south of Asotin. A 1,500-foot deep canyon which follows a tortuous path along meanders, illustrating regional uplift and forced entrenchment of a stream. (April 1980) Owner: Federal, State, Private

Benton County

WALLULA GAP (extends into Walla Walla County)—16 miles south of Pasco. The largest, most spectacular, and most significant of the several large water gaps through basalt anticlines in the Columbia River basin. (August 1980) Owner: Federal, Public Hospital, Private

Clallam County

*POINT OF ARCHES—Ten miles south of Cape Flattery. Relatively isolated pristine spectrum of environmental conditions from rocky tidelands to climax upland vegetation, and an outstanding exhibit of sea action in sculpturing a rocky shoreline. (June 1971) Owner: Federal, State

Grant County

*GRAND COULEE—between Grand Coulee and Soap Lake. An illustration of a series of geological events including outpourings of lava, advance and recession of glacial ice, formation and retreat of waterfalls, and the cutting of the Columbia River channel. (April 1965) Owner: Federal, State, Private

Kittitas County

*GINKGO PETRIFIED FOREST—29 miles east of Ellensburg. Thousands of logs petrified in lava flows containing an unusually large number of tree species. Logs of the ginkgo tree, rarely found as fossil wood, are located here. (October 1965) Owner: State

UMTANUM RIDGE WATER GAP—14 miles north of Yakima. One of the anticlinal ridges in the Yakima Folded Ridges subsection of the Columbia Basin, illustrating the geological processes of tectonic folding and antecedent stream cutting. (November 1980) Owner: Federal, State, Private

Pierce County

NISQUALLY DELTA (extends into Thurston County)—15 miles east of Olympia. An unusually fine example of an estuarine ecosystem, and the only natural resting area for migratory waterfowl in the southern Puget Sound region. (June 1971) Owner: Federal, State, Private

Thurston County

*MIMA MOUNDS—One and one-half miles west of Little Rock. Prairie containing unusual soil pimples of black silt-gravel ranging in height from barely perceptible to a maximum of seven feet. (May 1966) Owner: State

NISQUALLY DELTA (see *Pierce County*)

Walla Walla County

WALLULA GAP (see *Benton County*)

Whitman County

STEPTOE AND KAMIAK BUTTES—50 miles south of Spokane. Isolated mountain peaks of older rock surrounded by basalt, rising above the surrounding lava plateau, part of outliers of Couer d'Alene Mountains of Idaho. (October 1965, April 1980) Owner: State, County, Private

WEST VIRGINIA (14)

Greenbrier County

GREENBRIER CAVERNS—Three miles southeast of Ronceverte, extending north and south of Organ Cave. The largest cave system in the State, containing seven caves, one of which, Organ Cave, is noted for its saltpeter troughs and vats. (November 1973) Owner: Private

*LOST WORLD CAVERNS—Two miles north of Lewisburg. Similar to Carlsbad Caverns in New Mexico, these caverns feature terraced pedestal-like stalagmites, flowstone, curtains, rimstone, domepits, and waterfalls. (November 1973) Owner: Private

Monroe County

GREENVILLE SALTPETER CAVE—One-quarter mile north of Greenville. The largest of the saltpeter caves in West Virginia, containing rimstone pools and saltpeter deposits. (November 1973) Owner: Private

Pendleton County

GERMANY VALLEY KARST AREA—Between Riverton and Mouth of Seneca. One of the largest cove or intermountain karst areas in the country, unique because all the ground water recharge and solution activities are linked with precipitation within the cove. (May 1973) Owner: Federal, Private

SENNETT-THORN MOUNTAIN CAVE SYSTEM—One-half mile northwest of Moyers. The cave includes rooms at various levels connected by crawlways and vertical shafts, waterfalls, and deep pits. (November 1973) Owner: Private

Pocahontas County

*CRANBERRY GLADES BOTANICAL AREA—Monongahela National Forest, five miles northwest of Hillsboro. The largest and best example of "cranberry glades" in West Virginia where natural cold air drainage and moist substrate have provided an ideal setting for a northern sphagnum bog, containing three major vegetation types: bog forest, shrub thickets, and open glade. (December 1974) Owner: Federal

*GAUDINEER SCENIC AREA (extends into Randolph County)—Monongahela National Forest, five miles north of Durbin. The best of the remaining virgin red spruce forests in the State. (December 1974) Owner: Federal

SWAGO KARST AREA—Three miles west of Marlington. A classic illustration of features associated with karst topography and terrain, including caverns and other passages. (November 1973) Owner: Federal, Private

Preston County

*CATHEDRAL PARK—Four miles west of U.S. 219 on U.S. 50. Contains a remnant virgin hemlock forest and dense thickets of great rhododendron. A cool, poorly drained site. (October 1965) Owner: State

*CRANESVILLE SWAMP NATURE SANCTUARY—(see MARYLAND)

Randolph County

*BLISTER RUN SWAMP—Monongahela National Forest, four miles northwest of Durbin. A good, high-altitude balsam fir swamp, probably the southernmost extension of this type forest, providing habitat for several uncommon and rare plants. (December 1974) Owner: Federal

*GAUDINEER SCENIC AREA (*see Pocohantas County*)

*SHAVERS MOUNTAIN SPRUCE-HEMLOCK STAND—Monongahela National Forest, seven miles northwest of Harman. An old-growth red spruce-hemlock stand called a "spruce flat", a disjunct component of the more northern hemlock-white pine-northern hardwood forest region. (December 1974) Owner: Federal

Tucker County

*BIG RUN BOG—Monongahela National Forest, seven miles east of Parsons. The area contains a relict Pleistocene high-altitude northern sphagnum-red spruce bog far south of its normal range, with large numbers of rare plants and animals. (December 1974) Owner: Federal

CANAAN VALLEY—Five miles east of Davis. A splendid "museum" of Pleistocene habitats, the area contains an aggregration of these habitats seldom found in the eastern United States, and is unique as a northern boreal relict community at this latitude by virtue of its size, elevation and diversity. (December 1974) Owner: Private

*FISHER SPRING RUN BOG—Monongahela National Forest, 11 miles southeast of Davis. An excellent example of a sphagnum-red spruce bog illustrating vegetation zonation. (December 1974) Owner: Federal

WISCONSIN (17)

Ashland County

KAKAGON SLOUGHS—Two miles north of Odanah. An excellent representative of a true freshwater delta by virtue of its large size, complex mixture of marsh, bog and dune vegetation types and undisturbed condition. Perhaps the finest marsh complex on the upper Great Lakes. (November 1973) Owner: Indian trust (Bad River Tribe), Private

Bayfield County

*MOQUAH BARRENS RESEARCH NATURAL AREA—Chequamegon National Forest, 16 miles west of Ashland. Representative of the jack pine-scrub oak barrens (savannas) of the glacial outwash area of northwestern Wisconsin. (February 1980) Owner: Federal

Buffalo County

CHIPPEWA RIVER BOTTOMS—One-half mile north of Wabasha, Minnesota. The largest single stand of bottomland hardwood forest along the once widespread post-glacial forest, including a large great blue heron rookery. (November 1973) Owner: Federal, State

Door County

*RIDGES SANCTUARY-TOFT'S POINT—MUD LAKE AREA—Two and one-half miles northeast of Baileys Harbor. A series of sand ridges and swales with associated boreal forest and bog vegetation, and unusually high species diversity, as well as the best mixed stand of large red and white pine, hemlock, and northern hardwoods on the western shore of Lake Michigan. (November 1967, May 1974) Owner: State, Private

Fond du Lac County

*SPRUCE LAKE BOG—Kettle Moraine State Forest, two miles northwest of Dundee. A superb, unspoiled example of a northern bog possessing a relict flora and fauna from early post-glacial times. (November 1973) Owner: State, Private

Forest County

BOSE LAKE HEMLOCK HARDWOODS—Nicolet National Forest, 13 miles east of Eagle River. A mature northern hardwood-hemlock stand containing the best virgin stand of hemlock in Wisconsin. (February 1980) Owner: Federal

Grant County

*WYALUSING HARDWOOD FOREST—Wyalusing State Park, six miles north of Bagley. The area exhibits high biological diversity illustrating nine major vegetation types, and contains several rare plant species and abundant wildlife, including some endangered species. (November 1973) Owner: State

Green County

ABRAHAM'S WOODS—A remnant of regional climax maple-basswood forest, rare in southern Wisconsin. (November 1973) Owner: State

Iowa County

AVOCA RIVER-BOTTOM PRAIRIE—47 miles west of Madison. The largest intact prairie in Wisconsin, containing a nearly full complement of species. (February 1980) Owner: State

Kenosha County

*CHIWAUKEE PRAIRIE—Five miles south of Kenosha. The best remaining wet prairie in the State, a remnant of once widespread vegetation along the southern shores of Lake Michigan, including several rare plant species. (November 1973) Owner: State, Private

Manitowoc County

POINT BEACH RIDGES—Eight miles northeast of Manitowoc. Alternating ridges and swales formed by previous water levels of Lake Michigan exhibit a range of successional vegetation states. (February 1980) Owner: State

Marquette County

*SUMMERTON BOG—Three miles southeast of Oxford. A relatively large, undisturbed, and floristically diverse area illustrating the slow, natural invasion of post-glacial plant communities into a predominantly relict glacial community, and providing habitat for many rare plant and animal species. (November 1973) Owner: Private

Oneida County

FINNERUD FOREST SCIENTIFIC AREA—An excellent representative of the northern coniferous forest complex. One of the few sizeable areas in the Lake States containing red pine forest over 100 years of age. (November 1973) Owner: State

Ozaukee County

CEDARBURG BOG—West of Saukville. The largest and most outstanding bog in southeastern Wisconsin, serving as a refugium for many northern species of plants and birds and providing habitat for a great variety of wildlife. (November 1973) Owner: State, Private

Sauk County

BARABOO RANGE—30 miles northwest of Madison. An example of an exhumed mountain range illustrating changing landscape through geologic time. The climate, soils, fauna and vegetation exhibit great local diversity. (February 1980) Owner: State, Private

Sawyer County

*FLAMBEAU RIVER HEMLOCK-HARDWOOD FOREST—Flambeau River State Forest, 20 miles southwest of Park Falls. The best and largest remnant of the old-growth conifer-hardwood forest in Wisconsin. Severely damaged by a windstorm in 1977, it is in progress of regeneration. (November 1973) Owner: State

Vernon County

KICKAPOO RIVER NATURAL AREA—Between Ontario and La Farge. The area contains the largest undisturbed concentration of exposed seeping sandstone in the State, and is a good example of a river in the Driftless Area with many entrenched meanders. A combination of geologic factors creates a multitude of microhabitats resulting in a highly diverse ecological situation supporting many flora species, some of which are endangered. (May 1975) Owner: Federal, State

WYOMING (7)

Albany County

BIG HOLLOW—Seven miles west of Laramie. A 40-square-mile wind deflation basin scoured out by high winds during a prehistoric dry period, considered the largest demonstrable example of its type in the 48 contiguous States. (November 1980) Owner: Federal, State, Private

*BONE CABIN FOSSIL AREA—One of the most significant sites for Jurassic terrestrial vertebrate fossils, including Jurassic mammals. (November 1973) Owner: Private

COMO BLUFF (extends into Carbon County)—Five miles east of Medicine Bow. Source of the first and best examples of Jurassic mammals and the discovery of 80 new vertebrate species. (May 1966, November 1973) Owner: Federal, State, Private

Big Horn County

*CROOKED CREEK NATURAL AREA—15 miles northeast of Lovell. A rich source of fossils of Early Cretaceous land vertebrates. (May 1966) Owner: Federal

Carbon County

COMO BLUFF (see *Albany County*)

Fremont County

RED CANYON—15 miles south of Lander. A classic example of a dissected cuesta, consisting of gently sloping plains bounded on one edge by an escarpment. (November 1980) Owner: Federal, State, Private

Niobrara County

LANCE CREEK FOSSIL AREA—25 miles north of Lusk. Represents one of the most fossiliferous continental deposits of Mesozoic age anywhere in the world. (April 1966, November 1973) Owner: Federal, State, Private

Teton County

*TWO OCEAN PASS—On the Continental Divide in Teton National Forest, 50 miles northeast of Jackson. Waters from the meadow at this pass divide to flow in opposite directions, toward the Gulf of Mexico and toward the Pacific Ocean. This is the point at which the Pacific Drainage cutthroat trout crossed the divide into the Mississippi Drainage. (October 1965) Owner: Federal

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Part IV

Commodity Futures Trading Commission

Bankruptcy

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 190

Bankruptcy

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rules.

SUMMARY: The Commodity Futures Trading Commission ("Commission") is adding a new Part 190 to its regulations which contains rules implementing the Bankruptcy Reform Act of 1978 ("Bankruptcy Act" or "Code") insofar as that legislation pertains to the liquidation of certain commodity firms. The Commission's new Part 190: (1) Defines the scope of "customer property," "member property," and "specifically identifiable property" as those terms are used in the commodities subchapter of the liquidation chapter of the Code; (2) establishes the method by which the business of a commodity firm is to be conducted or liquidated after a bankruptcy petition is filed, including the payment of margin with respect to open commodity positions and the delivery of physical commodities; (3) prescribes how customer claims are to be calculated, including which customer accounts may be aggregated and which may not; and (4) sets forth standards for the transfer of open commodity contracts and the cash, securities or other property margining such contracts. The rules also create certain disclosure and notice requirements to inform customers in advance of possible unexpected or avoidable consequences of commodity firm insolvencies. These final rules make certain technical changes to Part 190 as proposed by the Commission and also clarify the applicability of certain of the rules to commodity option transactions.

EFFECTIVE DATE: Effective as to petitions in bankruptcy filed on or after March 31, 1983, except that § 190.05(b) is effective May 31, 1983.

FOR FURTHER INFORMATION CONTACT: Andrea M. Corcoran, Director, or Suzanne W. Ryder or Bruce A. Beatus, Attorneys, Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street NW., Washington, D.C. 20581. Telephone: (202) 254–8955.

SUPPLEMENTARY INFORMATION:

I. Introduction

A. Background

On November 24, 1981, the Commission published and permitted 90 days for public comment on proposed rules to add a new Part 190 to its regulations which would, in the main, implement subchapter IV of Chapter 7 of the Bankruptcy Act which applies only to commodity broker liquidations. 46 FR 57535. To maximize public participation in the rulemaking process and at the request of several of the commentators, the Commission twice extended the comment period on the proposed regulations: first, to April 9, 1982[1] and second, to May 15, 1982.[2] The Commission received eight written comments on the proposed bankruptcy rules on behalf of twelve commentators: two on behalf of four clearing corporations and one board of trade; one from a futures industry trade association; one from a committee of the American Bar Association; one on behalf of two related dealer option grantors; two from private law firms; and one from a trustee in a pending commodity broker bankruptcy case.

B. Discussion of Major Substantive Issues

1. *Customer Property.* Subchapter IV of Chapter 7 of the Code accords the customer of an insolvent commodity broker priority in the distribution of customer property.[3] Consequently, the protection customers will receive depends, to a significant extent, upon the scope of the definition of the term "customer property." That term is defined by the Code to mean "cash, a security, or other property, or proceeds of such cash, security, or property, received, acquired, or held by or for the account of the debtor, from or for the account of a customer * * *"[4] The statutory definition of that term also includes:

(A)(i) Property received, acquired, or held to margin, guarantee, secure, purchase, or sell a commodity contract;

(ii) Profits or contractual or other rights accruing to a customer as a result of commodity contract;

(iii) An open commodity contract;

(iv) Specifically identifiable customer property;

(v) Warehouse receipt or other document held by the debtor evidencing ownership of or title to property to be delivered to fulfill a commodity contract from or for the account of a customer;

(vi) Cash, a security, or other property received by the debtor as payment for a commodity to be delivered to fulfill a commodity contract from or for the account of a customer;

(vii) A security held as property of the debtor to the extent such security is necessary to meet a net equity claim based on a security of the same class and series of an issuer;

(viii) Property that was unlawfully converted and that is property of the estate; and

(ix) Other property of the debtor that any applicable law, rule, or regulation requires to be set aside or held for the benefit of a customer, unless including such property as customer property would not significantly increase customer property; but

(B) Not including property to the extent that a customer does not have a claim against the debtor based on such property.

Notwithstanding the breadth of this statutory definition, Congress also specifically authorized the Commission to determine by rule or regulation whether certain cash, securities, other property or commodity contracts should be included or excluded from the scope of customer property.[5]

Pursuant to this authority, the Commission is adopting § 190.08(a)(1)(ii)(J) which generally treats as customer property all cash, securities, or other property of the debtor's estate, including the debtor's trading or operating accounts and commodities of the debtor held as inventory, subject to properly perfected liens on such property of the debtor, but only to the extent that the property segregated on behalf of customers is insufficient to satisfy in full the claims of "public" customers.

Two of the commentators raised objections to the Commission's proposal on the grounds that: (1) It contravened the statutory definiton of customer property in Section 761(10) of the Code; (2) it was inconsistent with Section 766(j)(2) of the Code which generally provides that any portion of a customer's net equity claim not paid in full from customer property becomes a general claim against the debtor's other property; and (3) it would adversely affect the ability of commodity brokers to obtain credit.

The Commission believes that the Bankruptcy Act makes clear that the customer priority for commodities

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[1] 47 FR 8789 (March 2, 1982).

[2] 47 FR 16187 (April 15, 1982).

[3] 11 U.S.C. 766(h), (Supp. V 1981), *as amended by* the Bankruptcy Act Amendments, Pub. L. No. 97–222, Section 19(d), 96 Stat. 235, 240 (1982). (Hereinafter, this legislation will be referred to as the "Bankruptcy Act Amendments" or "Amendments" and only the section of the law amending the Code will be cited. In addition, all citations to the United States Code are to Supp. V 1981 unless otherwise indicated.)

[4] 11 U.S.C. 761(10), *as amended by* Section 16(4) of the Amendments.

[5] Section 20(a)(1) of the Commodity Exchange Act, as amended ("Act"), 7 U.S.C. 24(a)(1).

customers is to be broader than a priority in the property actually segregated by the debtor in their behalf.[6] This intent is evident from the legislative history which, among other things, expressly states that the definition of customer property is to "include all property in customer accounts and property that should have been in those accounts but was diverted through conversion or mistake."[7] Moreover, ordinarily priorities are charges on the assets of the full estate.[8] The Commission concludes that by granting authority to the Commission to expand or contract "customer property," Congress sought to minimize the need for the trustee to trace property belonging to customers. Thus, the Commission believes its definition of customer property may establish presumptions with respect to certain property of the debtor which was not segregated so as to enable its return to customers.

The Commission does not find the legal objections raised by the comments to this interpretation particularly convincing.[9] First, the Commission notes that Congress specifically intended to reverse the result in the case of *Weis Securities, Inc.*, where only segregated property was accorded a customer priority.[10] Second, the definition of "customer" [11] includes persons [defined as holders of proprietary accounts by Commission Rule 1.3(y)] on behalf of whom property is not customarily segregated. Third, even if the shortfall in segregated funds was caused by a customer deficit resulting from default rather than outright conversion, the FCM holding that customer account would be obligated under present law to restore the amount of such deficit and thus maintain proper segregation out of its own funds or property. The Commission's treatment of customer property is thus entirely consistent with this obligation, which is an additional strong basis for following funds outside of segregation.

Moreover, even though several of the commentators disagreed with the Commission's proposal that the property available for distribution to customers should not be limited to property which is actually segregated for the benefit of customers, the commentators did not offer any specific suggestions as to how far the net should be cast to return customer property to the debtor's estate. Although the comments may generally be read to support the view that in the event of some showing of debtor wrongdoing beyond a mere shortfall in segregated funds the customer priority could be extended to the estate as a whole, they do not make such a suggestion expressly. In any event, the Commission believes that its interpretation is not inconsistent with this view, because as discussed above the existence of a shortfall in and of itself demonstrates wrongdoing or, at a minimum, noncompliance with Commission regulations. Further, under the Commission's treatment of customer property, the net equity claims of non-public customers will still be treated as general creditor claims if the segregated "customer property" is insufficient to satisfy all public customers. Finally, as previously discussed, the Code accords the Commission substantial flexibility in formulating a definition of customer property.

The Commission is therefore adopting the broad approach toward the scope of customer property which was contained in the original proposal. The Commission believes that the adoption of such an expansive definition is essential because the term "customer property" basically denotes the property which can be brought back into segregation for the benefit of customers in the event of a shortfall.

2. *Subordinction of Insider Claims.* The commentators have questioned the Commission's authority to subordinate insider claims to customer claims in a commodity broker bankruptcy. This issue has been resolved, however, by Congress' recent enactment of technical and substantive changes to both the commodity broker liquidation provisions and the other commodity provisions of the Bankruptcy Code. Among other things, these amendments expressly subordinate insider to customer claims.[12]

3. *Delivery.* Proposed § 190.05(b) generally would require each contract market to adopt and enforce rules to permit the cash portion of the delivery of a physical commodity in fulfillment of a futures contract which has become deliverable to be effected directly between the customer of the debtor and the person identified by the clearing organization as the party on the other side of the delivery transaction without the intervention of the trustee and without including the commodity or payment for the commodity in the debtor's estate where the commodity has not yet become part of the estate.

Several commentators questioned the Commission's authority to adopt such a rule as they believed it might conflict with Section 365(e)(1) of the Bankruptcy Code. That section of the Code generally provides that an executory contract *of the debtor* may not be modified after the commencement of a bankruptcy proceeding solely because of a provision in the contract that conditions the contract upon the insolvency or financial condition of the debtor or on the commencement of a bankruptcy proceeding. Section 365(e)(1) is intended to prevent executory contracts (such as, for example, leases which are at lower than market rentals), which may be valuable assets of an estate, from being terminated upon the bankruptcy of a debtor obligee, even if the trustee were willing to continue to meet the debtor's contractual obligations thereon. The commentators expressed concern that the exclusion of a commodity broker from participation in the delivery phase of a futures contract would modify a contract solely because of the bankruptcy of the broker in contravention of Section 365(e)(1) of the Code, thereby placing persons involved in a commodity broker liquidation proceeding in the difficult position of having to choose between compliance with the rule or the Code.

The Commission believes, however, that this concern is unwarranted, as the prohibitions in Section 365 (e) (1) have no bearing on the proposal because the

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[6] *Id.*

[7] H.R. Rep. No. 95-595, 95th Cong., 1st Sess. 390-91 (1977).

[8] 11 U.S.C. 726.

[9] In support of its proposal, the Commission cited the presumption known as the "Rule of Knatchbull v. Hallett" (In re Hallett's Estate, 13 Ch. Div. 696) which is commonly employed to recover from a trustee monies or property which has been converted or misappropriated from a trust. 46 FR 57535, 57552 (Nov. 24, 1981). This rule, developed by the English courts, presumes that where a wrongdoer commingles his own funds in a bank account with those of another person and thereafter makes withdrawals from that account, the wrongdoer withdrew his own funds first. Several commentators, however, questioned the applicability of that rule to the creation of a customer priority against the general unsecured assets of the debtor. These commentators stated that the mere fact that the customer property of an estate is insufficient to satisfy the net equity claims of all public customers does not necessarily establish wrongdoing by the debtor or even unintentional wrongdoing. The Commission disagrees. For example, Rule 1.20 states that a futures commission merchant ("FCM") cannot use one customer's funds to margin, guarantee or secure the open positions of another customer which would be the result if segregated funds were not restored by the FCM.

[10] *Weis Securities, Inc.* [1975-1977 Transfer Binder] Comm. Fut. L. Rep. ¶20,108 (S.D.N.Y. 1975). *See* n. 7 *supra.*

[11] Commission Rule 1.3(k), 17 CFR 1.3(k).

[12] Section 19(d) of the Amendments amends 11 U.S.C. 766(h) by adding at the end thereof the following:

Notwithstanding any other provision of this subsection, a customer net equity claim based on a proprietary account, as defined by Commission rule, regulation, or order, may not be paid either in whole or in part, directly or indirectly, out of customer property unless all other customer net equity claims have been paid in full.

contract which would be affected is not a contract of the debtor. In this connection, despite the broker's obligations with respect to a commodity contract the broker itself is not really a party to a given futures contract, but rather is merely an agent or intermediary in the transaction. Moreover, the proposed rule would not terminate an executory contract or any right or obligation thereon; on the contrary, it would ensure that delivery on a futures contract in a delivery position at the time of bankruptcy was effected as if no bankruptcy had occurred with no diminishment of the value of the bankrupt estate as a result. This is because although the cash portion of the delivery would occur outside the estate, the "equity" in the commodity contract upon which delivery is made would remain in the estate and be available to be distributed pro rata. In effect, it is this equity which is the value of the contract, so it is merely the administration of deliveries which would be affected, with respect to which the Commission has ample authority under Section 20 of the Commodity Exchange Act.[13] Thus, it appears that the underlying contract is not modified by reason of commencement of a case. Indeed, although the proposed rule may require a modification of the procedures of the clearing organizations for effecting delivery upon a futures contract, it would not necessarily require a modification of the contract terms themselves. For these reasons, the Commission has retained the direction in the final rule to provide for delivery to occur outside a bankruptcy proceeding and, as suggested by several commentators and discussed below, has extended these provisions to apply to the exercise of options on physicals.

4. *Letters of Credit.* Section 190.08 (a) (1) (i) (E) of the proposed regulations required that the full proceeds of a letter of credit received, acquired, or held by the debtor to margin, guarantee, or secure a commodity contract be deemed customer property. Under this approach, the trustee would be required to draw the full value of a letter of credit posted as margin and treat the funds received as customer property, irrespective of the margin obligation secured thereby. The Commission's proposal recognizes that it is the letter of credit itself which is posted as original margin, and the standby feature of the letter only guarantees the payment of variation margin. In this connection, the Commission notes that letters of credit are not accepted by all exchanges and clearing corporations for use in meeting initial margin requirements.[14] Further, no commodity exchange or clearing corporation currently permits the posting of letters of credit to meet variation margin requirements.

Several of the commentators requested that the Commission amend its proposal to provide that letters of credit be drawn upon only in accordance with their terms and only to the extent of the margin owing by the depositor. This is necessary, the commentators argued, because to permit the trustee to bring the full proceeds of a letter of credit into the estate would impose a burden on customers who post letters of credit as security and would therefore discourage their use. These commentators further noted that the proposed rule would require a trustee to draw the full proceeds of letters of credit irrespective of their terms even though they generally condition payment on delivery of a certification that additional funds are required to margin or to cover a default with respect to a contract. The Commission, however, is not persuaded by this argument.

The Commission's proposal was intended to assure that customers using a letter of credit to meet original margin obligations would be treated no differently than customers depositing other forms of non-cash margin or customers with excess cash margin deposits. If letters of credit are treated differently than Treasury bills or other non-cash deposits, there would be a substantial incentive to use and accept such letters of credit as margin as they would be a means of avoiding the pro rata distribution of margin funds, contrary to the intent of the Code.[15] Further, the Commission notes that, in general, the letters of credit accepted by clearing organizations are unconditional, irrevocable instruments drawable in full upon demand and are, in effect, the equivalents of unrestricted sight drafts. The bank issuer of the letter of credit cannot refuse to pay upon it based upon nonperformance of an underlying contract.

In this connection, the Commission wishes to note that in the initial stages of drafting the provisions relating to the treatment of letters of credit, its Division of Trading and Markets contacted a number of the commodity clearing organizations. These clearing organizations indicated that upon first impression, if a member firm filed a petition in bankruptcy or were the subject of such a petition, the clearing organization would want the capability to draw the entire value of a letter of credit posted as margin without consideration of whether variation margin was owed and if so, the extent of deficiency. This is because if an inquiry as to the extent of the customer's obligation under the letter of credit were required, there would be the possibility that payment could be enjoined as inconsistent with the terms of the letter, thereby hampering the viability of such instruments as margin deposits. Moreover, as such letters constitute original margin, they in effect generally insure the clearing organization against nonpayment of obligations of the same class of customer of the clearing organization to the clearing organization. The Commission also notes that a trustee in a pending commodity broker liquidation proceeding expressly supported the Commission's determination that letters of credit be so treated. For all of these reasons the Commission believes that its original treatment of letters of credit is the most appropriate and the least subject to abuse.

In making this determination, the Commission also was guided by certain additional policy considerations. First, the Commission recognizes that standby letters of credit are not subject to banking reserve requirements and may be uncollateralized. In a period of major changes to the financial services which may be extended by banks and some corresponding uncertainty as to the wisdom of virtually unrestricted writing of standby letters, the Commission

[13] H.R. Rep. No. 95-595, 95th Cong., 1st Sess. 451 (1977).

[14] Specifically, the Commission notes that nine clearing corporations allow their members to post letters of credit to meet initial margin requirements: Coffee, Sugar & Cocoa Clearing Corporation, Chicago Mercantile Exchange, Board of Trade Clearing Corporation, Commodity Exchange Clearing Corporation, Kansas City Board of Trade Clearing Corporation, New York Futures Exchange, New York Mercantile Exchange, Commodity Clearing Corporation and the MidAmerica Commodity Exchange. By comparison, the New Orleans Commodity Exchange and the Minneapolis Grain Exchange do not allow their members to post letters of credit to meet initial margin requirements. In addition, four exchanges permit their members to accept letters of credit from customers to meet initial margin requirements. Those exchanges are: New York Futures Exchange, New Orleans Commodity Exchange, Chicago Mercantile Exchange and the MidAmerica Commodity Exchange. The following seven exchanges, however, do not permit their members to accept letters of credit from customers in meeting initial margin requirements: Coffee, Sugar & Cocoa Exchange, Inc., New York Mercantile Exchange, New York Cotton Exchange, Kansas City Board of Trade, Chicago Board of Trade, Commodity Exchange, Inc. and the Minneapolis Grain Exchange. Due to recent periods of volatility in the markets, many of the clearing organizations have reviewed their letter of credit policies and adopted or proposed additional stringent standards for letters of credit which are accepted as margin.

[15] See 11 U.S.C. 766.

believes that it would be unwise to adopt a policy which would further encourage the use of letters of credit and, indeed, their substitution for other forms of margin.[16] Second, it would be inherently unfair to treat letters of credit differently from other financial instruments such as Treasury Bills which have been deposited with commodity brokers as original margin. Third, encouraging the use of letters of credit would favor large customers at the expense of smaller market participants since only larger customers are permitted to make non-cash deposits of margin. This would contravene the spirit and intent of the Code's limitations on the return of specifically identifiable property which were intended to assure parity between customers with margining power and those without it.

The Commission does not believe that this rule will cause undue hardship as letters of credit need not be carried in amounts substantially greater than actual margin obligations. Thus, the amounts of letters of credit and the frequency of their review can be adjusted to ensure that the amount of funds affected by drawing upon the letter in the event of a commodity broker bankruptcy are commercially reasonable.

5. *Nontransferability of Omnibus Accounts.* Some commentators objected to the fact that, under the Commission's proposal, omnibus accounts would be required to be liquidated without an option to transfer. In the Preamble to the **Federal Register** release containing the proposed rules, the Commission explained that this would be required because of the difficulty of obtaining meaningful customer instructions with respect to the numerous individual positions which may comprise an omnibus account.[17] Upon further consideration of this issue and the comments which the Commission received, the Commission has determined to amend its position so as to permit the transfer of any omnibus account which is clearly denominated as a hedging account. The Commission believes such a denomination is now possible because, under rule 1.58,[18] information as to whether positions in an omnibus account are hedge positions should now be available to the carrying broker. Thus, an omnibus hedge account may be transferred so long as the fact that such an account is a hedge account is designated in the accounting records of the commodity broker as required by § 190.04(e)(1), provided that the carrying broker has previously obtained, as required by Rule 1.58, a written representation from the originating FCM that each position contained in such omnibus account is entitled to be margined as a hedge position.

6. *Transfer Complexity.* The Commission is aware that as a practical matter most of the complexity in the administration of a bankrupt estate will arise from the provisions for transfer on customer instruction which are required by the Bankruptcy Code.[19] Under the amendments to the Bankruptcy Code, however, commodity brokers have been granted virtually unfettered authority to liquidate open commodity contracts in the event of a commodity broker bankruptcy.[20] As it is expected that frequent use will be made of this authority, the occasions on which transfers will occur should be significantly reduced, thereby simplifying the adminstration of the debtor's estate. The Commission further notes that if transfers are in fact possible there is no good way to avoid complexity because the Code itself requires the value of property to fluctuate after the filing date and contains no provisions for the reclamation of property free of a pro rata distribution.

7. *Exchange-Traded Options.* At the suggestion of several of the commentators, the Commission has amended the proposed regulations to specify more clearly the treatment of exchange-traded option contracts upon bankruptcy. Where these amendments have been made, they are discussed in some detail below. The Commission believes these rules generally satisfy the concerns expressed by the commentators. Although the Commission is now adopting these amendments as final rules, the Commission and its staff will, of course, consider additional comments or inquiries relating to their application or interpretation. The Commission also wishes to note that whenever the term "option contract on a physical commodity" or other similar references to "options on physicals" are used herein, those terms do not include so-called "dealer options."

8. *Effect of Subchapter III and the Securities Investors Protection Act of 1970.* The Commission's assessment that the particular problems of the bankruptcy of a firm engaged in both securities and commodities brokerage activities are best handled on a case-by-case basis has been questioned by a number of commentators. Specifically, it has been urged that the Commission initiate discussions with the Securities Investors Protection Corporation ("SIPC") with a view to developing a joint approach to those problems that are likely to arise in connection with the liquidation of a firm that has such a dual business. In this regard, Commission staff initiated contacts with the staff of the Securities and Exchange Commission and SIPC concerning the Commission's proposed rules. No further comments on the Commission's rule proposal were received as a result of these discussions.

As presently structured, both subchapter III of Chapter 7, which governs the liquidation of securities brokers and subchapter IV will be applicable to the liquidation of such firms. In the majority of cases, however, a joint commodity broker-securities dealer will be liquidated under the Securities Investors Protection Act of 1970 ("SIPA") which provides for liquidation of securities brokers outside of a bankruptcy proceeding. The SIPA liquidation procedures establish a priority only for the customers of the debtor's securities business. Section 7(b) of SIPA, however, provides:

> To the extent consistent with the provisions of * * * [SIPA] or as otherwise ordered by the court, a trustee [in a SIPA liquidation] shall be subject to the same duties as a trustee in a case under chapter 7 of the * * * [code], including, if the debtor is a commodity broker, * * * the duties specified in subchapter IV of such chapter 7 * * *.[21]

It should be noted that subchapters III and IV are structured so that any customer property held by such a firm can be distributed as separate estates under the two subchapters.

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[16] In this connection, the Commission notes that there is increasing awareness by banks of the problems inherent in the issuance of letters of credit. *See, e.g.*, Salamon and Carrington, *Chase Halts Unsecured Letters of Credit to Securities Firms in the Wake of 2 Failures*, Wall St. J., Sept. 1, 1982, at 4, col. 3. The Commission also notes that while only two or three banks actually issue letters of credit for use in meeting margin obligations on commodity futures positions, the issues thereby implicated are broader than the question of the appropriate treatment to be accorded such letters in connection with a commodity broker bankruptcy proceeding. *See also* In re Twist Cap, Inc. 1 Bankr. 284–85 (D. Fla. 1979) (order temporarily restraining bank from honoring standby letters of credit held by creditors of debtor on the ground that the beneficiaries would receive a preference contrary to bankruptcy law).

[17] *See* proposed § 190.02(f)(1), 46 FR at 57559–60, n. 9 *supra*, and the related discussion concerning omnibus accounts, 46 FR at 57541.

[18] 17 CFR 1.58.

[19] 11 U.S.C. 765–66.

[20] Section 6(a) of the Amendments adding a new Section 556 to the Code. *See* n. 42 *infra* for text of Section 556.

[21] 15 U.S.C. 78fff-1(b).

The Commission is aware that the potential for an interpretation giving only limited recognition to subchapter IV under SIPA may well raise problems in implementing that subchapter in a joint bankruptcy. First, there may be questions as to which of the provisions of that subchapter constitute duties of the trustee. Second, disputes may also arise as to whether or not the duties imposed on the trustee by the Commission's bankruptcy regulations are duties of a SIPA trustee for purposes of a SIPA liquidation.

The Commission undoubtedly could require each regulated commodity firm to be structured as a legal entity separate from any affiliated securities firm. However, although this would at least partially solve the joint broker-dealer problem, the Commission believes that the adoption of such an approach at this time would be unnecessarily disruptive of accepted business practices and could have burdensome effects unwarranted by the low incidence of commodity firm bankruptcies. Indeed, the most sensible solution to this potential problem appears to have been suggested by the commentators. Thus, the Commission intends to instruct its staff to initiate discussions with SIPC with a view towards developing a common proposal or understanding as to the appropriate treatment of the joint commodity broker-securities dealer in bankruptcy. In this regard, the Commission is aware that the number of such joint firms is increasing and as a result the need for a satisfactory resolution of this matter may become even more apparent in the future.

9. *General.* Commentators generally agreed that the Commission should develop comprehensive regulations to govern commodity broker liquidations under subchapter IV of chapter 7 of the Code. A commodity broker, it must be remembered, may be a firm with a local, national or worldwide hedging and speculating clientele and the financial situation of such firms at the time of bankruptcy will vary in each case. Several commentators, however, noted the complexity of certain aspects of the regulatory scheme provided for by the proposed regulations and suggested that the Commission simplify them.

To the extent that this concern could be addressed consistently with the overall policy objectives underlying this part, the Commission has endeavored to do so in the final rules. For example, in response to comments, the rules make the deposit necessary to obtain the transfer or return of specifically identifiable property other than an open commodity contract consistent with that which must be made to obtain the transfer of a specifically identifiable commodity contract. *See* §§ 190.08(d) (1) and (2). The Commission also has reviewed and revised the final rules in light of its recent experience in bankruptcy proceedings. The Commission believes that the final rules provide a trustee in a commodity broker bankruptcy proceeding with clear and concise instructions for the liquidation or transfer of assets in a manner consistent with assuring customers the maximum recovery of their segregated funds and insulating the commodities markets and other market participants from undue and unnecessary disruption.

The Commission would note in this regard that the rules instruct the trustee as to what to do when confronted with the most complex scenario. The operative facts of a particular bankruptcy proceeding, of course, may make application of many of the regulations and procedures unnecessary, particularly as all commodity contracts often will have been liquidated prior to the filing date. Of course, if the trustee determines that the commodity broker holds no open customer positions or holds no specifically identifiable property, as defined herein, notice and procedures concerning these types of property can be disregarded. Moreover, if a "bulk" transfer of open positions can be completed within one or two days after the petition for bankruptcy is filed, notices to customers concerning instructions, as well as the liquidation provisions, will not come into effect. It is unlikely that transfers will be effected where there is a substantial shortfall in segregated funds. It is the existence of a shortfall which necessarily complicates the calculations necessary to detemine the extent of property which may be transferred. However, if such a transfer is possible at all, it is highly likely that it will be orchestrated in such a short time. In this connection, the Commission notes that as many commentators requested reduction of time periods as requested their extension.

It is not the intent of the Commission to require the trustee to engage in useless activities or to expend debtor funds needlessly. Thus, as explained more fully below, the Commission has delegated to the Director of the Division of Trading and Markets broad discretion to grant a trustee an exemption from or extension of time to fulfill non-statutory deadlines. The Commission expects that such exemptions will not be granted on a routine basis, but rather in cases of hardship, such as in the liquidation of a particularly large firm.

II. Section by Section Analysis

This section discusses those proposed rules with respect to which comments were received and explains the Commission's response thereto. In addition, all other material changes which have been made in the final rules, even if not made in response to particular comments, are described. If no comments were received on a proposed rule and it was adopted as proposed, no analysis is provided.

Definitions

Bankruptcy Code. In its proposal, the Commission defined the term "Bankruptcy Code" in § 190.01(c) for convenience of reference to exclude certain provisions of the Bankruptcy Reform Act of 1978 and the Federal Rules of Bankruptcy Procedure which would not generally apply to commodity broker bankruptcies. Certain objections to this approach were raised on the ground that there was no reason to exclude some portions of the bankruptcy law. The reason for defining "Bankruptcy Code" in this manner is merely one of convenience—to permit easy reference in the Commission's rules to that part of the bankruptcy law which would generally govern commodity brokers. This short-hand reference has no substantive effect and has been retained as proposed in the final rules.

Commodity Contract. Proposed § 190.01(g) provided that the term "commodity contract" would have the same meaning as that set forth in section 761(4) of the Code. However, as one of the commentators correctly pointed out, prior to the recent amendents to the Code, that section failed to include commodity options in the definition of a "commodity contract" held by a clearing organization. Nonetheless, no revision to the Commission's proposed definition of "commodity contract" is necessary because this omission has been corrected by Section 16(2) of the Bankruptcy Act Amendments which amended Section 761 of the Code to read as follows:

(4) "Commodity contract" means—

* * * * *

(D) With respect to a clearing organization, contract for the purchase or sale of a commodity for future delivery on, or subject to the rules of, a contract market or board of trade that is cleared by such clearing organization, *or commodity option traded on, or subject to the rules of, a contract market or board of trade that is cleared by such clearing organization:* (Emphasis added).

Thus, the Commission has adopted the definition of "commodity contract" as proposed.

Final net equity determination date. In proposed § 190.01(s), the Commission defined "final net equity determination date" as the latest of: (1) The day immediately after all commodity contracts for the account of customers of the debtor have been transferred, liquidated or satisfied by exercise or delivery, (2) the bar date for filing customer proofs of claim, or (3) the day following the disposition of all disputed claims. One commentator asked whether, under the Commission's proposed definition, it would be possible for the final net equity determination date to occur before the date on which all customer property had been returned or liquidated. As a practical matter, such property generally would be returned or liquidated prior to the bar date for filing customer proofs of claim. Rules 190.02(b)(1), 190.02(f)(2), and 190.03(c) require the early liquidation of specifically identifiable property which is not a commodity contract. Similarly, § 190.02(f)(3) requires the prompt liquidation of any other property held by the debtor which is not otherwise to be transferred or returned, or which has not previously been liquidated.

Rule 302(e) of the Federal Rules of Bankruptcy Procedure currently contemplates a bar date of six months after a bankruptcy filing for the filing of proofs of claim. Although under the Commission's rules the filing of a proof of claim as to property for which customer instructions are requested must occur very early,[22] the trustee need not require proofs of claim to be filed before the six month period has elapsed for other property.

Notwithstanding the foregoing, Section 761(17)(A) of the Code which defines net equity [23] could be read to mean that the value of property not liquidated, transferred, or returned prior to the liquidation, transfer, or identification for delivery of all commodity contracts would cease to fluctuate. The ambiguity lies with the meaning of the phrase "balance remaining." To alleviate this uncertainty, the Commission, pursuant to its authority to refine the net equity definition, has modified its definition of final net equity determination date, as suggested by the commentator. As such, the final rule provides that the final net equity determination date will be the later of four specified occurrences—the three events described above or the day immediately following the day on which all property other than commodity contracts held for the account of customers has been transferred, returned, or liquidated.

Foreign futures. In its proposal, the Commission tied the meaning of foreign futures (proposed §190.01(t)) to that contained in the Code.[24] It was suggested that the Commission clarify which contracts traded on foreign markets will be considered to be forward contracts and which will be considered to be futures contracts. This distinction is significant to a person with a claim based on a foreign contract because if such a contract is considered to be a futures contract, the claimant will be entitled to the customer priority which is not available to a customer holding a forward contract.[25] In this connection, it should be noted that the Bankruptcy Act does not define what a forward contract is nor does it give the Commission the authority to do so. The Commission, however, does not believe that establishing criteria for characterizing foreign futures contracts as either futures or forward contracts would be appropriate in view of the great diversity of contracts that are currently or will be traded in the future on foreign markets. Rather, such a determination is better made on a case-by-case basis by the courts.

House account. Proposed § 190.01(hh) defined "proprietary account" to mean any commodity account owned by the debtor. It was recommended, however, that the term "house account" be substituted for the term "proprietary account" to be consistent with industry practice and to avoid any confusion that might result from the use of the same term to mean two different things within the Commission's regulations. [The definition of proprietary account in Commission Rule 1.3(y) [26] has a broader scope than the definition proposed to be included in this Part 190.) The Commission believes that this is a sensible suggestion and the term house account has been substituted for proprietary account in final § 190.01(w).[27] In this connection, it should be noted that the language in Section 766(h) of the Code which expressly subordinates a customer claim based on a "proprietary account" to those of other customer [28] would apply to those accounts held by customers defined in the Part 190 rules as "non-public customers" and not to the re-named "house accounts" which are the property of the debtor and would be available to satisfy the claims of creditors in any event.

Illegal commodity contract. The Commission has determined to delete from the final rules as unnecessary its proposed definition in § 190.01(w) of an "illegal commodity contract" (*i.e.*, an off-exchange futures contract or a prohibited commodity option contract) as the bankruptcy courts may be unwilling to extend the customer priority to claims based on such contracts. *See, e.g., CoPetro Marketing Group, Inc. v. Commodity Futures Trading Commission*, 680 F. 2d 566 (9th Cir. 1982).

Non-public customer. The proposed definition of "non-public customer" incorporated by reference certain language in the Commission's existing definition of "proprietary account" contained in Rule 1.3(y).[29] One commentator suggested that the scope of the definition of "non-public customer" be broadened to include the minor dependents of certain persons described in Rule 1.3(y) where such dependents are the beneficiaries of a trust account carried by the debtor regardless of whether such children reside in the insider's household as is currently required by § 1.3(y)(vi). The Commission does not believe such a modification is warranted because the trustee currently has the authority to avoid transfers made by the debtor with the intent to hinder, delay or defraud any entity to which the debtor was or became obligated.[30] In addition, the simplicity which was sought by the Commission through using an existing definition would be lost. Thus, the definition of "non-public customer" has been adopted as proposed.[31]

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[22] *See* § 190.06(d)(4).

[23] Section 761, as amended by Section 16(10) of the Amendments, reads in pertinent part:

(17) "net equity means, subject to such rules and regulations as the Commission promulgates under the Act, with respect to the aggregate of all of a customer's accounts that such customer has in the same capacity—

(A) the balance remaining in such customer's accounts immediately after—

(i) all commodity contracts of such customer in such capacity have been transferred, liquidated, or become identified for delivery; and

(ii) all obligations of such customer to the debtor have been offset * * *.

[24] Section 761(11) of the Code provides: "foreign future" means contract for the purchase or sale of a commodity for future delivery on, or subject to the rules of, a board of trade outside the United States.

[25] *See* Sections 761 (4) and (9) and 766(h) of the Code.

[26] 17 CFR 1.3(y).

[27] Proposed § 190.01(w) defining the term "illegal commodity contract" has been deleted (*see* discussion *infra*) and new § 190.01(w) contains the definition of "house account."

[28] *See* n. 12 *supra* for text of the addition to Section 766(h).

[29] 17 CFR 1.3(y).

[30] *See* Section 548 of the Code.

[31] *See* text accompanying n. 28 *supra* which explains that the recent amendment to Section 766(h) of the Code added by the Bankruptcy Act Amendments subordinates the claims of customers

Open commodity contract. An objection was raised to the point made by the Commission in the **Federal Register** release accompanying the proposed rules that the proposed definition of "open commodity contract" (§ 190.01(cc)) as a contract which has been established in fact would exclude bucketed trades.[32] The commentators were concerned that a customer who had unwittingly been the victim of bucketing by their broker might thus be unfairly penalized. However, the only relevance in these rules of this definition is to define a class of contracts eligible for transfer. The definition itself will not affect a customer's claim against the estate based on a trade which has been bucketed. As a contract which has never been executed on an exchange cannot be transferred, the Commission believes that the proposed definition of open contracts is appropriate and has adopted it as proposed.

Order of relief. Proposed § 190.01(dd) defines the term "order of relief" to mean the filing of a petition in bankruptcy in a voluntary case and the adjudication of bankruptcy in an involuntary case. In response to the comments received, the Commission is changing that term as used throughout Part 190 to "order for relief" to conform to the Code.

Principal contract. One commentator requested that the Commission amend the definition of "principal contract" contained in § 190.01(gg) of the proposed rules to add after the word "Commission" the words "or rules of a contract market which it is obligated to enforce." The commentator stated that this language was necessary to exclude from the definition those transactions which may be executed off the floor of a board of trade pursuant to rules which have not been specifically approved by the Commission but which the contract market is obligated to enforce in conformity with Rule 1.53.[33] The Commission agrees and the definition has been changed as requested. In this connection, the Commission notes that the need for this amendment is highlighted by the recent enactment of amendments to the Commodity Exchange Act which would in effect reduce the number of contract market rules which will require approval by the Commission.[34]

Specifically Identifiable Property. The proposed definition of the term "specifically identifiable property" (§ 190.01(ll), final § 190.01(kk)) provided that, among other things, an open commodity contract will be specifically identified to a customer if it can be identified from the books and records of the debtor as held for the account of that customer. One commentator noted, however, that proposed §§ 190.02(f)(1) and 190.08(d)(2) appeared to limit the commodity contracts eligible for transfer at customer request to futures contracts which are part of *bona fide* hedging transactions or to dealer option contracts. In order to make its intent clear that the contracts eligible for transfer are the same as those which are specifically identifiable (which are the ones which may be transferred upon customer instruction under the Code[35]), that commentator recommended that the Commission amend the definition of the term "specifically identifiable commodity contract" to conform it to the commodity contracts eligible for transfer at customer request.

The Commission believes that there is merit to this recommendation and has narrowed the definition of specifically identifiable commodity contracts to those which are contained in an account designated in the accounting records of the debtor as a hedge account in accordance with § 190.04(e)(1). In addition, the Commission has made that definition applicable to exchange-traded options by adding to the hedge positions transferable under the proposed rule those positions which are commodity option transactions which have been determined by the relevant contract market to be economically appropriate to the reduction of risks in the conduct and management of a commercial enterprise pursuant to rules which have been adopted in accordance with the requirements of Rule 1.61(b)[36] and approved by the Commission pursuant to Section 5a(12)[37] of the Commodity Exchange Act. By amending § 190.01(kk) as set forth above, the Commission believes that greater certainty and direction will be provided to the trustee in the administration of the debtor's estate. The Commission also notes that this amendment recognizes that, in general, commodity contracts have no value or existence independent of the equity attributable to them. In contrast, contracts which have been entered into for hedging purposes have an intangible value separate and apart from any equity deposited with respect to them which results from their hedging function. It is for this reason that the Commission believes these are the only open contracts which should be treated as specifically identifiable contracts. The Commission is also modifying the term specifically identifiable property deposited with respect to deliveries in response to certain comments made concerning the procedures set forth in § 190.05. A full discussion of these changes is included in the preamble discussion of that section.

Other Definitional Comments. The Commission also received several additional comments regarding its proposed definitions in § 190.01. For example, one commentator noted that a number of the proposed rules refer to bona fide hedging transactions as defined in Rule 1.3 (z) of the Commission's regulations. However, § 190.04(e) of the proposed rules provides that notwithstanding Rule 1.3(z), a trustee may generally rely on the hedge account designation in a debtor's accounting records in determining whether an account is eligible for transfer at a customer's request. This commentator recommended that a special definition of hedge accounts be adopted for purposes of the bankruptcy rules.

The Commission does not believe that a special definition is warranted. The rules require that the customer's preference with respect to a hedging account be recorded, so as to enable the trustee to determine directly from the basic customer account records whether or not a contract is subject to a liquidation or transfer instruction. § 190.06(d)(2). It is not the Commission's intent to make the trustee responsible for incorrect designations, as the Commission believes that customers and commodity brokers should be responsible for making such designations correct in the first instance. The Commission does not, however, wish to free the FCM and the customer of their responsibility for making a correct designation upon which the trustee can be expected to rely. To do so would provide both an incentive and a means to avoid the limitations proposed by these regulations with respect to the transferability of positions.

The same commentator also suggested that the Commission should make clear whether the term "transfer," as used in the proposed rules, has the same meaning as in section 101(40) of the Code,[38] and in particular, to what extent

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holding proprietary accounts as defined by the Commission to be non-public customers to those of public customers.

[32] 46 FR at 57538, *supra* n. 9.

[33] 17 CFR 1.53.

[34] *See* Futures Trading Act of 1982, Pub. L. No. 97-444, § 216, 96 Stat. 2294 (amending 7 U.S.C. 7a(12)).

[35] 11 U.S.C. 765(a)(2) and 766(c).

[36] 17 CFR 1.61(b).

[37] 7 U.S.C. 7a(12), *as amended*, *supra* n. 34.

[38] Section 101 (40) has been redesignated as Section 101 (41) by § 1(a)(1) of the Amendments.

a liquidation would be considered a transfer. In this connection, the Commission notes that section 764(b)[39] of the Code, which permits the Commission to insulate certain transfers from avoidance, also provides for the separate treatment of liquidations. Presumably the Commission can characterize under that section what liquidations are protected transfers without being bound by other Code provisions. For this reason, the Commission does not intend that the definition of the term "transfer" in these rules to be coextensive with that in section 101(40) of the Code which provides a very broad definition for purposes of the preference section of the Code, which are not really germane to most of the subchapter IV provisions concerning transfers of commodity contracts. In addition, the Commission wishes to point out that to the extent these rules contemplate the insulation of certain transfers from avoidance by the trustee, they are very specific as to the intended scope of the term transfer.

Two commentators requested that several other terms used in the proposed rules be specifically defined, including the terms "commodity interest", "deficit" and "bulk transfer." In response to these suggestions, the Commission is deleting the term "commodity interest" wherever it occurs to avoid any possible confusion as to its meaning and substituting the defined term, "commodity contract." With respect to the use of the term "deficit," the Commission has provided further guidance in the sections of this release which discuss those rules in which that term is used. If no specific discussion appears, the Commission intends that the definition of that term shall be the same as that contemplated by Commission Rule 1.17.[40] Finally, the meaning of the term "bulk transfer" is implicit in the rules. That term is intended to encompass a transfer of all or a portion of the open commodity contracts of the debtor at one time other than upon an individual customer's instruction. Such transfers would generally be in accordance with section 764(b)(1) of the Code and §§ 190.06 (e) and (f) of this part.

Operation of the Debtor's Estate Prior to the Primary Liquidation Date

Notice to the Commission and to Designated Self-Regulatory Organization. Section 190.02(a)(1) of the proposed rules would have required that a commodity broker give notice to the Commission of a petition in bankruptcy filed by it or filed against it within Twenty-four hours after the filing. One of the commentators expressed concern that a clearing organization might be at risk in the exercise of its rights, such as the right to liquidate open commodity contracts within five days of the filing of the bankruptcy petition, if the required notice were not given but the clearing organization acted in good faith unaware of whether notice was given. In this connection, several commentators recommended that the Commission add to § 190.02(a)(1) an exculpatory clause to the effect that failure to give the required notice would not affect actions taken by a clearing organization in good faith. The Commission appreciates the clearing organizations' concerns but believes that the rights of a clearing organization do not hinge in this instance upon notice to the Commission and, furthermore, that recent amendments to the Code, and in particular the addition of Section 556,[41] provide adequate protections for clearing organizations. That section generally protects a clearing organization's right to liquidate a commodity contract pursuant to contractual agreement and to receive variation or maintenance margin payments from a trustee free of the stay provisions of the Code.[41]

It should also be noted that the time period allotted for the transfers of commodity contracts which may be protected from avoidance under Section 764(b) is set by statute which the Commission is without discretion to relax, and that the same amendments alleviate the most difficult timing problem under the Code. As originally enacted, in involuntary cases, the time period during which account transfers which could not be voided ran from the time of the filing of the petition rather than from the entry of the order for relief.[43] This provision has now been changed to the latter time period.[44]

Nonetheless, in response to the commentators' concerns, the Commission is providing that a contemporaneous notice of filing be given to the debtor's designated self-regulatory organization and suggests that the self-regulatory organizations also adopt their own rules to assure notice from a member debtor. Although some comments suggested that the debtor should be required to notify the clearing organizations of which it is a member, any carrying brokers with which it deals, and all self-regulatory organizations to which it belongs, the Commission believes that notice to a debtor's designated self-regulatory organization, the entity responsible for monitoring the financial status of the commodity broker, is sufficient.[45]

Other parties commenting on proposed § 190.02(a)(1) observed that it may not be possible for a commodity broker to give the required notice to the Commission within the prescribed 24-hour period after such filing. The Commission agrees that if an involuntary petition were filed on a Friday, for example, the commodity broker itself might not receive notice within the requisite 24 hours. Thus, the time requirement of this rule has been changed such that in the case of an involuntary petition, the commodity broker must notify the Commission and its designated self-regulatory organization as soon as possible after receiving notice of the filing, but no later than one business day thereafter.

With respect to a voluntary filing, the Commission has modified the language to state expressly that notice shall be given at least contemporaneously with the filing but may be given prior thereto. This raises no problems for the broker who will know when it intends to make such a voluntary application. In fact, the Commission strongly encourages the giving of advance notice in a voluntary case and wishes to underscore the fact that any such early notice will be kept confidential. Early notification of the

[39] 11 U.D.C. 764(b).

[40] 17 CFR 1.17.

[41] Section 6(a) of the Amendments added section 556 to the Code.

[42] New section 556 (to be codified at 11 U.S.C. 556) reads as follows: "The contractual right of a commodity broker or forward contract merchant to cause the liquidation of a commodity contract, as defined in section 761(4), or forward contract because of a condition of the kind specified in section 365(e)(1) of this title, and the right to a variation or maintenance margin payment received from a trustee with respect to open commodity contracts or forward contracts, shall not be stayed, avoided, or otherwise limited by operation of any provision of this title or by the order of a court in any proceeding under this title. As used in this section, the term "contractual right" includes a right set forth in a rule or bylaw of a clearing organization or contract market or in a resolution of the governing board thereof."

The House Report accompanying this legislation states, however, that: "As used in this section [556], the right to liquidate a commodity contract is only the right to close out an open position. For example, the right to liquidate does not constitute the right to transfer cash, securities, or property held with respect to such contracts, except to the extent otherwise provided in this title."

H.R. Rep. No. 97-420, 97th Cong., 2d Sess. 586 (1982).

[43] *See* 46 FR at 57541, *supra* n. 9 (discussion of lengthy time lapse which could occur in an involuntary case between the filing of the petition and the adjudication of bankruptcy).

[44] Section 17(b) of the Amendments amending Section 764(b) of the Code.

[45] *See* Commission rules 1.3(ff) and 1.52, 17 CFR 1.3(ff) and 17 CFR 1.52. Of course, a vigilant designated self-regulatory organization should ordinarily be conscious of the approaching bankruptcy of one of its members.

Commission would be extremely important, for instance, in the case where a petition is filed late on a Friday afternoon. If so notified, the Commission could assist over the weekend in arranging transfers of accounts protected from avoidance by the trustee [46] so as to prevent a market reaction to the news of the bankruptcy from affecting the ability of the broker to effect such a transfer or from adversely affecting valuation. In general, early notice should assist in the prompt liquidation or transfer of open contracts held by the debtor.

One final point raised by the commentators with respect to proposed § 190.02(a)(1) was that, upon receipt of such notice, the Commission should designate a staff person to be available for consultation throughout the proceeding. In response to this and similar comments, the Commission has added a new provision, § 190.10(d) the final rules, which delegates to the Director of the Division of Trading and Markets or his designee most of the functions lodged with the Commission by the regulations.[47] For example, it authorizes the Director to monitor bankruptcy proceedings generally, to approve transfers of commodity contracts, and to extend or exempt a debtor from Commission-imposed time limits. In this connection, the Director may need to seek assistance from the heads of other units of the Commission and their staffs. (Commission staff has generally been available to assist trustees in connection with recent bankruptcies, the last of which was filed in 1980). However, trustees should be aware that the Commission would not be constrained to oppose a position taken by a trustee with which the Commission did not agree.

Notice as to Transfers under Section 764(b) of the Bankruptcy Code. Proposed § 190.02(a)(2) would have provided that by the close of business on the third business day after a petition in bankruptcy had been filed, the trustee, the applicable self-regulatory organization, or the commodity broker would be required to notify the Commission as to whether a "bulk" transfer of commodity contracts would be effected. (The final rule has been conformed to the recent amendment to Section 764(b) of the Code which makes this time period run from the date of the order for relief rather than from the filing of the petition.) [48]

One commentator recommended that a provision be added to proposed §§ 190.02(a)(2) to the effect that such a transfer would not be invalidated by the failure to give the required notice. However, the invalidation of such a transfer is precisely the result which the Commission intends. If no notice is required to insulate such transfers from later attack, there will be no incentive to inform the Commission and no way for the Commission to assure in advance that the transfer to be effected meets the pro rata requirements of these rules.

Another suggestion with respect to proposed § 190.02(a)(2) was that the Commission preclude the trustee from seeking a stay against a clearing organization. This point is now addressed by new Section 556 of the Code.[49] As already noted, that section expressly preserves the right of a carrying broker or clearing organization to liquidate a commodity contract free from the operation of the Code's stay provisions.

In fact, even independent of these rules, the very existence of Section 556 should create a strong incentive for persons affected by a bankruptcy to contact the Commission and the applicable carrying brokers and clearing organizations as soon as possible. In such a case, customers of the debtor, the commodity broker, and any potential transferee broker may need to provide prompt assurances that the carrying broker or clearing organization would not be exposed to undue risk during the negotiation and completion of a transfer of accounts and therefore need not exercise its right of liquidation. The existence of this section also means that customers with bargaining power, as a practical matter, may need to take an interest in providing such assurances at the time they enter into customer agreements.

One commentator requested that § 190.02(a)(2) be amended to permit a customer to order the liquidation or transfer of his contracts before the trustee undertook such action. This, however, would undermine the basic concept of a bankruptcy proceeding which is intended to ensure that no one obtains more than his pro rata share of the estate. The Commission notes that under these rules and the Code there is opportunity for customers to seek to control the disposition of open contracts and specifically identifiable property.[50]

Notice to Customers Concerning Instructions for Return of Specifically Identifiable Property Other Than Commodity Contracts. Proposed § 190.02(b)(1) would have required the trustee, within twenty-four hours of an order for relief, to publish a two-day notice to customers stating that all specifically identifiable property other than open contracts will be liquidated five days after the second-day notice if the customer has not instructed the trustee as to its return. The notice would be required to describe what constitutes specifically identifiable property in accordance with the Commission's definition.

Several commentators objected to the shortness of the twenty-four hour period, particularly if the order for relief were entered on a Friday, and suggested that one business day be substituted instead. The Commission agrees that twenty-four hours is not sufficiently flexible, and accordingly, has changed the requirement to two business days.[51] In this connection, the Commission also has provided exemptive relief from any non-statutorily imposed time limit contained in these rules.[52] This should further ease any hardship which might arise without discouraging the prompt action on the part of the trustee which is essential to the effective administration of a commodity broker bankruptcy.

An additional clarification is also required with respect to this section. Specifically, no notice need be given to owners or holders of dealer option contracts where the debtor is not a dealer option grantor. This is because such contracts are generally transferable without regard to the funded balance available to support their transfer.[53]

The Commission also wishes to point out that if a "bulk" transfer of open contracts is effected during the two business days following the entry of the order for relief, no § 190.02(b)(1) notice need be given to a customer whose specifically identifiable property has been transferred. Moreover, if a "bulk" transfer is completed after the notice has already been given requesting customer instructions as to the disposition of specifically identifiable property, those instructions must be forwarded to the transferee broker upon their receipt and the transferee must comply with them to the extent

[46] 11 U.S.C. 764(b), as amended.

[47] *See* discussion of this provision *infra*.

[48] Section 17(b) of the Amendments.

[49] *See* n. 42 *supra*.

[50] *See* § 190.02(b) of the rules and Section 765(a)(2) of the Code which require the trustee to seek customer instructions regarding the disposition of open contracts and specifically identifiable property.

[51] This two-day period has also been selected to conform to § 190.02(b)(2) so that the rules do not provide for numerous different time frames.

[52] § 190.10(b). The procedure under which such relief may be obtained is discussed more fully *infra*.

[53] *See also* § 190.06(f)(3)(i).

possible.[54] In such a case, the transferee is encouraged to contact those customers who may want to reevaluate their instructions in light of the transfer.

Other commentators thought that the language of the notice might lead to a misapprehension that open contracts and other property which are not specifically identifiable may not have to be liquidated. Minor technical amendments have been made to remove this misapprehenaion. In this connection and in response to specific comments requesting that the Commission provide a form of notice, the Commission has included a sample form which will satify the rule, if used, and which makes clear that liquidation can occur for other reasons.[55] In fact, § 190.02(b)(1), as adopted, specifically states that use of the sample notice provided by the Commission constitutes compliance with the notice requirement of § 190.02(b)(1).

On its own initiative, the Commission has made one other change to § 190.02(b)(1), as adopted, which requires that the notice also alert customers to the fact that, even if they instruct the trustee on a timely basis to return their property, it may nonetheless be liquidated it for any reason it has not been returned as requested. This amendment conforms the format of the section to that of § 190.02(b)(2).

Notice to Customers Concerning Instructions for Transfer or Liquidation of Certain Open Commodity Contracts. Proposed § 190.02(b)(2) required the trustee to request instructions from customers as to the preferred disposition of certain of their open contracts within forty-eight hours after entry of an order for relief. Commentators again suggested using two business days in case an order for relief were entered on a Friday. The Commission finds merit in this suggestion and has revised the final rule accordingly. Another commentator argued that such a time period was too short in general because typically the debtor's records are in disarray. Although sympathetic to this concern, the Commission believes a longer period of time would not be feasible. The number of customers who would have to be notified pursuant to this provision should not be too great, because only contracts contained in a hedging account for which a customer has not requested early liquidation are eligible for transfer on customer instructions.[56]

One commentor suggested that the Commission make clear that customers could direct the trustee to either transfer, if eligible, or liquidate their contracts before the expiration of the four business days subsequent to bankruptcy during which "bulk" transfers can be effected.[57] As noted above,[58] if a "bulk" transfer of all open contracts is arranged within two business days following the entry of the order for relief,[59] then the requirement of § 190.02(b)(2) to solicit customer instructions regarding the disposition of those open commodity contracts which are hedges would be unnecessary. In fact, to require the trustee to respond to instructions concerning individual accounts during the period immediately following a bankruptcy when the trustee might be negotiating with a potential transferee to accept a "bulk" transfer could hinder, or perhaps subvert entirely, that process. Of course, customers may send such instructions to the trustee, but he would not be required to honor them until expiration of the statutory period for "bulk" transfers or the conclusion of such a transfer.

One final recommendation with respect to proposed § 190.02(b)(2) was that it be revised to incorporate a description, in the rule itself, of those types of open contracts eligible for transfer by individual instruction, *i.e.*, bona fide hedge and dealer option contracts, rather than by allusion to § 190.02(f)(1). The Commission believes, however, that the reference to § 190.02(f)(1) is more precise as there are other conditions on transferability contained therein. Indeed, § 190.02(b)(2) would become too convoluted if the language of § 190.02(f)(1) were incorporated in full therein.

Notice to Customers Concerning Involuntary Bankruptcy Proceeding. Proposed § 190.0.2(b)(3) provided that in an involuntary bankruptcy proceeding, upon leave of the court, the trustee could notify customers of the proceeding and request customer instructions with respect to the disposition of certain property before entry of the order for relief. One commentator responded that the need to receive approval of the bankruptcy court was too burdensome given the restrictive time periods imposed by other provisions of the proposed rules. However, this potential difficulty has been eliminated by the Bankruptcy Act Amendments which changed the time during which "bulk" transfers can be effected in an involuntary case. As the order for relief is not entered until adjudication and as an adjudication would ordinarily take at least several weeks, even if uncontested,[60] ample time is now available for a trustee to obtain permission from the bankruptcy court before contacting customers.

Other minor technical changes have also been made to § 190.02(b)(3), as adopted. For reasons of style and precision, as noted above, the Commission deleted the language requesting customer instructions with respect to the "preferred disposition" of customer property, substituting instead a request for specific instructions as to the "return, liquidation or transfer" of such property.

Proof of Customer Claim. Section 190.02(d) of the proposed rules required the trustee to cause the proof of customer claim to set forth the bar date for its filing and to specify detailed information. Several commentators suggested that the degree of detail required was too burdensome, particularly with respect to customers who want to reclaim specifically identifiable property. The Commission believes that this is a valid concern and has amended § 190.02(d) to provide that the trustee need only request, in his discretion, that customers provide the information required by that rule to the extent reasonably possible. However, the Commission would like to make two points with respect to a proof of claim for specifically identifiable property. First, by definition, the property which is specifically identifiable is extremely limited. (§ 190.01(kk)). Second, if a customer were willing to pay full value into the estate under § 190.08(d)(1) (i) and (ii) to recover his specifically identifiable property, the trustee would need only proof of specific identification from the customer or the records of the debtor to process the claim. On the other hand, since the Code prohibits the return of specifically identifiable property which exceeds a customer's allowed pro rata share, if its return is sought under § 190.08(d)(1)(ii) the trustee will need detailed information from the

[54] *See* § 190.02(c). Rule 190.02(c) also answers a question posed by two of the commentators as to the extent to which customer instructions are binding on either the trustee or the transferee. As noted in the text, that rule provides that the transferee must comply with the instructions to the extent practicable. A similar standard would apply to the trustee.

[55] The sample notice appears in the Appendix to the rules.

[56] *See* §§ 190.01(kk)(2) and 190.02(f)(1).

[57] *See* Section 764(b) of the Code and § 190.02(a)(2).

[58] *See* discussion of § 190.02(b)(1).

[59] Two business days is the time period established by § 190.02(b)(2).

[60] *See, e.g.*, Jefferson National Investment Corporation, 80-00352 (Bank. Ct. M.D. Fla. 1980) in which the involuntary petition was filed on March 17, 1980 and the date set for the debtor's response was April 9, 1980. No order for relief could have been entered by the court before the date of the debtor's response.

customer to determine the funded portion of his estimated net equity.

In addition, one commentator was concerned that a public customer with a discretionary account could not render a description of "all transactions" for the 90-day period preceding the filing date as required by proposed § 190.02(d)(6). The Commission believes that there is merit to this concern and has consequently deleted that requirement from the final rules.

Transfers. Section 190.02(e)(1) of the proposed rules provided that the trustee for a commodity broker bankruptcy in a voluntary case must, as soon as possible, but in any event no later than four business days after the filing date, use its best efforts to effect a transfer of the open commodity contracts and equity held by the debtor for or on behalf of its customers. The Commission is making two changes to this provision. First, the term "order for relief" has been added in lieu of "filing date." Second, the paragraph has been amended to make that provision applicable to all cases. This is because as a result of the Bankruptcy Amendments the timing in both types of cases is now the same.[61]

In addition to certain suggested minor technical changes which have been made, the Commission received several other comments on this rule proposal. One commentator questioned the wisdom or desirability of holding hedge contracts open beyond the fourth business day inasmuch as the risk presented to the marketplace by such contracts is no less than for holding open speculative contracts. As stated in the Preamble to the proposed rules, however, the legislative history of the Code suggests that special treatment of hedge accounts was particularly intended.[62] This is because, as stated above, hedging accounts have an "intangible value" over and above the equity reflection of them.

Another commentator sugested reducing the four-day period. In this connection, the Commission notes that the Code (and the commodity Exchange Act) provide ample authority for the Commission to describe the period during which the trustee is required to operate the bankrupt estate and to determine the conditions for disposition of the property of the estate.[63] However, the Commission does not believe that sufficient justification exists to alter the four-day period proposed in § 190.02(e)(1) which is coincident with that established by the Code. First, this is the statutory limit during which such transfers are permitted free of a precise pro rate disposition. Of course, if the trustee determines no transfer is possible as in a case of severe under-segregation, then contracts may be liquidated as soon as such a determination is made. Indeed, the Commission would like to make clear that such transfers are generally expected to occur well before expiration of the four-day maximum. For example, as a practical matter, the Commission would not expect a clearing organization to wait more than one business day before closing out the open positions of an insolvent commodity broker unless the trustee or customers holding large positions provided sufficient assurances that variation margin payments would be met or of other security until such time as a transfer of those positions could be effected. Therefore, larger customers will need to act quickly in making appropriate arrangements if they are interested in transferring their open positions. In addition, pursuant to § 190.02(g)(3), the full amount of any margin payments made by a customer after the filing of a petition in bankruptcy is required to be credited to the funded balance of that customer's account. This should facilitate the payment of margin because such payments will not be diluted in a pro rata distribution.

The same commentator also expressed concern that the Commission in its discussion of proposed § 190.02(e) did not make sufficiently clear that Section 764(b) of the Code provides that the trustee may not avoid any transfer made within five days prior to the date of filing of the petition. In this regard, the Commission notes that its discussion of pre-bankruptcy transfers in the proposed rules directly addresses this commentator's concern.[64] Indeed, as the Commission has already pointed out, the Commission's minimum financial rules clearly contemplate that the transfer of customer accounts could occur in appropriate cases prior to bankruptcy. The operation of these rules would be severely impeded, absent a provision which allowed the Commission to insulate such transfers from avoidance as preferences, assuming that the transferor firm ultimately became bankrupt.[65] The regulations therefore provide that transfers which are made prior to the order for relief and which comply with § 1.17(a)(4)[66] of the Commission's rules, will be free from avoidance by the trustee notwithstanding the eligibility requirements of § 190.06(e). (§ 190.06(g)(1)). No change is therefore required to respond to the comment.

The same commentator further requested that the Commission make clear that a bulk transfer may consist of as many contracts as is feasible and not necessarily all contracts held by the debtor for its customers. The Commission notes, however, that § 190.06(f)(3) already makes clear that a trustee can effect a bulk transfer of less than all customer accounts. If the records of the debtor are in poor order, however, the trustee may deem it advisable not to make anything less than a bulk transfer except, of course, of certain dealer option contracts which can always be transferred, as noted above.[67]

Another commentator, in response to proposed § 190.02(e), requested that it be made explicit that the obligation of the trustee to seek to make transfers does not in any way inhibit the right of the clearing organization to liquidate any open positions of the bankrupt clearing member in accordance with its rules or by-laws. As already noted, the contractual right of the clearing organization to liquidate open positions has been made clear by the recent technical amendments to the Bankruptcy Code.[68]

A similar concern was also expressed with respect to proposed § 190.02(g)(1). It was noted that since "the trustee may make variation margin payments to a clearing member or to a clearing organization" prior to the primary liquidation date, the proposed rule may suggest that the trustee, in effect, enjoys the option to keep futures positions open and to not make variation margin payments. The Commission only requires the trustee to make payments of margin when payments are received after bankruptcy for that explicit purpose. Otherwise payment is at his option. Again, the Commission wishes to reiterate that the appropriate remedy for the clearing firm in this situation is to liquidate promptly all open positions pursuant to the authority granted by the amendments to the Bankruptcy Code.[69]

Liquidation or Offset. Section 190.02(f) of the proposed rules provides that, in a voluntary case, if no contracts are eligible for transfer pursuant to such section and no "bulk transfer" is possible under §§ 190.06(e) and (f), all

[61] Section 17(a) of the Amendments amended Section 764(a) of the Code.

[62] 46 FR at 57540, n.9 *supra.*

[63] *See* 11 U.S.C. 766 and 7 U.S.C. 24(a)(3).

[64] 46 FR at 57545, n. 9 *supra.*

[65] *See* 11 U.S.C. 764(b), *as amended*, n. 48 *supra.*

[66] 17 CFR 1.17(a)(4).

[67] *See* § 190.06(f)(3)(i).

[68] Section 6(a) of the Amendments added Section 556 to the Code, *see* n. 42 *supra.*

[69] *Id.*

open commodity contracts, except certain contracts which are hedges and are identified as such in specific records of the debtor and certain dealer option contracts, must be liquidated. The Commission received several comments on this provision. One commentator stated that the use of the Commission's current definition of bona fide hedging to identify the futures contracts eligible for transfer was too restrictive. That commentator requested that the commodity contracts eligible for transfer at customer request be broadened to include all hedging transactions involing futures or exchange-traded options, whether or not such transactions fall within the scope of Rule 1.3(z). The Commission believes that there is some merit to this comment. Thus, the Commission has amended § 190.02(f) to provide that commodity option transactions which have been determined by the contract market to be economically appropriate to the reduction of risks in the management of a commercial enterprise pursuant to rules which have been adopted in accordance with the requirements of § 1.61(b)(2) [70] and approved by the Commission pursuant to Section 5a(12) of the Commodity Exchange Act are eligible for transfer at customer request. This change would permit the transfer of those exchange-traded commodity option contracts which are not now subject to speculative position limits. The same commentator also stated that a hedger who wants his hedging positions held open for possible transfer in the event of the bankruptcy of the broker should be required to notify the broker prior to the entry of the order for relief. The Commission believes that such notice is already provided for by the rules. In this regard, § 190.06(d)(2) requires that FCMs maintain information in their accounting records concerning which hedge accounts should be transferred in bankruptcy. This section has been amended slightly but still permits a customer to provide the early notice suggested to be necessary by the commentator. The commentator further stated that the rules should also require the trustee to liquidate all hedging positions held by or through the debtor for which instructions are not timely received. Although § 190.03(b)(3) of the proposed rules so provided, §§ 190.02(f) and 190.02(b)(2) have been modified to make this point clearer. In addition, § 190.02(f)(1) has been amended to provide for the liquidation of a commodity contract which is either a long option on a physical which cannot be settled in cash and would be automatically exercised, has value, and would remain open beyond the last day for exercise, or is a short option on a physical which cannot be settled in cash. This change has been made to accommodate the rules to exchange-traded options as requested by the majority of commentators.[71]

Treatment of Open Commodity Contracts—Margin. Section 190.02(g)(1) of the proposed regulations authorized the trustee, in its discretion, to make margin payments on behalf of open commodity positions pending their liquidation regardless of whether they were specifically identifiable to a particular customer. However, the rules would not permit the trustee to make payments out of segregated funds on behalf of open commodity positions of the debtor or of non-public customers. One commentator recommended that the regulations make clear that the trustee has a duty both to liquidate any contracts for which the estate is not in a position to meet variation margin calls and to meet margin calls on any positions remaining open. The Commission would like to point out that the trustee's obligation to pay margin was originally intended by these rules to be discretionary because there existed a question as to whether the Code permitted the payment of margin with respect to open commodity positions that are not specifically identifiable. The recent amendments to the Code, however, explicitly provide that the trustee may meet all margin calls with respect to accounts held open by the debtor [72] and give the Commission the authority to prescribe rules in connection therewith.[73] Nonetheless, the Act clearly does not make the payment of margin an obligation imposed upon the trustee. This is because the remedy of a carrying broker or clearing organization of non-payment is liquidation, as made clear by section 556 of the Code. In addition, § 20 of the Commodity Exchange Act, as amended, gives the Commission clear authority to provide by rule or regulation the method by which the business of the commodity broker is to be conducted or liquidated after the filing of the petition.[74] Accordingly, § 190.02(g)(1) has been amended to provide that prior to the primary liquidation date, the trustee may, as appropriate, make variation or maintenance margin payments to any commodity broker carrying an account of the debtor. The trustee would be prohibited, however, from making margin payments from segregated customer funds for the benefit of the accounts of non-public customers or the debtor, or from making such payments for accounts which are in deficit which must be liquidated under § 190.02(g)(2).

Proposed § 190.02(g)(2) directed the trustee to make a margin call with respect to accounts which remain open for transfer pursuant to customer instructions as soon as possible and authorized the trustee to require that such calls be answered in one hour. In response to one commentator's suggestion, this subparagraph has been amended to make clear that a margin call may be made for any account pending liquidation, provided that no payments need be made to restore initial margin. Of course, if a margin call made by the trustee is not met, the trustee should liquidate the account.[75] This enables the trustee to take steps to prevent further erosion of the estate pending any bulk or partial transfer of customer accounts and also to keep such positions open if a transfer upon customer instructions is contemplated. Since open positions in an account with a negative net equity may not be transferred, the prompt liquidation of such accounts is required. As a practical matter, however, if the trustee does not take action to liquidate or transfer such accounts promptly, the open positions will be closed out by the carrying broker or clearing organization.

Proposed § 190.02(g)(3) stated that the full amount of any margin payment by a customer in response to a margin call by the trustee must be credited to the funded balance of the particular account for which it was made. Moreover, an amendment suggested to § 190.02(g)(1) makes clear that the trustee must make payments of margin if payments are received from customers. One commentator thought that it was unrealistic to expect customers to respond to margin calls from a trustee in bankruptcy. The Commission notes that the remedy for the customer in that case will be for him to direct the trustee to liquidate all his open positions. Several commentators also voiced concern that a customer who met a margin call from a trustee in bankruptcy would have his margin payment instantly diluted, thereby further reducing the funded balance in his account. The Commission wishes to make clear that such a result should not occur under the final rules.

[70] 17 CFR 1.61(b)(2).

[71] *See generally* Commission rules on exchange-traded options, 46 FR 54500 (Nov. 3, 1981) and 47 FR 56996 (Dec. 22, 1982).

[72] Section 6(a) of the Amendments added Section 556 to the Code, *see* n. 42 *supra*.

[73] Section 20(b) of the Amendments amends Section 20(a)(3) of the Commodity Exchange Act.

[74] 7 U.S.C. 24.

[75] § 190.02(g)(2).

Margin payments would not be distributed pro rata because, as in ordinary practice, they would be credited directly to the account for which they were made. Thus, the funded balance of a customer would be increased dollar-for-dollar for any margin payments and no dilution of the customer's funded balance would result. Minor adjustments have been made to the formula for calculating funded balance prior to the primary liquidation date to assure that result.[76]

Operation of Accounts Held Open for Transfer. Section 190.03 primarily addresses the operation, until liquidation is required, of any open contracts for which transfers may be made pursuant to instructions of a customer. Apart from certain technical changes which the Commission found unnecessary, a commentator noted that the requirement of proposed § 190.03 that new accounts be established for dealer options and hedging positions which are permitted to remain open after the primary liquidation date could be an unnecessary burden because the objective of that provision could be met by the generation of a new statement of account. The Commission agrees that the generation of such an account statement with the opening balance prescribed would satisfy its reasons for establishing new accounts and therefore has adopted the proposed change.

Proposed § 190.03(a)(4) provides that the full amount of any margin payments made by a customer subsequent to the primary liquidation date must be credited to the account for which it was made, so that such margin payments would not be subject to dilution in a pro rata distribution. The Commission is amending § 190.03(a)(4) to make clear that the trustee may make variation or maintenance margin payments with respect to the broker carrying any account referred to in § 190.03(a)(1), as appropriate, if such payments do not exceed the balance of the statement of account generated under that subparagraph to which such contracts are credited. The commentators noted that the rule, as proposed, could suggest that payments must be made to a clearing organization on a gross basis whereas most clearing organizations now clear on a net basis. The Commission did not intend by this rule to alter clearing procedures as they pertain to bankrupt estates and has modified the language of this provision to eliminate any such suggestion.

Proposed § 190.03(b) sets forth the terms upon which accounts which remain open pending customer instructions must be liquidated. One commentator requested that the Commission define the term "deficit" in this connection as there could be confusion as to whether that term meant a deficit in the "new" account. Deficit as used in § 190.03 is intended to mean that the new balance in the transfer account is at any time less than zero. The opening balance in such accounts must be equal to the funded balance of the customer on the primary liquidation date. If this balance were less than zero on that date, the contracts would be liquidated and no new transfer account would be generated despite the receipt of customer instructions. The Commission is, however, making explicit that a deficit means a deficit in the new account. In addition, in response to another commentator's suggestion, the Commission is making a minor technical revision to § 190.03(b) by deleting the words "for transfer" as that phrase is unnecessary and its deletion would not substantially affect the operation of the rule.

Operation of the Debtor's Estate—General

Compliance with Commodity Exchange Act. Proposed § 190.04(a), which is unchanged in the final regulations, requires a trustee to comply with the Commodity Exchange Act, as amended, ("Act")[77] and the Commission's regulations thereunder,[78] as if it were the debtor. One commentator argued that such a requirement added a significant burden to the estate and therefore should be deleted. The Commission, however, has no authority to relieve any person from compliance with the Act, nor does it believe that such an exemption would be desirable. In addition, if a particular provision of the Commission's rules is especially onerous, for good cause shown, a trustee may seek from the Commission, or the appropriate unit of the Commission, a "no-action" position or exemption.

Daily Funded Balance Computation. As proposed, § 190.04(b) required the trustee to compute a funded balance for each customer account which contains open commodity contracts as of the close of business each day subsequent to the filing date until the final liquidation date. One commentator objected that the burden imposed by this requirement was too great as contrasted with the benefit to be derived since the trustee would not need exact funded balance computations until a distribution is to be made. The Commission disagrees with this view on several grounds. First, it is incorrect that precise funded balance computations are not required until the time a distribution of funds is made. For example, pursuant to § 190.02(g)(2), the trustee must know the amount of the funded balance with respect to any account in which open commodity contracts are not required to be liquidated under § 190.02(f)(1) in order to determine if a margin call must be made. In addition, before making any transfers of open commodity contracts pursuant to Section 766 of the Code, § 190.08(d)(2) requires a customer requesting such transfer to first make a deposit with the trustee of a certain amount, the determination of which involves a calculation of the funded balances for each class of account of such customer.

Second, the funded balance calculation is merely an estimate of a customer's allowed claim as to any given class of account, and once the initial calculation is completed, adjustments should not be complicated. Before the primary liquidation date, the funded balance calculation for each customer account essentially consists of the percentage of assets of the estate available to pay such customer's claim plus adjustments to that amount for margin received to secure any open contracts. After the primary liquidation date, with respect to accounts which contain open contracts, the funded balance should exactly equal the balance in such customer's account statement which will be adjusted as a customer's statement would normally be adjusted for account activity. If there are no open contracts in a customer's account subsequent to the primary liquidation date, the Commission agrees that then there would be no need to actually compute the funded balance for each account until the time a distribution will be made unless events requiring subsequent adjustment, such as the recovery of funds, occur.

Although preserving the requirement of a daily calculation of funded balance, the Commission made one technical change to the final rule in changing the time when the computation must commence from the day following the filing date to the day following the entry of the order for relief. This change will have no effect in a voluntary bankruptcy because, in such a case, the filing of a petition in bankruptcy constitutes an order for relief.[79] As for an involuntary

[76] *See* § 190.07(c)(1)(ii).

[77] 7 U.S.C. 1 *et seq.* (1976 & Supp. V 1981), *as amended by* the Futures Trading Act of 1982, n. 34 *supra*.

[78] 17 CFR Chapter I.

[79] *See* Section 301 of the Code.

bankruptcy, this revision would remove an unnecessary requirement to calculate the funded balance of every open account each day during the period between the filing of the petition and the date the debtor is adjudicated bankrupt which is the date of entry of the order for relief.

Maintenance of Records. With respect to proposed § 190.04(c)(2) which required certain records of the trustee to be available to, among others, the parties to the bankruptcy proceedings, the Commission accepted the suggestion of one commentator to substitute the term "parties in interest" for the term "parties to the bankruptcy proceeding." The Commission accepted this suggestion because the former is a term of art used in several sections in the Code.[50]

Liquidation. Proposed § 190.04(d)(1) provided that liquidation of open contracts would be by open outcry except that, in appropriate cases, the Commission could permit liquidation or settlement by book entry as described therein. In response to one commentator's suggestion, in the final rule, the Commission deleted the word "futures" in the first line thereby broadening the scope of the provision to cover the liquidation of all open commodity contracts. As adopted, § 190.04(d)(1) has been divided into two paragraphs: one dealing with open outcry and the other concerning settlement by book entry. The Commission has retained, as proposed, the general requirement that liquidation must be by open outcry.[51] In addition, the Commission added, as a qualification to this general rule, the requirement of proposed § 190.04(d)(2) that any covered commodity which belongs to the debtor must be liquidated to the extent possible at the time of liquidation of its cover. The Commission has also incorporated in this rule the recommendation of several commentators as to the order of liquidation for all accounts. Consistent with that suggestion, under the amended rule a trustee must first liquidate "net" positions (*i.e.*, open contracts not "matched" on the books of the debtor by offsetting commodity contracts) and must thereafter liquidate "matching" long and short contracts in tandem. This is intended to reduce the exposure of the estate to loss.

The Commission has retained, in the second paragraph, the general provision on book entry liquidation—permitting liquidation by such method upon application to the Commission. The Commission has, however, refined the procedure for book entry contained in the rule. The proposed rule required that, for unmatched contracts, the execution price be equal to the average liquidation price for contracts in the same commodity for the same delivery month. As adopted, the rule provides instead that the execution price for such contracts is to be equal to the weighted average of the liquidation prices for contracts in the same commodity for the same delivery month and on the same contract market (an additional condition of identical offsetting contracts not formerly specified). By "weighted," the Commission simply means that weight would be given to the number of contracts offset at each liquidation price as follows. A conventional averaging of two prices—one at 20 and one at 30—would be 25 (50 divided by 2). Using a "weighted" average, each liquidation price would be multiplied by the number of contracts liquidated at that price before an average were determined. For example, if 5 contracts had been liquidated at a price of 20 to 10 at a price of 30, the weighted average would be calculated as follows:

$$\frac{5(20)+10(30)}{15}=26.67$$

Where there are no such "unmatched" open contracts, the execution price to be used in making book entries is to be the average of the opening and settlement prices of contracts in the same commodity for the same delivery month on the same contract market as of the close of business on the market day of the order for relief. It is expected that this will mitigate the market effect of the bankruptcy and also provide a fair and consistent valuation date.

Two other comments were made with respect to § 190.04(d)(1). The first was that if a clearing organization had an existing rule which was approved by the Commission and which provided for settlement or liquidation by book entry, then Commission approval should not be required because of the necessity for prompt action. The Commission believes, in general, that review is warranted, although where a clearing organization has such a rule in effect which is not inconsistent with § 190.04(d), the Commission would be disposed to follow it. Finally, one commentator requested that the rule be applied generally to clearing members which are not commodity brokers. The Commission notes, however, that § 1.38 currently permits contract markets to adopt rules concerning transactions which are noncompetitively executed.

Proposed § 190.04(d)(3) prohibited the trustee from purchasing new commodity contracts for customers except that, to prevent a material erosion in value, the trustee could cover uncovered inventory or contracts which could not be liquidated immediately because of limit moves or other market conditions, subject to Commission approval. Several commentators suggested that the provision be amended to clarify that the trustee may, however, enter into commodity contracts for the purpose of liquidating or closing out open contracts. The Commission concurs in this view and has amended the paragraph accordingly. The same parties also recommended that the prohibition against entering into new positions be further amended to permit the liquidation of a position in a month which is not trading because of position limits by means of a straddle into a month where the limit had not been reached. The Commission, in general, agrees with the view that the trustee should be able to take an offsetting position in a different month or strike price in order to extract a contract from a limit-up or a limit-down market, and has so amended the rule. Other commentators requested that a statement be added to the rule that the authority granted the trustee to effect cover transactions would not obligate the carrying broker or clearing organization to accept any such positions. The Commission does not believe such a qualification is warranted as there is no suggestion in this rule, or otherwise, that such an obligation would result. The final comment with respect to proposed § 190.04(d)(3) was a recommendation to delete the phrase "to prevent material erosion in value" which would have limited the cases in which cover transactions could be sought by the trustee on the ground that the use of the word "cover," by definition, establishes the necessary limitations. The Commission has accepted this recommendation but notes, in addition, that it believes cover transactions would generally be limited to this purpose.

Determination as to Bona Fide Hedges. Proposed § 190.04(e) (1)

[50] *See, e.g.*, Section 303(g) enabling a "party in interest" to request that the court appoint an interim trustee in an involuntary bankruptcy, and Section 502(a), concerning the ability of a "party in interest" to object to the filing of a claim in a bankruptcy proceeding.

[51] Commission Rule 1.38(a) generally provides, subject to certain exceptions, that all purchases and sales of commodity contracts must be executed by open outcry. 17 CFR 1.38(a).

provided that, in determining which contracts are eligible to be held open for transfer pursuant to customer instruction, the trustee may rely on the designation in the accounting records of the commodity broker that the account on behalf of which a contract is held is a bona fide hedging account. One commentator suggested an addition to this rule that any contracts carried in a bona fide hedging account be deemed to be bona fide hedging positions to correspond with language in other Part 190 rules which speaks of "bona fide hedging positions." [82] The Commission believes there is merit in this proposal and has adopted it although with some modification to conform it to other changes made to the rules pertaining to those commodity contracts which may remain open for transfer. In the final provision, the Commission has added to § 190.04(e)(1) a statement that commodity contracts maintained in a designated hedge account may be treated as specifically identifiable. This corresponds to the revised language of § 190.02(f)(1)(ii) that, subsequent to the entry of the order for relief and after any "bulk" transfer is attempted, specifically identifiable commodity contracts for which instructions not to liquidate have been timely received in accordance with § 190.02(b)(2) and noted in the broker's accounting records, may remain open.[83]

Disbursements. Proposed § 190.04(e)(2) prohibited the trustee from making any disbursements to customers prior to the final distribution except with the approval of the bankruptcy court or in accordance with the provisions governing distribution of customer property contained in § 190.08(d). One commentator inquired whether meeting a margin call on an open contract was not a distribution on behalf of a customer, and if so, noted that § 190.08(d) does not address this situation. The Commission agrees that this matter needs to be clarified and has therefore added a provision to § 190.08(d) [84] that the trustee may make payments of margin to a carrying broker or a clearing organization on behalf of a customer to maintain an open contract, but as provided in § 190.04(e)(2) may not make any distributions to customers except with the approval of the court.

Investment. The Commission has also adopted a stylistic change suggested by one of the commentators with respect to proposed § 190.04(e)(3) concerning the trustee's obligation to promptly invest the proceeds from the liquidation of open contracts and specifically identifiable contracts and the customer equity in accounts which remain open. The commentator suggested changing a reference in the rule from "such invested property" to "such obligations" to avoid any suggestion that the Commission was referring to the customer property itself. Although the Commission believes the reference could not really have been misinterpreted, it has nonetheless amended the rule as recommended.

Margin Calls. Proposed § 190.04(e)(4) provided that a reasonable time for meeting margin calls was deemed to be one hour or such greater period not to exceed one business day, as the trustee in his discretion determined. The Commission has accepted the comment offered by two parties that the rule should be clarified to apply only to margin calls issued by the trustee, and not to calls made to the trustee, who should not be given the discretion to wait up to one day to respond to a margin call received from a clearing broker or clearing organization.

Option Contracts. In its final rules, the Commission added a new paragraph (5) to § 190.04(e) which requires the trustee to use its best efforts to assure that a long option contract with value does not expire worthless. Such a rule is intended to remind the trustee that the exercise of such options with value is not necessarily automatic and that subject to the liquidation provisions,[85] he should attempt to maximize returns on options held by the estate. Of course, even absent a rule, this is an obligation of trustees generally.

Deliveries

General. Section 190.05 of the Commission's proposed regulations required that each contract market adopt rules to provide a mechanism for effecting deliveries outside the estate of a debtor so that the cash portion of a delivery transaction need not occur within a debtor's estate. As was explained in the Preamble to the proposed regulations, the differences in the delivery mechanisms of the different contract markets and the Commission's reluctance to interfere unnecessarily with such mechanisms, make it appropriate for each contract market to develop its own rules in this area. 46 FR at 57543. For the reasons given in the foregoing discussion of major issues and because of the complexity necessarily involved in achieving the proper treatment of a physical commodity or the price thereof which has been "captured" by the estate at the time of the order for relief, the Commission is adhering to the approach it originally proposed. The Commission understands that some contract markets already provide that delivery on the commodity underlying the contract not take place through the broker. (There is no need for a special rule on options on futures because if exercised into a futures contract, the rules for futures deliveries would apply.) It should be noted that the Commission's proposal calls only for effecting that portion of the delivery process which permits making or taking delivery on the commodity underlying and exchange-traded option on a physical commodity or a futures contract outside the estate. The proposal, which it is now adopting, in effect contemplates a separate settlement on the profit or loss in the futures or option contract which has been marked to market and on delivery or exercise, respectively. Thus, the procedure designed for effecting deliveries, as discussed more fully below, must be structured so that it does not reduce the equity of the estate in the commodity contract upon which delivery is made, which is property of the estate and must remain with the trustee for pro rata distribution. This is made clearer in the final rules by the addition of new § 190.05(a)(3), when read in conjunction with amended § 190.05(b)(2).

Notwithstanding the foregoing requirement, the Commission's proposal also dealt with property which had already become part of the estate (*i.e.*, which already had been deposited with the commodity broker) prior to bankruptcy. The commentators made several observations about the procedure for disposing of such property set forth in the Commission's proposed rules. First, they argued that although the rules provided a mechanism for extracting from the estate a physical commodity which had been previously deposited for the purpose of making or taking delivery, there was no similar mechanism for extracting the price of delivery of a commodity which had been paid into the estate prior to bankruptcy by either a payor, if delivery had taken place outside the estate, or by a payee who had previously tendered property to the estate for delivery. Second, they pointed out that the property or the price tendered to make or take delivery would only be recoverable on a pro rata basis and that this was essentially unfair

[82] *See, e.g.*, proposed § 190.02(f)(1)(ii) which exempted from the requirement to liquidate those open commodity contracts which are bona fide hedging positions. 46 FR at 57559–60, n. 9 *supra*.

[83] *See* discussion *supra* concerning the definition of specifically identifiable open contracts and the Commission's determination to make those contracts defined to be specifically identifiable coincident with those contracts eligible for transfer upon individual instructions.

[84] *See* § 190.08(d)(6).

[85] *See* 190.02(f)(1).

because such property or price was in the nature of "new money," much like deposits of margin after bankruptcy. Such deposits would generally bring the margin deposited with the debtor up to 100% of the notice price of the contract, as compared to the usual margin deposit of 2 to 10% of the value of the contract during the period the contract is carried prior to delivery. Third, they suggested that the rules be amended to accommodate options.

Each of these comments and suggestions has been addressed in the final rules. At the outset, the Commission wishes to clarify, as requested by one commentator, that these rules for delivery apply only to contracts which cannot be settled in cash. This is because it is the practice to make settlement on such contract by a final variation payment. Thus, with respect to cash settlement, there is no separation between settlement on the futures or options contract profit or loss and settlement on the underlying physical commodity, as for other contracts upon which delivery is made. Also, these rules should apply to only a very limited number of contracts. As a practical matter, only approximately 3% of all contracts result in delivery. Moreover, the trustee is specifically directed not to permit contracts over which he has control to go into a delivery position (*e.g.*, futures and long options) [86] and to offset immediately those contracts over which he has not control and the exercise of which would result in delivery (*e.g.*, short option contracts on physical commodities which cannot be settled in cash).[87]

Treatment of Certain Property as Specifically Identifiable. In order to cover the permutations which the commentators thought were not covered by the proposed rules, the Commission is adding two new categories of specifically identifiable property which basically are intended to make the "price" deposited for making or taking delivery specifically identifiable property. These sections (§§ 190.01(kk) (4) and (5)), when read together with § 190.01(kk)(3), as amended by this release for clarity and for purposes of implementing the delivery account provision (discussed below), and also with § 190.05(c)(1), should make any property or cash which becomes captured by the estate incident to delivery specifically identifiable property. It is important to note at this juncture that both the person with a commodity account with the debtor and the other party to the delivery transaction would be customers of the debtor once any portion of the delivery took place through the estate and as such would have a net equity claim against the debtor for the property or cash deposited with respect to delivery. This is because the definition of "customer" contained in the Code specifically includes any entity which holds a claim against the debtor arising out of the making of taking of delivery in a commodity contract.[88] Therefore, property or the price of property trapped in the estate should be extractable under either §§190.01(kk) (3), (4) or (5), and would be extractable relatively promptly on instruction, as it would be specifically identifiable property subject to return on customer instruction under § 190.08(d)(1)(ii).

Also, it should be noted that it will be possible prior to delivery for the person who is not a customer of the debtor prior to delivery, but who is taking delivery, to take or receive the property, even if it is in the estate, with no impact on his basic obligations because the payment of cash for the physical will be a contemporaneous exchange for value. Upon relinquishing the physical, the estate will have the cash payment therefor and will be neither augmented nor depleted thereby. Similarly, this would be true for the person who is making delivery where the cash deposited in the estate for delivery is the equivalent of the property delivered. The problem arises from the other side of these transactions—in the first instance, how does the customer who is making delivery extract the cash paid into the estate by the other party; in the second case, how does the customer seeking delivery receive release of the physical? These cases are now covered by the amended rules.

Delivery Accounts. The question remains in most cases as to how to mitigate the dilution effect of the pro rata provisions of the Code with respect to property or cash captured by the estate in the absence of any category of property which can be reclaimed in full. In this connection, the Commission believes that the best solution—and the one suggested by the commentators—is the creation of a separate class of accounts denominated "Delivery Accounts." The Commission is, therefore, adding in § 190.05(a)(2), an account class denominated "delivery accounts," to the other account classes. This account class contains only the property referred to in §§ 190.01(kk) (3), (4) and (5).

Property segregated on behalf of a delivery account, under the allocation provisions, will be allocated only to that account class. This means that although this property will not be distributed to the extent its value exceeds a claimant's net equity claim and will be distributed pro rata among claimants with delivery claims which are of the same class, it will not be diluted by other types of customer claims.[89] This solution reduces the dilution effect of proration without offending the basic principle of proration of equivalent claims. The Commission's broad authority with respect to deliveries should be noted in this connection.[90]

The practical effect of this change is that although such property will be recoverable under the terms of § 190.08(d)(1)(ii), as a practical matter, the payment necessary to return to the estate any value in excess of the claimant's funded balance should be minimal in the absence of other claims of the debtor against such claimant. In this regard, the Commission wishes to note that although the language of § 190.08(d)(1)(ii) dos not specifically reflect this possibility, if an identifiable property claim is for cash the trustee may merely deduct the difference from the amount of money to be returned and need not require a deposit.

Other Comments Regarding Delivery Provisions. One further change was made to § 190.05 at the request to the commentators. Specifically, that section has been amended to make clear that not only does the trustee have the obligation to make delivery of property within the estate, but also that the party to whom delivery is to be made has the concomitant obligation to take delivery.

Finally, the commentators suggested substituting for the delivery system designed by the Commission a direction instead that the parties and the trustee default on all contracts in deliverable position upon bankruptcy. The Commission believes that the system it has adopted is preferable to this suggestion and further notes that it is not entirely clear that default claims would be entitled to the customer priority.

Transfers

General. Section 190.06 deals primarily with those transfers of accounts which occur before a bankruptcy filing, pursuant to exchange rules or the Commission's minimum financial rules,[91] and those transfers

[86] § 190.02(f)(1).
[87] *Id.*
[88] *See e.g.*, 11 U.S.C. 761(9)(A)(ii)(III) (futures) and 11 U.S.C. 761(9)(E)(ii)(II) (options).
[89] § 190.08(c)(1); *see also* § 190.05(c)(1).
[90] *See* 7 U.S.C. 24.
[91] *See* 17 CFR 1.17(a)(4).

which occur within five business days following a bankruptcy filing which may be protected by Commission action from reversal by the trustee.[92] Section 190.06(a) is designed to ensure that existing board of trade rules or ad hoc procedures for transferring accounts would not conflict with the proposed regulations. One commentator was concerned that under the proposed rule a contract market might be obligated to adopt a rule which would require a clearing member to accept positions which would cause the clearing member to exceed position limits applicable under either contract market or clearing organization rules. Under these rules, the Commission is not requiring a contract market to adopt any such rule. Furthermore, the Commission wishes to make clear that no action will be taken by the Commission against a clearing member that accepts a transfer of open positions from the debtor which causes the clearing member to exceed the applicable position limits, provided that any excess open positions are retransferred to another clearing member within a reasonable time.

Notice of Transfers. Section 190.06(b) now requires that a commodity broker notify the Commission before any transfer of customer accounts not upon customer request or not in the ordinary course of business. Several commentators suggested that if the rule is to apply to transfers which are not motivated by the financial condition of the transferor, considerations of fair notice require that it be located in a more general part of the regulations. The Commission believes that the rule is intended primarily to apply to those situations where the continued existence of the commodity broker is threatened and has changed the rule to provide that the Commission be notified if the transfer is not at the request of the customer or not in the ordinary course of business.

Section 190.06(c) imposes three special finanical requirements for the transferees of commodity accounts which are intended to facilitate transfers. Subparagraph (2) of that rule permits a transferee to accept open positions which are not accompanied by sufficient margin for those positions only if it deposits in segregation enough of its own money to eliminate the deficiency. Several commentators noted that any deficiency in the account is something that exists at the FCM level, not at the clearing organization level. Therefore, the commentators were unclear as to why the Commission was proposing to require the transferee to make a deposit with the clearing organization. Moreover, they noted that in view of net clearing, the transferred contract may, in fact, reduce the transferee's margin obligations to the clearing organization. The Commission believes that this is a valid concern and has modified § 190.06(c)(2) to eliminate the requirement that the transferee deposit an amount equal to the margin deficiency with the appropriate clearing organization or FCM, although as a practical matter payments of margin up the market chain may be required in order to effect a transfer.

In response to one commentator's suggestion, the Commission is adding the phrase "for which notice is given under § 190.06(b)(2)" to §§ 190.06(c) (3) and (4) to make clear that the transfers referred to in those subsections only apply to transfers in bankruptcy cases.

The Commission is also revising proposed §§ 190.06(d) (1) and (2) to make it clear that the customer must indicate at the time of entering its first hedge position whether, in the event of bankruptcy, the customer prefers that open commodity contracts held in a hedging account be liquidated by the trustee without seeking such customer instructions. The purpose of these provisions is to give customers who do not care to receive a notice of bankruptcy requesting instructions as to disposition of their specifically identifiable contracts, to say so at the outset. It also enables commodity brokers to identify those accounts for which such instructions should be obtained in a way that will be comprehensible by a trustee. Although some commentators thought this an unnecessary burden, in discussing the bankruptcy notice provisions other commentators indicated it was highly preferable to obtain such information, if possible, prior to bankruptcy. The rule has, however, been modified to remove the requirement that these instructions be obtained by customer agreement and instead requires the commodity broker to provide the customer with an opportunity to give such instructions at the time the first hedging position is entered.

Section 190.06(e)(1)(v) provides that accounts which are in deficit are ineligible for transfer. One commentator recommended that the term "deficit" be defined as its meaning is unclear. The definition of the term "deficit" is one of common parlance and, for purposes of these rules, means a net equity of zero or less. It should be noted that as long as the net equity of a customer is greater than zero, unless the debtor's estate is a no asset estate, the funded balance will be greater than zero. Moreover, if the net equity is reduced below zero, the funded balance would remain at zero, thereby explaining why "net equity" deficits lead to dilution of the estate.

Section 190.06(e)(2) provides that no monies or property may be transferred in respect of an account which would exceed the customer's funded balance, *i.e.*, the customer's pro rata share of the estate as estimated at the time of transfer, less the value of any property previously transferred. At the time the rules were proposed, the Commission stated that it was not necessary that the transfers be strictly pro rata, but rather should approximate, to the extent possible, the distribution which should be made in bankruptcy.[93] One commentator pointed out that the limitation on the value of property being transferred to the funded balance may create problems in that the exact funded balance in any account may not be known at the time a transfer is made. The Commission has therefore added language to § 190.06(e)(2) to clarify that for purposes of this section, the funded balance is to be determined based on available information. There would not necessarily be liability for overpayments if the transfers were determined after the fact to be not strictly pro rata because Section 764(b) does not necessarily require pro rata distribution.

Section 190.06(f)(1) make every dealer option contract held by the debtor transferable whether or not the FCM had properly segregated the purchase price of the option, unless the customer on whose behalf the option was held owed money to the FCM. In response to one commentator's discussion of that provision, the Commission is adding language to make clear that the amount of customer funds transferred with open dealer option positions includes the funded balance of the grantor's claim against the debtor for the segregated portion of the purchase price owing to it on the transferred options less a reasonable reserve. As technically it is the purchase price of such options which is segregated, minor technical amendments have been made to reflect this.[94]

Rule 190.06(f)(3) provides that a trustee can make a bulk transfer of less than all of the customer's open commodity accounts. A partial transfer may be effected by liquidating that

[92] *See* 764(b) of the Bankruptcy Act, *as amended by* § 17(b) of the Amendments.

[93] 46 FR at 57545, n. 9 *supra*.

[94] *See* Commission Rule 32.6, 17 CFR 32.6 (segregation in connection with commodity option transactions).

portion of the open commodity contracts held by a customer which represents sufficient equity to permit the transfer of the remainder. One commentator was concerned that since partial transfers can be made on different days during the administration of the estate, it is unclear how limiting the amount of property that may be transferred to the funded balance in any account would apply as, the commentator believed, the funded balance would change on a daily basis. The Commission wishes to correct this misunderstanding as to the calculation of a customer's funded balance. In this regard, the customer's funded balance is the percentage of the estate available on the primary liquidation date to satisfy that customer's full equity claim. Thus, the customer's funded balance would be the customer's pro rata share of the estate on the primary liquidation date. The customer's funded balance generally would not change during the course of the administration of the estate unless the information available to the trustee changes or property is recovered which would increase the overall value of the estate. The Commission notes, however, that a customer may file a net equity claim even if, for example, its entire funded balance is transferred, if that amount is less than his net equity claim. In the event that the trustee recovered additional property of the estate, that claim would enable the customer to receive his increased pro rata share.

The Commission is also making clear that in general dealer option contracts held by an FCM should be transferred unless retained by the trustee as an offset against a claim the trustee has against the customer. This is because such contracts cannot be liquidated readily.

In response to a commentator's suggestion, the Commission is making a minor clarifying change to § 190.06(f)(3)(i) by adding the words "the transfer of" after "prefer."

Section 190.06(g)(1) protects certain withdrawals from the estate which occur prior to the filing date. The Commission received several comments on this proposal. In this connection, two commentators requested that the term "collusion" in § 190.06(g)(1)(ii)(A) be either defined or left to statutory enactment. The Commission disagrees. The Commission expects that the bankruptcy judge will make a determination as to the existence and the proper definition of collusion between the customer and the debtor on a case-by-case basis after full consideration of all relevant facts.[95] It is noted that other commentators felt that knowledge of imminence of financial disruption and the acquisition of a greater portion of the estate than that to which the transferee would have been entitled would not be collusion and that therefore collusion is too difficult to prove. The Commission notes that although it currently believes that the "collusion" rule is viable, it may be required to reexamine this issue if the purpose of the Code to adjust claims equitably is thereby frustrated. The Commission is, however, amending § 190.06(g)(1)(ii) to delete the phrase "on behalf of its public customers" in order to make this section applicable to transfers by a public customer which is a commodity broker, regardless of whether the commodity broker is acting on behalf of its public customers. Thus, if a commodity broker undertakes a transfer in its capacity as a public customer, such transfer would be protected from avoidance provided that the commodity broker did not act in collusion with the debtor or the transfer is not disapproved by the Commission. However, if a customer which was a commodity broker only withdrew its proprietary and not its customer property from a bankrupt estate, "collusion" would seem likely.

One commentator also stated that this provision seems to reimpose the preferential transfer avoidance power available to a trustee under Section 547 of the Code notwithstanding the fact that Section 764(b) of the Code prevents the trustee from avoiding transfers approved by the Commission thereunder on any ground. Although the Commission has been granted broad authority to adopt regulations pursuant to Section 764(b), it would not approve such transfers if they were somehow fraudulent. However, it is unlikely that a post-bankruptcy transfer under Section 764(b) which met the Commission's pro rata requirement would be fraudulent. In addition, several commentators requested that the Commission adopt a time limit within which the Commission may disapprove any such transfers pursuant to § 190.06(g)(1)(ii)(B). The Commission does not believe that adoption of a time limit is required as the Commission will obviously have to respond quickly if a transfer is to be practicable. In this connection, the Commission is granting the Director of the Division of Trading and Markets delegated authority to make the determination as to whether or not "transfers" of this kind should be expressly disapproved by the Commission.[96]

Section 190.06(g)(2) provides that no post-filing transfer is protected from a trustee's avoidance powers unless the Commission is properly notified, does not disapprove and such transfer is made within the appropriate time frame. In commenting on § 190.06(g)(2)(i)(B), one commentator noted that no standards or time limits are imposed upon the Commission to disapprove transfers. It is argued that this fact may prevent a clearing organization from requiring a transfer of contracts within 5 days of the petition. The Commission, however, does not believe that the imposition of a time limit is warranted. As the clearing organization can always liquidate open commodity contracts the Commission will necessarily need to act promptly if a transfer of contracts is to be undertaken by the trustee. As discussed above, authority to review such transfers has been expressly delegated to the Director of the Division of Trading and Markets.[97] Other commentators remarked that there was no reason why the protection against voidability in §§ 190.06(g)(2)(i) and (ii) should be limited solely to preferences. The Commission agrees and has deleted the term "as a preference" from the rule. Finally, the Commission received comments stating that it is not clear what mechanism the Commission would use to effect a transfer. The Commission has therefore amended § 190.06(g)(2)(ii) to refer to those accounts which are transferred "at the direction of" the Commission. As that rule makes clear, the Commission is permitted to direct such transfers of customer accounts according to any terms and conditions which it may deem appropriate.

Section 190.06(g)(3) provides that withdrawals by a public customer which occurred in the ordinary course of business such as the routine settling of accounts, could not be attacked as voidable preferences. In response to one commentator's suggestion, the Commission is amending § 190.06(g)(3) to extend the protection against avoidance of transfers to public customers which are commodity brokers.[98]

[95] Notz v. Gerstenberg & Co. (In re Chicago Discount Commodity Brokers, Inc.), 80-B-14472 (Bank. Ct. N.D. Ill.) (May 25, 1982) (motion for summary judgment denied because there remained genuine issues of material fact as to whether or not certain transfers were "made in the ordinary course of business" under § 547(c)(2)(C) of the Code and as to whether or not any of the transfers were "made according to ordinary business terms" under § 547(c)(2)(D) of the Code.)

[96] *See* §190.10(d).

[97] *Id.*

[98] *See* discussion *supra.*

Calculation of Allowed Net Equity

Equity Balance of Customer Account. Proposed § 190.07(b)(1)(i) prescribed the various items to be added together to obtain a calculation for "ledger balance," an element of the equity balance calculation required for each customer account. One of the items to be added to obtain this calculation is the cash proceeds of certain cash, securities, or other property held by the commodity broker. (*See* § 190.07(b)(1)(iii)(A)(*2*). A commentator proposed that this rule be specifically limited to the proceeds of property received in connection with commodity transactions; otherwise, the commentator noted, it could be read to apply to other unrelated transactions such as a securities transaction. The Commission is in full agreement with this comment and has so limited the application of the provision in the final rule.

Aggregation—Joint Accounts. Proposed § 190.07(b)(2)(x) provided that a joint account maintained with the debtor be deemed to be held in a separate capacity from any account held in an individual capacity by the participants in such account and from any other joint account, except that if a joint account were not transferred as permitted under § 190.06, a joint account would be deemed to be held in the same capacity as any other joint account held by identical participants and a participant's percentage interest in any joint account would be deemed to be held in the same capacity as an account held in an individual capacity by such participant. Two commentators raised the same two questions with respect to the proposed rule. One of the inquiries was whether the proposed aggregation rules for joint accounts were not inconsistent with Rule 1.22 which prohibits the use of one customer's funds to margin or settle the contracts of any customer.[99] The Commission does not believe there is a conflict between the two rules because the aggregation rules, in prescribing which accounts of a customer must be treated as being held in the same capacity, in essence define what is a "customer." Then, entirely consonant with § 1.22, § 190.07(b)(2)(xiii) expressly mandates that accounts held by a customer in a separate capacity are deemed to be accounts of different customers. Moreover, the aggregation rules do not come into effect until after the inception of a bankruptcy proceeding.

The second point raised by the commentators seems to reflect a misunderstanding of the proposed rule. The commentators appear to believe that the Commission's explanatory statement in the Preamble accompanying the proposed rules as to the effect of the rule [100] was inconsistent with the language of the provision. However, the Commission's statement in the Preamble only described the effect which the rule would have if identical parties had interests in more than one joint account; it did not make the additional point that, as the rule also requires, a participant's percentage interest in one or more joint accounts would also be aggregated with the participant's individual account interest. Thus, under the rule as both proposed and adopted, two account held by John and Mary, as husband and wife would be aggregated. Subsequently, the percentage interest of John and Mary in the remainder could be aggregated with their other individually-held accounts.

Setoffs. Rule 190.07(b)(3)(i), as proposed and as adopted, provides that the net equity of one customer account may not be offset against the net equity of any other. One commentator proposed that the Commission offset corporate and individual accounts where the controlling persons of the corporation also have individual accounts with the debtor. Such an approach, however, is not available to the Commission as it would be contrary to the Code and would also offend a basic principle of the doctrine of aggregation of accounts which generally requires that common forms of legal ownership be respected.[101]

A question was also raised as to the consistency of two provisions regarding setoffs—§§190.07(b)(3) (ii) and (b)(3)(iv). The former, as proposed, generally provided that any obligation which was not previously included in computing the equity of a customer and which was owed by a customer to a debtor would reduce the customer's net equity claim if any amount remained after being setoff against any obligation owed by the debtor to the customer. By contrast, proposed § 190.07(b)(3)(iv) provided that, to the extent any indebtedness of the debtor to the customer not included in the customer's net equity calculation exceeds any such indebtedness of the customer to the debtor, the customer claim constitutes a general creditor claim. The Commission notes, in response to the argument that the two sections are inconsistent, that they reflect two different legal concepts. The latter instruction embodies the notion of priorities, *i.e.*, whether a particular claim of a customer is entitled to priority treatment as a "customer claim" or not. The Code sets forth the parameters of the composition of a customer's net equity claim,[102] and any type of claim by a customer against the debtor not included therein constitutes a general claim against the estate, not a special customer claim to which priority in payment is provided. On the other hand, the former provision, requiring certain obligations of a customer to the debtor to be offset against the debtor's obligations to the customer and any balance remaining to the debtor's claim to be deducted from the customer's net equity claim, is prescribed by the Code in the definition of net equity.[103] In fact, in bankruptcy proceedings generally, the determination of net equity almost always involves setoffs of one class of claim against another.[104] The Commission therefore has retained the two provisions, as proposed, in full conformity with the dictates of the Code.

Net Equity of Accounts Which Remain Open Subsequent to the Primary Liquidation Date. Proposed §§ 190.07(b)(6) and 190.07(d)(1) and (2) required, with respect to a customer account containing commodity contracts which remain open after the primary liquidation, that certain identical adjustments be made to both the customer's net equity balance and the customer's funded balance to reflect activity in the account. One commentator argued that the application of any such gains and losses to both net equity and funded balance for events occurring prior to the primary liquidation date would produce a distorted result by counting such amounts twice as the term "net equity" is included in the ratio used for determining funded balance. This is correct and the Commission has made the necessary adjustment in the formula. Nonetheless, the Commission notes that the amount paid as margin apart from the formula must be added to both the customer's claim and the assets available to pay that claim dollar-for-dollar if it is not to be diluted. Thus, if customer A has a net equity claim of $10,000 and makes a margin payment of

[99] 17 CFR 1.22.

[100] 46 FR at 57549, n. 9 *supra*. The Commission there explained: "If * * * such [joint] accounts were required to be liquidated, the trustee in bankruptcy would be permitted to consider the underlying components of the account in making setoffs. To the extent two accounts had the same underlying participants, they could be combined or offset regardless of the various percentage interests owned by the participants."

[101] *See* 11 U.S.C. 763(a) and (c); *see also* 4 Collier, *On Bankruptcy*, ¶ 763.01 at 763–1 [15th ed. 1982].

[102] *See* 11 U.S.C. 761(17), *as amended*, n. 23 *supra*.

[103] *See* 11 U.S.C. 761(17)(A)(ii), *as amended*, n. 23 *supra*.

[104] *See* 11 U.S.C. 553.

$10,000 and that payment is not added to its net equity, to make the claim of A $20,000, the full $10,000 would be available to pay other customers. The reason the formula does not have to be adjusted for payments after the primary liquidation date is that it is computed as of the primary liquidation date.[105]

Calculation of Funded Balance. Proposed § 190.07(c)(1) contained a list of calculations to be performed to obtain a computation of each customer's funded balance. One commentator proposed adding a cross-reference to § 190.02(g)(3) which requires certain margin payments made by a customer to be credited to that customer's funded balance. The Commission agrees with this recommendation, but rather than adding a cross-reference, as suggested, has incorporated the substance of § 190.02(g)(3) directly into § 190.07(c)(1) itself.

Proposed § 190.07(d)(3), concerning certain adjustments required to be made to the funded balance calculation for operations subsequent to the primary liquidation date, required that any deficit not recovered against the customer on whose behalf it is incurred must be charged, in a proportionate amount, against the funded balance of each account which remains open on the date the deficit occurred. One commentator objected that this provision would unfairly penalize customers whose accounts contained open contracts and suggested instead that any such deficits be charged ratably to the funded balances of all customer accounts. The Commission appreciates the commentator's concern as to the impact of this rule. It should be remembered, however, that with respect to an account which remains open any profits which accrue subsequent to the primary liquidation date would be retained, whereas profits are not available with respect to those accounts which must be closed. In view of the potential additional benefits of maintaining open accounts and the bookkeeping problems associated with charging the full estate with such deficits, including persons who have previously obtained the return of their property,[106] the Commission has determined to adopt the rule as proposed. By this rule, the Commission hopes to minimize the already complex administrative and accounting responsibilities imposed on the trustee and to facilitate the liquidation process. In addition, as only certain customers are eligible to keep their contracts open for any significant time period during which margin payments must be made,[107] the number of persons affected by the requirements of § 190.07(d)(3) would not be great. Moreover, it should be noted that the affected parties will be aware of their potential liability in advance under this provision and may make their decision whether to keep an account open accordingly.

Valuation. Proposed § 190.07(e) prescribed various rules for valuing commodity contracts and other property held by or for a commodity broker for purposes of net equity computations. By that section, the trustee would also be permitted to use the average liquidation price of identical contracts and other property which were liquidated on the same date but which were not liquidated at the same price. One commentator suggested, and the Commission agrees, that a "weighted" average might be a more useful tool in that regard. The Commission's determination to accept a weighted average is based upon the reasons articulated above with reference to § 190.04(d)(1) concerning the method for valuing contracts for liquidation by book entry. The Commission there also added a provision permitting the use of a weighted average.

Proposed § 190.07(e)(1) provided in pertinent part that the value of an open commodity contract traded on a board of trade would equal the settlement price as of the close of business on the board of trade upon which it is traded except that if such a contract were transferred, its value would be determined as of the close of business on the date of its transfer. In response to a recommendation, the Commission has amended the requirement in the final rule concerning the valuation of contracts which are transferred such that their value would be determined at the time of transfer. The commentator had been concerned that the language of the proposal was confusing and might result in more than one valuation price as, for example, between the estate with respect to the transferee and the estate with respect to the customer.

Another comment regarding proposed § 190.07(e)(1) focused on its requirement that the value, for net equity purposes, of an exchange-traded contract which is liquidated be equal to the net proceeds of the liquidation. The commentator recommended instead that for such purposes, all exchange-traded contracts liquidated by the trustee be valued at the settlement price on the exchange where the contract is traded on the day prior to the entry of the order for relief. As explained by the commentator, such a requirement would eliminate differences in liquidation prices for identical contracts which result merely from the "vagaries of the market." The Commission, however, has no discretion in this regard. The Code defines net equity to mean, in pertinent part, the balance remaining in a customer's account immediately after all commodity contracts have been transferred, liquidated, or become identified for delivery.[108] Furthermore, if inequities result from valuing contracts at the time of liquidation, the introductory clause to § 190.07(e)(1) provides, as discussed earlier with reference to another comment, that if identical contracts (or other property) are liquidated on the same day but at different prices, the trustee may average the prices in computing each such customer's net equity. Thus, in its rule, the Commission has sought to make some accommodations for the "vagaries of the market." The Commission further wishes to remind commodity brokers generally that, regardless of what valuation date is chosen, there will be "winners and losers," *i.e.*, those persons which would have profited more or less if a different valuation date had been chosen.

Valuation of Principal Contracts. Proposed § 190.07(e)(2)(ii) established the procedure for valuing "principal" contracts (*i.e.*, contracts for which there is no established secondary market) where no cash price series had been approved by the Commission. Essentially, the proposal required that the value to be attributed to the underlying physical commodity would be, where no Commission-approved cash market series had been established, the lesser of the market value of the commodity on the local cash market most proximate to the debtor's principal place of business or the nearby delivery month price on a contract market which trades the commodity. It was suggested that the contract market value also be derived from the market most proximate to the debtor's principal place of business as was, in fact, stated in the Preamble[109] but overlooked in the rule, itself. This correction has been made in the final rule. In response to a further comment from the same party, the Commission has amended the rule to provide that where there is more than one local market trading the same commodity, the trustee should use the price of the most active market. In response to trustee

[105] *See* § 190.07(a).

[106] *See* §§ 190.02(b)(1) and 190.08(d)(1).

[107] *See* § 190.02(f)(1).

[108] Section 761(17)(A)(i) of the Code, *as amended*, n. 23 *supra*.

[109] *See* 46 FR at 57551, n. 9 *supra*.

concerns about the valuation date to use with respect to principal contracts, the Commission has also indicated that a principal contract should be valued as of the date of entry of the order for relief unless such contract has been specifically covered by the principal, in which case the valuation date should be the date the cover is liquidated. It is expected that, at least under current practice, the first alternative will be the most frequently applicable.

Valuation of Leverage Contracts. As proposed and as adopted, § 190.07(d)(2)(iv) provides that for leverage customers, notwithstanding the rules for valuing principal contracts, if the records of the debtor are insufficient to substantiate claims for profits and to identify losses, then the liquidation value of a leverage contract shall be deemed to be an amount equal to the total deposit made by a customer in respect to such contract. One commentator argued that leverage customers should have the same opportunity as other customers to present additional evidence in support of their claims. The Commission, however, disagrees with this view because only customers with records of profits would come forward to make claims. Thus, losses not apparent from the records of the debtor would go unaccounted.

Valuation of Bucketed Contracts. As proposed, § 190.07(e)(3) encompassed "illegal" contracts (*i.e.*, off-exchange futures contracts or prohibited commodity option contracts) as well as other contracts not actually established and provided that the value of an illegal contract or a futures contract which had not been established in fact would be equal to the value of the total deposit made by a customer in respect to such contract. As adopted, the reference to illegal contracts has been deleted consistent with the Commission's determination not to define illegal contracts in these rules.[110] Further, the Commission broadened the scope of the rule with respect to contracts not actually established by deleting the reference to "futures." The single commentator on this section contended that where a customer had obtained a final judgment based on a contract claim which, for example, awarded damages and such amount exceeded the customer's total deposit, the customer should be entitled to include such amount in his claim. However, the Code itself excludes such claims from customer property,[111] although they would constitute general creditor claims.

Allocation of Property and Allowance of Claims

Scope of Customer Property. One commentator requested that the Commission amend § 190.08(a) of the proposed rules to provide that funds and property segregated by a dealer option grantor pursuant to § 32.12(a)(3) (17 CFR 32.12(a)(3)) of the Commission's rules to cover the unrealized profits of option purchasers are not "customer property" under the Code unless the grantor is bankrupt. According to the commentator, the purpose of such an amendment would be to establish that these funds and property are not part of the estate of a bankrupt FCM which has sold the options to which they relate. The Commission is making no change to this provision. In this regard, the Commission notes that in the event a bankrupt FCM has sold options of a dealer option grantor, the dealer option grantor would be a customer of the FCM and would have a claim for the grantor's portion of the purchase price which is required to be segregated under Rule 32.12. If this were not the case, the grantor's claim could be interpreted to be a general creditor's claim which would be inconsistent with the Code's broad definition of customer in Section 761(9), as amended.

Two of the commentators remarked that with respect to the exclusions from customer property set forth in § 190.08(a)(2) it is difficult to understand how a claim against a debtor could ever constitute "customer property" since under Section 761(10) of the Code, the term "customer property" is defined as cash, securities, or other property received, acquired, or held by or for the account of the debtor. The Commission believes that the commentators may be correct in their observation. However, since persons may differ as to the meaning of the words "rights accruing to a customer as a result of a commodity contract * * *" (11 U.S.C. 761(1)(A)(ii)), the Commission has specifically excluded damage claims. Notably, this issue has been litigated in securities bankruptcies.[112] Another commentator requested that the Commission delete the term "rescission" from § 190.08(a)(2)(i) in order to alleviate any inconsistency between that provision and § 190.07(e)(3). The Commission believes that such a change would be particularly useful in light of its valuation rules for principal contracts and has amended § 190.08(a)(2)(i) accordingly.

Allocation of Property between Customer Classes. In commenting on proposed § 190.08(b), one commentator noted that if a non-public customer deposited margin which is the basis for a net equity claim in its account, there does appear not to be any reason why it should not be entitled to share in the customer estate to the same extent as public customers. The Commission wishes to point out that this concern has been directly addressed by the recent amendments to the Code which provide, among other things, that a customer net equity claim based on a proprietary account may not be paid either in whole or in part, directly or indirectly, out of customer property unless all other net equity claims have been paid in full.[113]

Distribution of Customer Property. Proposed § 190.08(d)(1) provides that specifically identifiable property (other than open commodity contracts) may be returned or transferred on behalf of the customer to which it is identified only if cash is first deposited with the trustee in an amount equal to the greater of (i) the full fair market value of such property on the date of its return or transfer or (ii) the balance due on the date of return or transfer of any loan by the debtor to the customer for which such property constitutes security. In this connection, several commentators expressed their opinion that proposed § 190.08(d)(1) is unnecessarily restrictive in that the customer must first deposit cash with the trustee in an amount equal to the full value of the property rather than merely depositing with the trustee cash equal to the difference between the value of the property and the customer's pro rata share of the estate.

In particular, these commentators questioned the Commission's contention with respect to its original proposal that no good estimate of a customer's pro rata share may be available in the early stages of a bankruptcy proceeding, especially as the Commission concedes that such an estimate may be made with respect to commodity contracts.[114] The Commission believes there is some merit to these concerns, but only in regard to specifically identifiable property which is not margining open commodity contracts. Accordingly, the Commission has determined to add a new subparagraph (ii) to § 190.08(d)(1) which would make the deposit necessary to obtain the transfer or return of

[110] *See* discussion *supra* in Definition Section.

[111] *See* Section 761(10) of the Code, *as amended*, n. 4 *supra*.

[112] *See* n. 101 and accompanying text at 46 FR at 57553, n. 9 *supra*.

[113] Section 19(d) of the Bankruptcy Act Amendments amending Section 766(h) of the Code.

[114] 46 FR at 57554, n. 9 *supra*.

specifically identifiable property other than an open commodity contract consistent with that which must be made to obtain the transfer of a specifically identifiable commodity contract. Because of this change, however, the Commission has narrowed the scope of § 190.01(kk)(6) so that customers cannot receive the early return of Treasury bills or other nonexempt securities as there is no policy reason to permit their early retrieval from the estate by their treatment as specifically identifiable property. The Commission is making no changes with respect to the amount of cash which must be deposited with the trustee in the case where the property is margining open commodity contracts. (§ 190.08(d)(1)(i)). As the commentators themselves pointed out, the requirements of proposed § 190.08(d)(1) are, of course, appropriate as commodity contracts cannot remain open without proper margin. The Commission's rules still provide that anyone who desires to do so may make a payment in full for the return of specifically identifiable property which will expedite completion of the proof of claim which is more complex if the trustee needs to establish actual net equity.[115]

Proof of Customer Claim. Proposed § 190.08(d)(4) provides that the trustee shall make no distribution prior to receipt of a completed proof of customer claim. One commentator suggested that the trustee should be permitted to release property upon receipt of the requisite information whether or not the proper form has been filed or upon receipt of less than full information if the trustee deems return appropriate in that instance. The Commission agrees with this comment and has amended § 190.08(d)(4) to provide that no distribution shall be made prior to receipt of a completed proof of customer claim as described in §190.02(d). As discussed above, § 190.02(d) has been amended to grant the trustee discretion in deciding the extent of information which is to be included in the customer proof of claim. Thus, § 190.08(d)(4), as amended, provides the trustee with discretion to determine whether a sufficient proof of customer claim has been received in order to make a distribution. Of course this determination would be subject to court supervision.

Member Property

Scope of Member Property. Section 190.09(b) delineates the scope of member property which may be used in the event of a clearing organization bankruptcy to pay that portion of the net equity claim of a member which is based on its house account. In the Preamble of the **Federal Register** release proposing these rules, the Commission noted that § 190.09(b) would treat any portion of a guaranty deposit of a member not needed to satisfy its obligations to the clearing organization as customer rather than member property to the extent that there was insufficient segregated property to satisfy claims based on clearing members' customer accounts.[116] The Commission received no comments objecting to this proposal. One commentator, however, requested that the Commission clarify the rule so that the purpose of the above-referenced preamble statement, which suggests that the guaranty deposit of one member could be applied net equity claims based on the customer accounts of other members, would be apparent from the rule itself. The Commission has added language to the final rule to make clear that a guaranty deposit of a member may be used to pay obligations of the clearing organization to customers of other members in the event of a clearing organization bankruptcy.

General

Notices. Proposed § 190.10(a) provided that all notices must be delivered to the Washington, D.C. office of the Commission for attention of the Director of the Division of Trading and Markets, and must be made by a telegram or similar rapid form of written communication. The Commission only received a stylistic suggestion from the commentators which the Commission has not accepted. The Commission wishes to reiterate, however, that although written notice is required, a commodity broker or trustee may, of course, contemporaneously notify the Commission by telephone in order to arrange transfers as expeditiously as possible.

Request for Exemption From Time Limit. The Commission has determined to amend its proposal by adding a new § 190.10(b). This new rule provides that the trustee or any person charged with the management of a commodity broker which has filed a petition in bankruptcy, or against which such a petition has been filed, may for good cause shown request from the Commission an exemption from, or extension of, any time limit prescribed by Part 190, with the exception that no such exemption or extension will be granted for any time period established under the Code. Sections 190.10 (b)(2) and (b)(3) set forth the terms and conditions under which such a request may be made. Section 190.10(b)(4) provides the Director of the Division of Trading and Markets with the sole authority to grant or deny such a request. In this regard, the Commission notes that this new rule is intended to provide a measure of flexibility to the operation of these rules. However, due to the fluctuating and often volatile nature of the commodity markets, the Commission generally anticipates that this section will be narrowly interpreted as it is primarily aimed at providing relief in extraordinary cases where unique hardship would otherwise occur, such as in the case of an extremely large commodity broker.

Delegation of Authority to the Director of the Division of Trading and Markets. The Commission also is adding a new § 190.10(d) to Part 190. (Proposed § 190.10(d) is redesignated as § 190.10(f) in the final rules). This new rule delegates to the Director of the Division of Trading and Markets and to such members of the Commission's staff acting under his direction as he may designate, the authority to perform all functions of the Commission set forth in Part 190 except the authority to approve or disapprove a withdrawal or settlement of a commodity account by a public customer pursuant to § 190.06(g)(3). It should be noted that § 190.19(d) empowers the Director of the Division of Trading and Markets to submit any matter which has been delegated to him under this rule to the Commission for its consideration whenever such action is deemed to be appropriate and specifically reserves to the Commission the right to exercise the authority delegated under this rule.

Forward contracts. Proposed § 190.10(c) expressly excluded forward contracts from the special protections accorded to customers by these regulations. One of the commentators stated that § 190.10(c) is unnecessary as the absence of any reference to forward contracts in the statutory definitions of the terms "commodity broker," "commodity contract," and "customer" of a commodity broker clearly establishes that claims based on forward contracts are not customer claims in commodity broker liquidation proceedings. In response, the Commission has retained the limiting language concerning forward contracts but has eliminated the definition which the commentator thought was too narrow or otherwise inaccurate. The Commission does not think it wise to leave it unclear whether its rules apply

[115] § 190.08(d)(1)(ii).

[116] 46 FR 57555–56, n. 9 *supra*.

to forward contracts. Prior to recent technical amendments, the Code referred to forward commodity contracts. The word "commodity" has now been eliminated from Code references to forward contracts.[117] Therefore, the Commission believes that a forward contract is a contract which is not a commodity contract, which is a defined term and thus no further definition is required.

Disclosure Statement. Proposed § 190.10(b) (final § 190.10(c)) is intended to advise customers who deposit non-cash margin of their right to its return upon the bankruptcy of the commodity broker. One commentator stated that this requirement should be eliminated because it concerns an area that is too complex for the average customer and thus would be meaningless. The Commission believes otherwise and wishes to reiterate its view that there is a special need for this disclosure document because a customer may ordinarily have the expectation that its right to the return of such property would be unaffected by the pro rata provisions of the Code. In view of the prior treatment of specifically identifiable securities in the bankruptcy of securities firms, this expectation would not be unreasonable and it is therefore imperative that appropriate disclosure to such customers be made. Again, the Commission wishes to note that such disclosure need only be made one time to each customer and only to those customers that deposit non-cash margin.

III. Effective Dates

The Part 190 rules are effective as to petitions in bankruptcy filed on or after 30 days from the date of this publication. The Commission, however, has delayed the effective date of § 190.05(b) until 90 days after the date of this publication to provide contract markets with sufficient time to adopt rules in accordance with the requirements set forth therein.

IV. Regulatory Flexibility Act Certification

In the proposal, the Chairman of the Commission certified, pursuant to the Regulatory Flexibility Act, that if the Part 190 rules where promulgated as proposed, they would not have a significant economic impact on a substantial number of small entities. However, the Commission specifically invited comment from any small firms which believed that these rules would have such an impact.[118] No comments were received on the certification. Accordingly, and for 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 the Part 190 rules will not have a significant economic impact on a substantial number of small entities.

V. Paperwork Reduction Act

As stated in the proposal, the Commission submitted to the Director of the Office of Management and Budget ("OMB"), concurrent with publication of the proposal, those proposed Part 190 rules which, if adopted, would contain the collection of information and recordkeeping requirements necessary to implement the Bankruptcy Act. This submission, which was made pursuant to the provisions of section 3504(h)(1) of the Paperwork Reduction Act of 1980 ("PRA"), Pub. L. No. 96-511, 94 Stat. 2817 (44 U.S.C. 3504(h)(1)), specifically sought approval of the information collection provisions of proposed §§ 190.04(e)(1), 190.06(b), 190.06(d), 190.10(a), and 190.10(b) (final § 190.10(c)) and the assignment of a control number. Approval from OMB was obtained and OMB control number 3038-0021 was assigned to the Commission's Part 190 regulations.[119]

VI.

List of Subjects in 17 CFR Part 190

Account class, Affiliate, Aggregation, Allocation, Allowed net equity, Bankrupt, Bankruptcy, Bona Fide Hedge, Claimant, Clearing organization, Commodity contract, Commodity option, Commodity option dealer, Customer claim, Customer priority, Customer property, Dealer option, Debtor, Delivery, Disbursement, Distribution, Equity, Filing date, Final net equity determination date, Foreign future, Foreign futures commission merchant, Funded balance, Futures commission merchant, House account, Illegal commodity contract, Insider, Involuntary, Joint account, Leverage contract, Leverage transaction merchant, Liquidation, Margin, Member property, Non-public customer, Notice, Open commodity contract, Option, Order for relief, Petition, Primary liquidation date, Principal contract, Proof of customer claim, Public customer, Security, Setoff, Specifically Identifiable Property, Transfer, Trustee, Valuation, Voluntary, Withdrawal.

TABLE OF DIFFERENCES BETWEEN PROPOSED AND FINAL RULES

Proposed rule	Final rule
§ 190.01(a)	Amended.
§ 190.01(f)	Amended.
§ 190.01(q)	Amended.
§ 190.01(s)	Amended.
§ 190.01(w)	Deleted; new § 190.01(w) added.
§ 190.01(dd)	Amended.
§ 190.01(ff)	Amended.
§ 190.01(gg)	Amended.
§ 190.01(hh)	§ 190.01(w).
§ 190.01(ii)	§ 190.01(hh); amended.
§ 190.01(jj)	§ 190.01(ii).
§ 190.01(kk)	§ 190.01(jj).
§ 190.01(ll)	§ 190.01(kk); amended.
§ 190.01(mm)	§ 190.01(ll).
§ 190.01(nn)	§ 190.01(mm).
§ 190.02	Amended.
§ 190.02(a)(1)	Amended.
§ 190.02(a)(2)	Amended.
§ 190.02(b)(1)	Amended.
§ 190.02(b)(2)	Amended.
§ 190.02(b)(3)	Amended.
§ 190.02(b)(4)	Amended.
§ 190.02(c)	Amended.
§ 190.02(d)	Amended.
§ 190.02(d)(6)	Deleted.
§ 190.02(d)(7)	§ 190.02(d)(6).
§ 190.02(d)(8)	§ 190.02(d)(7).
§ 190.02(d)(9)	§ 190.02(d)(8).
§ 190.02(d)(10)	§ 190.02(d)(9).
§ 190.02(d)(11)	§ 190.02(d)(10).

[117] *See, e.g.*, section 1(c) of the Amendments amending Section 101(36)(B)(iii) of the Code as so redesignated by section 1(a)(1) of the Amendments.

[118] 46 FR at 57556-57, n. 9 *supra*.

[119] Section 3507(f) of the PRA (44 U.S.C. 3507(f) (Supp. V 1981)) provides that no information collection request may be made without first obtaining from OMB a control number to be displayed upon such a request. As the information collection and recordkeeping requirements contained in the Part 190 rules do not prescribe the use of Commission forms, OMB has informed the Commission the publication of the assigned control number constitutes compliance with this requirement of the PRA. Section 3504(h)(3) of the PRA (44 U.S.C. 3504(h)(3) (Supp. V 1981)) generally requires the Commission to explain how any information collection provision contained in a final rule differs from the proposal and reflects comments made by the public or OMB. In this regard, minor technical and stylistic modifications were made to each such rule, but no changes were made which are material to the PRA.

More specifically, a question had been raised with respect to proposed § 190.06(b) as to the necessity for the requirement that the Commission be notified prior to any transfer of commodity contracts upon the request of a customer not in the ordinary course of business. As discussed more fully above, the Commission has clarified the final rule to require only advance notice of transfers which are not upon the request of a customer or not in the ordinary course of business. The Commission's concern is that it is these types of transfers which could be related to a firm's financial condition. In addition, the requirement in proposed § 190.06(d) that customers instruct their FCM as to their preferred disposition of hedge positions in the event of the FCM's bankruptcy and the FCM's corresponding obligation to record those instructions has been modified slightly. In the final rule, the FCM need only solicit such instructions at the time the customer enters into his first hedge transaction, not at the time he first opens his account, and the record of those instructions need only be kept in the FCM's accounting records and not in the customer agreement. Another change relevant to the PRA was to § 190.10(c) (proposed § 190.10(b)), which reduces the extent of the disclosure statement required to be provided by that section to certain customers; however, the requirement to furnish a disclosure statement to customers has been retained. No comments on any of the collection of information provisions in the proposed rules were received from OMB.

TABLE OF DIFFERENCES BETWEEN PROPOSED AND FINAL RULES—Continued

Proposed rule	Final rule
§ 190.02(d)(12)	§ 190.02(d)(11).
§ 190.02(d)(13)	§ 190.02(d)(12).
§ 190.02(e)(1)	Amended.
§ 190.02(e)(2)	Amended.
§ 190.02(f)	Amended.
§ 190.02(f)(1)	Amended.
§ 190.02(f)(2)	Amended.
§ 190.02(g)(1)	Amended.
§ 190.02(g)(2)	Amended.
§ 190.03(a)(1)	Amended.
§ 190.03(a)(2)	Amended.
§ 190.03(a)(3)	Amended.
§ 190.03(a)(4)	Amended.
§ 190.03(b)	Amended.
§ 190.03(b)(1)	Amended.
§ 190.03(b)(3)	Amended.
§ 190.03(b)(4)	Amended.
§ 190.03(c)	Amended.
§ 190.04(b)	Amended.
§ 190.04(c)(2)	Amended.
§ 190.04(d)(1)	§§ 190.04 (d)(1)(i) and (d)(1)(ii); amended.
§ 190.04(d)(2)	Incorporated in § 190.04(d)(1)(i).
§ 190.04(d)(3)	§ 190.04(d)(2); amended.
§ 190.04(e)(1)	Amended.
§ 190.04(e)(3)	Amended.
§ 190.04(e)(4)	Amended.
§ 190.04(e)(5)	New section.
§ 190.05(a)	§ 190.05 (a)(1), (a)(2) and (a)(3); new and amended.
§ 190.05(b)(1)	Amended.
§ 190.05(b)(2)	Amended.
§ 190.05(c)(1)	Amended.
§ 190.05(c)(2)	Amended.
§ 190.05(c)(3)	Amended.
§ 190.06(a)	Amended.
§ 190.06(b)	Amended.
§ 190.06(c)(2)	Amended.
§ 190.06(c)(3)	Amended.
§ 190.06(c)(4)	Amended.
§ 190.06(d)(1)	Amended.
§ 190.06(d)(2)	Amended.
§ 190.06(e)(1)	Amended.
§ 190.06(e)(2)	Amended.
§ 190.06(f)(1)	Amended.
§ 190.06(f)(3)	Amended.
§ 190.06(g)(1)	Amended.
§ 190.06(g)(2)	Amended.
§ 190.06(g)(3)	Amended.
§ 190.07(b)(1)	Amended.
§ 190.07(b)(2)(ix)	Amended.
§ 190.07(c)(1)	Amended.
§ 190.07(e)	Amended.
§ 190.07(e)(1)	Amended.
§ 190.07(e)(2)	Amended.
§ 190.07(e)(2)(ii)(B)	Amended.
§ 190.07(a)(3)	Amended.
§ 190.08(a)(2)(i)	Amended.
§ 190.08(a)(2)(v)	Amended.
§ 190.08(d)(1)(i)	Amended.
§ 190.08(d)(1)(ii)	Amended.
§ 190.08(d)(2)	Amended.
§ 190.08(d)(4)	Amended.
§ 190.08(d)(6)	New section.
§ 190.09(a)	Amended.
§ 190.09(b)	Amended.
§ 190.10(a)	Amended.
§ 190.10(b)	§ 190.10(c), § 190.10(c)(2); amended.
§ 190.10(c)	§ 190.10(e); amended.
§ 190.10(d)	§ 190.10(f).
§ 190.10(e)	§ 190.10(g); amended.
	New § 190.10(b) added.
	New § 190.10(d) added.

In consideration of the foregoing and pursuant to the authority contained in the Commodity Exchange act, as amended by the Futures Trading Act of 1982, Pub. L. No. 97–444, 96 Stat. 2294 (1983), and in particular sections 2(a), 4c, 4d, 4g, 5, 5a, 8a, 15, 19 and 20 thereof, 7 U.S.C. 2 and 4a, 6c, 6d, 6g, 7, 7a, 12a, 19, 23 and 24 (1976 & Supp. V 1981 and Pub. L. No. 97–444), and pursuant to the Bankruptcy Reform Act of 1978, as amended by the Bankruptcy Act Amendments, Pub. L. No. 97–222, 96 Stat. 235 (1982), and in particular, sections 362, 546, 548, 556 and 761–766 thereof, 11 U.S.C. 362, 546, 548, 556 and 761–766 (Supp. V 1981 as amended or added by Pub. L. No. 97–222), the Commission hereby revises Chapter I of Title 17 of the Code of Federal Regulations by adding a new Part 190. In adopting this Part 190, the Commission has taken into consideration the public interest to be protected by the antitrust laws and has endeavored to take the least anti-competitive means of achieving the regulatory objective of the Commodity Exchange Act.

Chapter I of 17 CFR is amended by adding a new Part 190 to read as follows:

PART 190—BANKRUPTCY

Sec.

190.01 Definitions.
190.02 Operation of the debtor's estate subsequent to the filing date and prior to the primary liquidation date.
190.03 Operation of the debtor's estate subsequent to the primary liquidation date.
190.04 Operation of the debtor's estate—general.
190.05 Making and taking delivery on commodity contracts.
190.06 Transfers.
190.07 Calculation of allowed net equity.
190.08 Allocation of property and allowance of claims.
190.09 Member property.
190.10 General.

Bankruptcy Appendix 1—Operation of the Debtor's Estate—Schedule of Trustee's Duties.

Bankruptcy Appendix Form 2—Request for Instructions Concerning Non-Cash Property Deposited With (Commodity Broker).

Bankruptcy Appendix Form 3—Request for Instructions Concerning Transfer of Your Hedge Contracts Held by (Commodity Broker).

Bankruptcy Appendix Form 4—Proof of Claims.

Authority: 7 U.S.C. 2 and 4a, 6c, 6d, 6g, 7a, 12a, and 24, and 11 U.S.C. 362, 546, 548, 556 and 761–766.

§ 190.01 Definitions.

For purposes of this part:

(a) "Account class" means each of the following types of customer accounts which must be recognized as a separate class of account by the trustee: futures accounts, foreign futures accounts, leverage accounts, commodity option accounts and delivery accounts as defined in § 190.05(a)(2): *Provided, however*, That to the extent that the equity balance, as defined in § 190.07, of a customer in a commodity option, as defined in § 1.3(hh) of this chapter, may be commingled with the equity balance of such customer in any domestic commodity futures contract pursuant to regulations under the Act, the aggregate shall be treated for purposes of this part as being held in a futures account.

(b) "Allowed net equity" means the amount calculated as allowed net equity in accordance with § 190.07(a).

(c) 'Bankruptcy Code" means, except as the context of the regulations in this part otherwise requires, those provisions of the Bankruptcy Reform Act of 1978, as amended from time to time, relating to ordinary bankruptcies (Chapters 1 through 5) and to liquidations (Chapter 7 with the exception of subchapter III), together with the federal rules of bankruptcy procedure relating thereto.

(d) "Business day" means weekdays, not including Federal holidays.

(e) "Clearing organization" shall have the same meaning as that set forth in Section 761(2) of the Bankruptcy Code and shall include any organization which clears commodity options which are traded on or subject to the rules of a contract market or a board of trade.

(f) "Commodity broker" means any person who is registered or required to register as a futures commission merchant under the Act including a person registered or required to be registered as such under Parts 32 and 33 of this chapter, and a "commodity options dealer," "foreign futures commission merchant," "clearing organization," and "leverage transaction merchant" with respect to which there is a "customer" as those terms are defined in this section.

(g) "Commodity contract" shall have the same meaning as that set forth in Section 761(4) of the Bankruptcy Code.

(h) "Commodity options dealer" shall have the same meaning as that set forth in Section 761(8) of the Bankruptcy Code.

(i) "Court" means the bankruptcy court having jurisdiction over the debtor's estate.

(j) "Cover" shall have the same meaning as that set forth in § 1.17(j) of this chapter.

(k) "Customer" shall have the same meaning as that set forth in Section 761(9) of the Bankruptcy Code.

(l) "Customer claim of record" means a customer claim which is determinable solely by reference to the records of the debtor.

(m) "Customer class" means each of the following two classes of customers which must be recognized by the trustee: public customers and non-public customers.

(n) "Customer property," "customer estate" are used interchangeably to

mean the property subject to pro rata distribution in a commodity broker bankruptcy which is entitled to the priority set forth in Section 766(h) of the Bankruptcy Code and includes certain cash, securities, and other property as set forth in § 190.08(a).

(o) "Dealer option" means an option granted, offered or sold pursuant to Section 4c(d) of the Act and the Commission's regulations thereunder.

(p) "Debtor" means an individual, association, partnership, corporation, or trust with respect to which a proceeding is commenced under subchapter IV of Chapter 7 of the Bankruptcy Code.

(q) "Equity" means the amount calculated as equity in accordance with § 190.07(b)(1).

(r) "Filing date" means the date a petition commencing a proceeding under the Bankruptcy Code is filed.

(s) "Final net equity determination date" means the latest of (1) the day immediately following the day on which all commodity contracts held by or for the account of customers of the debtor have been transferred, liquidated or satisfied by exercise or delivery, (2) the day immediately following the day on which all property other than commodity contracts held for the account of customers has been transferred, returned or liquidated, (3) the bar date for filing customer proofs of claim, or (4) the day following the disposition of all disputed claims.

(t) "Foreign future" shall have the same meaning as that set forth in Section 761(11) of the Bankruptcy Code.

(u) "Foreign futures commission merchant" shall have the same meaning as that set forth in Section 761(12) of the Bankruptcy Code.

(v) "Funded balance" means the amount calculated as funded balance in accordance with § 190.07(c).

(w) "House account" means any commodity account owned by the debtor.

(x) "In-the-money amount" means:

(1) With respect to a call option, the amount by which the valve of the physical commodity or the contract for sale of a commodity for future delivery which is the subject of the option exceeds the strike price of the option; and

(2) With respect to a put option, the amount by which the value of the physical commodity or the contract for sale of a commodity for future delivery which is the subject of the option is exceeded by the strike price of the option.

(y) "Joint account" means any commodity account held by more than one person and includes any account of a commodity pool which is not a legal entity.

(z) "Leverage transaction merchant" shall have the same meaning as that set forth in Section 761(14) of the Bankruptcy Code.

(aa) "Net equity" means the amount calculated as net equity in accordance with § 190.07(b).

(bb) "Non-public customer" means any person enumerated in § 1.3(y) of this chapter, who is defined as a customer under paragraph (k) of this section.

(cc) "Open commodity contract" means a commodity contract which has been established in fact and which has not expired, been redeemed, been fulfilled by delivery or exercise, or been offset by another commodity contract.

(dd) "Order for relief" means the filing of the petition in bankruptcy in a voluntary case and the adjudication of bankruptcy in an involuntary case.

(ee) "Premium" means the amount agreed upon between the purchaser and seller, or their agents, for the purchase or sale of a commodity option.

(ff) "Primary liquidation date" means the first business day immediately following the day on which all commodity contracts have been liquidated or transferred which are not being held open for later transfer in accordance with § 190.03.

(gg) "Principal contract" means a contract which is not traded on a board of trade, and includes leverage contracts and dealer options, but does not include transactions executed off the floor of a board of trade pursuant to rules approved by the Commission or rules which the board of trade is required to enforce, or pursuant to rules of a board of trade located outside the United States, its territories or possessions.

(hh) "Public customers" means any person defined as a customer under paragraph (k) of this section except a non-public customer.

(ii) "Security" shall have the same meaning as that set forth in Section 101(36) of the Bankruptcy Code.

(jj) "Short term obligation" means any security, note, or other obligation with a duration or maturity date of 180 days or less.

(kk) "Specifically identifiable property" means:

(1) With respect to the following property received, acquired, or held by or for the account of the debtor from or for the account of a customer to margin, guarantee or secure an open commodity contract:

(i) Any security which as of the filing date is:

(A) Held for the account of a customer;

(B) Rgistered in such customer's name;

(C) Not transferable by delivery; and

(D) Not a short term obligation; or

(ii) Any warehouse receipt, bill of lading or other document of title which as of the filing date:

(A) Can be identified on the books and records of the debtor as held for the account of a particular customer; and

(B) Is not in bearer form and is not otherwise transferable by delivery.

(2) With respect to open commodity contracts, and except as otherwise provided in paragraph (kk)(7) of this section, any such contract which:

(i) As of the filing date is identified on the books and records of the debtor as held for the account of a particular customer;

(ii) Is a bona fide hedging position or transaction as defined in § 1.3(z) of this chapter or is a commodity option transaction which has been determined by the contract market to be economically appropriate to the reduction of risks in the conduct and management of a commercial enterprise pursuant to rules which have been adopted in accordance with the requirements of § 1.61(b) of this chapter and approved by the Commission pursuant to Section 5a(12) of the Commodity Exchange Act; and

(iii) Is in an account designated in the accounting records of the debtor as a hedging account in accordance with § 190.04(e)(1).

(3) With respect to warehouse receipts, bills of lading or other documents of title, or physical commodities received, acquired, or held by or for the account of the debtor for the purpose of making or taking delivery or exercise from or for the account of a customer, any such document of title or commodity which as of the filing date can be identified on the books and records of the debtor as received from or for the account of a particular customer as held specifically for the purpose of delivery or exercise.

(4) Any cash or other property deposited prior to bankruptcy to pay for the taking of physical delivery on a long futures contract or for payment of the strike price upon exercise of a short put or a long call option contract on a physical commodity, which cannot be settled in cash, in excess of the amount necessary to margin such commodity contract prior to the notice date or exercise date which cash or other property is identified on the books and records of the debtor as received from or for the account of a particular customer within three or less days of the notice date or three or less days of the exercise date specifically for the purpose of payment of the notice price upon taking

delivery or the strike price upon exercise.

(5) The cash price tendered for any property deposited prior to bankruptcy to make physical delivery on a short futures contract or for exercise of a long put or a short call option contract on a physical commodity, which cannot be settled in cash, to the extent it exceeds the amount necessary to margin such contract prior to the notice or exercise date which property is identified on the books and records of the debtor as received from or for the account of a particular customer within three or less days of the notice date or of the exercise date specifically for the purpose of a delivery or exercise.

(6) Notwithstanding paragraph (kk)(1) of this section, fully paid, non-exempt securities identified on the books and records of the debtor as held by the debtor for or on behalf of the commodity account of a particular customer for which, according to such books and records as of the filing date, no open commodity contracts were held in the same capacity.

(7) Open commodity contracts transferred in accordance with the provisions of § 190.06.

(8) Except as is otherwise specified in this paragraph (kk), no customer property may be treated as specifically identifiable property.

(ll) "Strike price" means the price per unit multiplied by the total number of units at which a person may purchase or sell the physical commodity or the contract of sale of a commodity for future delivery which is the subject of a commodity option.

(mm) "Trustee" means, as appropriate, the trustee in bankruptcy apointed to administer the debtor's estate and any interim or successor trustee.

§ 190.02 Operation of the debtor's estate subsequent to the filing date and prior to the primary liquidation date.

Subsequent to the filing date and prior to the primary liquidation date, the debtor's estate shall be operated as follows:

(a) *Notices to the Commission and Designated Self-Regulatory Organizations.*—(1) *General.* Each commodity broker which files a petition in bankruptcy shall, at or before the time of such filing, and each commodity broker against which such a petition is filed shall, as soon as possible, but no later than one business day after the receipt of notice of such filing, notify the Commission and such broker's designated self-regulatory organization in accordance with § 190.10(a) of the filing date, the court in which the proceeding has been filed, and the docket number assigned to that proceeding by the court.

(2) *Of transfers under Section 764(b) of the Bankruptcy Code.* As soon as possible, but in no event later than the close of business on the third business day after the order for relief, the trustee, the applicable self-regulatory organization, or the commodity broker must notify the Commission in accordance with § 190.10(a) whether such entity or organization intends to transfer or to apply to transfer open commodity contracts on behalf of the commodity broker in accordance with Section 764(b) of the Bankruptcy Code and §§ 190.06 (e) or (f).

(b) *Notices to customers.*—(1) *Specifically identifiable property other than commodity contracts.* The trustee must use its best efforts to promptly, but in no event later than two business days after entry of the order for relief, commence to publish in a daily newspaper or newspapers of general circulation approved by the court serving the location of each branch office of the commodity broker, for two consecutive days a notice to customers stating that all specifically identifiable property of customers other than open commodity contracts which has not otherwise been liquidated will be liquidated commencing on the fifth business day after the second publication date if the customer has not instructed the trustee in writing on or before the close of business on the fourth business day after the second publication date to return such property pursuant to the terms for distribution of specifically identifiable property contained in § 190.08(d)(1) and, on the tenth business day after such second publication date, if such property has not been returned in accordance with such terms on or prior to that date. Such notice must describe specifically identifiable property in accordance with the definition in this Part and must specify the terms upon which that property may be returned. Publication of the form of notice set forth in the Appendix to this Part will constitute sufficient notice for purposes of this paragraph (b)(1).

(2) *Request for instructions regarding transfer of open commodity contracts.* The trustee must use its best efforts to request promptly, but in no event later than two business days after entry of an order for relief, customer instructions concerning the transfer or liquidation of the specifically identifiable open commodity contracts, if any, not required to be liquidated under paragraph (f)(1) of this section. The request for customer instructions required by this paragraph (b)(2) must state that the trustee is required to liquidate any such commodity contract for which transfer instructions have not been received on or before the close of business on the fifth business day after entry of the order for relief, and any such commodity contract for which instructions have been received which has not been transferred in accordance with § 190.08(d)(2) on or before the close of business on the tenth business day after entry of the order for relief. A form of notice is set forth in the Appendix to this Part.

(3) *Involuntary cases.* Prior to entry of an order for relief, and upon leave of the court, the trustee appointed in an involuntary proceeding may notify customers of the commencement of such proceeding and may request customer instructions with respect to the return, liquidation or transfer of specifically identifiable property, including open commodity contracts.

(4) *Notice of bankruptcy and request for proof of customer claim.* The trustee must promptly notify each customer of record in writing that an order for relief has been entered and must instruct each such customer to file a proof of customer claim containing the information specified in paragraph (d) of this section. Such notice may be given separately from the notices required by paragraphs (b) (1) and (3) of this section.

(c) *Disposition of customer instructions in the event of a transfer pursuant to Section 764(b) of the Bankruptcy Code.* If the debtor's open commodity contracts have been, or are to be, transferred in accordance with Section 764(b) of the Bankruptcy Code and § 190.06, customer instructions previously received by the trustee with respect to open commodity contracts, or with respect to specifically identifiable property which is to be transferred with such contracts, shall be transmitted to the transferee of such contracts or property who shall comply therewith to the extent practicable.

(d) *Proof of customer claim.* The trustee shall cause the proof of customer claim form referred to in paragraph (b)(4) of this section to set forth the bar date for its filing and to request that customers provide, to the extent reasonably possible, information sufficient to determine a customer's claim in accordance with the regulations contained in this Part, including in the discretion of the trustee:

(1) The class of commodity account upon which each claim is based;

(2) The number of accounts held by each claimant, and the capacity in which they are held;

(3) The equity as of the filing date of each account based on commodity transactions in that account;

(4) Whether each account is a public or a non-public customer account;

(5) Whether any account is a discretionary account;

(6) A description of all claims against the debtor not based upon a commodity account of the claimant;

(7) A description of all claims of the debtor against the claimant not included in the equity of a commodity account of the claimant;

(8) A description of any deposits of money, securities or property with the debtor made by the claimant indicating the portion of such, if any, which was contained in the information provided in paragraph (d)(3) of this section and identifying any such property which would be specifically identifiable property as defined in § 190.01(kk).

(9) Whether the claimant is or was an "affiliate," "insider," or "relative" of the debtor as these terms are defined by Sections 101 (2), (25), and (34), respectively, of the Bankruptcy Code;

(10) The amount of the claimant's percentage interest in any joint account;

(11) Whether the claimant wishes to receive payment in kind, to the extent possible, for any claim for securities; and

(12) Copies of any documents which support the information contained in the proof of customer claim, including without limitation, customer confirmations, account statements, and statements of purchase or sale.

A proof of claim form which may be used by the trustee is set forth in the Appendix to this part.

(e) *Transfers*—(1) *All cases.* The trustee for a commodity broker must immediately use its best efforts to effect a transfer in accordance with §§ 190.06 (e) and (f) no later than the close of business on the fourth business day after the order for relief of the open commodity contracts and equity held by the commodity broker for or on behalf of its customers.

(2) *Involuntary cases.* A commodity broker against which an involuntary petition in bankruptcy is filed, or the trustee if a trustee has been appointed in such case, must use its best efforts to effect a transfer in accordance with §§ 190.06 (e) and (f) of all open commodity contracts and equity held by the commodity broker for or on behalf of its customers and such other property as the Commission in its discretion may authorize, on or before the close of business on the fourth business day after the filing date, and immediately cease doing business: *Provided, however,* That the commodity broker may trade for liquidation only, unless otherwise directed by the Commission, by any applicable self-regulatory organization or by the court: And, *Provided further,* That if the commodity broker demonstrates to the Commission within such period that it was in compliance with the segregation and financial requirements of this chapter on the filing date, and the Commission determines, in its sole discretion, that such transfer or liquidation is neither appropriate nor in the public interest, the commodity broker may continue in business subject to applicable provisions of the Bankruptcy Code and of this chapter.

(f) *Liquidation or Offset.* After entry of the order for relief and subject to paragraph (e) of this section, which requires the trustee to attempt to make certain transfers permitted by § 190.06 and Section 764(b) of the Bankruptcy Code, the following commodity contracts and other property held by or for the account of a debtor must be liquidated or offset by the trustee promptly and in an orderly manner, subject to limit moves and to applicable procedures under the Bankruptcy Code:

(1) *Open commodity contracts.* All open commodity contracts except:

(i) Dealer option contracts, if the dealer option grantor is not the debtor, which cannot be transferred on or before the close of business on the fourth business day after the order for relief; and

(ii) Specifically identifiable commodity contracts as defined in § 190.01(kk)(2) for which an instruction prohibiting liquidation is noted prominently in the accounting records of the debtor and timely received under paragraph (b)(2) of this section.

Notwithstanding the foregoing, an open commodity contract must be offset if: such contract is a futures contract which would otherwise remain open beyond the last day of trading, or the first day on which notice of intent to deliver may be tendered with respect thereto, whichever occurs first; such contract is a long option on a physical commodity which cannot be settled in cash and would be automatically exercised, has value and would remain open beyond the last day for exercise; such contract is a short option on a physical commodity which cannot be settled in cash; or, as otherwise specified in these rules.

(2) *Specifically identifiable property other than open commodity contracts.* Specifically identifiable property other than open commodity contracts to the extent that:

(i) The fair market value of such property is less than 90% of its fair market value on the date of entry of the order for relief; or

(ii) The trustee has not received instructions to return, or has not returned, such property upon the terms contained in § 190.08(d)(1) on or before the end of the period set forth in paragraph (b)(1) of this section.

(3) *All other property.* All other property not required to be transferred or returned pursuant to customer instructions which has not been liquidated in accordance with paragraphs (f)(1) and (f)(2) of this section.

(g) *Treatment of open commodity contracts.*—(1) *Margin payments by the trustee.* Prior to the primary liquidation date, the trustee may make variation and maintenance margin payments to a commodity broker carrying the account of the debtor, as appropriate, pending liquidation of any open commodity contracts required to be liquidated under paragraph (f)(1) of this section, whether or not such contracts are specifically identifiable to a particular customer: *Provided,* That

(i) No payments may be made on behalf of accounts which are in deficit,

(ii) No payments may be made on behalf of non-public customers or the debtor from funds which are segregated for the benefit of public customers,

(iii) The trustee must make margin payments if payments of margin are received from customers after bankruptcy in response to margin calls, and

(iv) No payments need be made to restore initial margin.

(2) *Margin calls.* The trustee, or in the case of an involuntary bankruptcy, the commodity broker against which the petition is filed or the trustee if a trustee has been appointed, must issue margin calls with respect to any account in which the funded balance less the value on the date of return or transfer of any property previously returned or transferred does not equal or exceed:

(i) 100% of the maintenance margin requirements of the applicable board of trade with respect to the open commodity contracts in such account; or

(ii) If there are no such maintenance margin requirements, 100% of the clearing organization margin requirements applicable to the open commodity contracts in such account; or

(iii) If there are no maintenance margin requirements or clearing organization margin requirements, then 50% of the initial margin applicable to the open commodity contracts in such account;

Provided, That no margin calls need be made by the trustee to restore initial margin. A margin call for such accounts should be made as soon as possible following the order for relief and the trustee shall be authorized, but not obligated, to liquidate any account for which such margin call is not met within a reasonable time as defined in § 190.04(e)(4): *Provided,* That the trustee must immediately liquidate any account which is in deficit.

(3) *Margin payments by the customer.* The full amount of any margin payment by a customer in response to a margin call under paragraph (g)(2) of this section must be credited to the funded balance of the particular account for which it was made.

§ 190.03 Operation of the debtor's estate subsequent to the primary liquidation date.

Subsequent to the primary liquidation date, accounts which contain open commodity contracts not required to be liquidated under § 190.02 (f)(1) shall be operated by the trustee as follows:

(a) *Operation of accounts held open for transfer.*—(1) *Establishment of transfer accounts.* On the primary liquidation date, the trustee must generate a new statement of account for each class of account of a customer which contains a commodity contract not required to be liquidated under § 190.02(f)(1). The opening balance of such statement must be equal to its funded balance, less the value on the date of its transfer or return of any property transferred or returned with respect to the net equity claim for such account prior to the primary liquidation date.

(2) *Accounting for transfer accounts.* The opening balance of any statement generated on the primary liquidation date in accordance with paragraph (a)(1) of this section must be adjusted for operations on or subsequent to the primary liquidation date in the same manner as the equity in a commodity futures account maintained for or on behalf of a customer would adjusted in the ordinary course of business prior to the filing date: *Provided, however,* That such statement of account must also be adjusted to reflect certain adjustments to the funded balance in accordance with § 190.07(c)(2), such that the balance in that account will always be equal to the funded balance of the claimant's net equity claim adjusted for corrections and subsequent operations less the value on the date of transfer or return of any property transferred or returned with respect to that claim prior to the primary liquidation date.

(3) *Margin Calls.* The trustee must promptly issue margin calls with respect to any account referred to under paragraph (a)(1) of this section in which the balance does not equal or exceed 100% of the maintenance margin requirements of the applicable board of trade with respect to the open commodity contracts in such account, or if there are no such maintenance margin requirements, 100% of the clearing organization margin requirements applicable to the open commodity contracts in such account, or if there are no maintenance margin requirements or clearing organization margin requirements, then 50% of the initial margin applicable to the commodity contracts in such account: *Provided,* That no margin calls need be made to restore initial margin.

(4) *Margin payments.* The trustee may make variation or maintenance margin payments to the broker carrying any account referred to in paragraph (a)(1) of this section as appropriate if such payments do not exceed the balance of the statement of account generated under paragraph (a)(1) of this section with respect to which such contracts are credited. Any customer for which commodity contracts remain open subsequent to the primary liquidation date will not be relieved of the obligation to make margin payments by reason of the bankruptcy of the commodity broker: *Provided,* That the full amount of any margin payment made by a customer subsequent to the primary liquidation date must be credited to the account referred to in paragraph (a)(1) of this section for which it was made.

(5) *Distribution.* No distribution of equity may be made to or on behalf of customers by the trustee with respect to an account established in accordance with paragraph (a)(1) of this section, except pursuant to paragraph (a)(4) of this section and to § 190.08(d).

(b) *Liquidation of open commodity contracts.* Commodity contracts held open by the trustee in accordance with paragraph (a)(1) of this section must be liquidated promptly and in an orderly manner, if:

(1) Any payment of margin would result in a deficit in the account in which they are held;

(2) The customer for, or on whose behalf, the account is held fails to meet a margin call within a reasonable time;

(3) The trustee has received no customer instructions with respect to such contract by the close of business on the fifth business day after entry of the order for relief;

(4) The commodity contract has not been transferred in accordance with § 190.08(d)(2) on or before the close of business on the tenth business day after entry of the order for relief; or

(5) The commodity contract would otherwise remain open beyond the last day of trading in such contract or the first day on which notice of delivery may be tendered with respect to such contract, whichever occurs first.

(c) *Liquidation of specifically identifiable property other than open commodity contracts.* All specifically identifiable property other than open commodity contracts which have not been liquidated prior to the primary liquidation date, and for which no customer instructions have been timely received must be liquidated, to the extent reasonably possible, no later than the close of business on the fifth business day after final publication of the notice referred to in § 190.02(b)(1). All other specifically identifiable property must be liquidated or returned, to the extent reasonably possible, no later than the close of business on the tenth business day after final publication of such notice.

§ 190.04 Operation of the debtor's estate—general.

(a) *Compliance with the Act and regulations.* Except as specifically provided otherwise in this Part, the trustee shall comply with all of the provisions of the Act and of the regulations thereunder as if it were the debtor.

(b) *Computation of funded balance.* Using the information available, the trustee must compute a funded balance for each customer account which contains open commodity contracts as of the close of business each day subsequent to the order for relief until the final liquidation date. Such computation must be completed prior to noon on the next business day.

(c) *Records.*—(1) *Maintenance.* Subject to the requirements of the Bankruptcy Code, records of the computations required by this Part shall be maintained in accordance with § 1.31 of this chapter by the trustee for the greater of the period required by § 1.31 of this chapter or for a period of one year after the close of the bankruptcy proceeding for which they were compiled.

(2) *Accessibility.* The records required to be maintained by paragraph (c)(1) of this section shall be available during business hours to the Court, parties in interest, the Commission and the United States Department of Justice. At any time on or after the filing date, the commodity broker, or the trustee if a trustee has been appointed, shall be required to give the Commission and the

United States Department of Justice immediate access to all records of the debtor, including records required to be retained in accordance with § 1.31 of this chapter and all other records of the commodity broker, whether or not the Act or this chapter would require such records to be maintained by the commodity broker.

(d) *Liquidation.*—(1) *Order of Liquidation.* (i) *Open Outcry.* Liquidation of open commodity contracts held for a house or a customer account by or on behalf of a commodity broker which is a debtor shall be accomplished in accordance with § 1.38 of this chapter: *Provided,* That to the extent reasonably possible the trustee shall first liquidate all net positions and shall subsequently liquidate all long and short positions in the same commodity in the same delivery month on the same contract market in tandem: and, *Provided further,* That any covered commodity owned by a debtor shall be liquidated, to the extent reasonably possible, at the same time as its cover.

(ii) *Book entry.* Notwithstanding paragraph (1), in appropriate cases, upon application by the trustee or the affected clearing organization, the Commission may permit offsetting open commodity contracts to be liquidated, or settlement on such contracts to be made, by book entry. Such book entry shall offset such trades on the books of the commodity broker using an execution price equal to the weighted average of the liquidation prices for contracts in the same commodity for the same delivery month on the same contract market which are not matched on the books of the commodity broker, or if there are no such unmatched contracts, using the average of the opening price and the settlement price of contracts in the same commodity for the same delivery month on the same contract market as of the close of business on the market day of the order for relief.

(2) *Liquidation only.* Nothing in this Part shall be interpreted to permit the trustee to purchase or sell new commodity contracts for customers of the debtor except to offset open commodity contracts: *Provided, however,* That the trustee may, in its discretion and with approval of the Commission, cover uncovered inventory or commodity contracts of the debtor which cannot be liquidated immediately because of price limits or other market conditions, or may take an offsetting position in a new month or at a strike price for which limits have not been reached.

(e) *Other matters.*—(1) *Determination as to bona fide hedges.* In determining which commodity contracts are eligible to be held open for transfer pursuant to customer instruction, the trustee may rely on the designation in the accounting records of the commodity broker that the account for or on behalf of which the contract is held is a hedging account. Commodity contracts maintained in a hedging account may be treated by the trustee as specifically identifiable.

(2) *Disbursements.* The trustee shall make no disbursements to customers prior to final distribution except with approval of the court or in accordance with § 190.08(d).

(3) *Investment.* The trustee shall promptly invest the equity resulting from the liquidation of commodity contracts, and the proceeds of the liquidation of specifically identifiable property, in obligations of the United States and obligations fully guaranteed as to principal and interest by the United States, and may similarly invest any customer equity in accounts which remain open in accordance with § 190.03: *Provided,* That such obligations are maintained in a depository located in the United States, its territories or possessions.

(4) *Margin calls—reasonable time.* Except as otherwise provided in this Part, a reasonable time for meeting margin calls made by the trustee shall be deemed to be one hour, or such greater period not to exceed one business day, as the trustee may determine in its sole discretion.

(5) *Management of Long Option Contracts.* Subject to the applicable liquidation provisions the trustee must use its best efforts to assure that a long option contract with value does not expire worthless.

§ 190.05 Making and taking delivery on commodity contracts.

(a) *General.* (1) In the event that the trustee is unable to liquidate an open commodity futures contract subject to physical delivery or an option on a physical commodity, which cannot be settled in cash, prior to the last day of trading in that contract as required by §§ 190.02(f)(1) and 190.03(b)(5), the trustee must use its best efforts to prevent property which is to be delivered for or on behalf of a customer to fulfill that contract, or property for which delivery is being taken with respect to a customer pursuant to that contract, from becoming part of the debtor's estate.

(2) Delivery accounts shall be any account prominently designated as such in the records of the debtor which contains only the specifically identifiable property associated with delivery set forth in § 190.01(kk) (3), (4), and (5).

(3) The portion of the price or the proceeds of a commodity contract upon delivery which is not specifically identifiable property under § 190.01(kk) (4) and (5) must be distributed pro rata under Section 766(h) of the Code.

(b) *Contract market rules for deliveries on behalf of a customer of a debtor.* Each contract market shall adopt, maintain in effect and enforce rules which have been approved by the Commission in accordance with Section 5a(12) of the Act and § 1.41 of this chapter, which:

(1) Permit the making and taking of delivery to fulfill a commodity futures contract for a physical commodity or an option on a physical commodity, which has not become part of the debtor's estate on the date of the entry of the order for relief but with respect to which commodity contract:

(i) Trading has ceased on the date of the entry of the order for relief;

(ii) Notice of delivery has been tendered on or before the date of the entry of the order for relief; or,

(iii) Trading ceases before it can be liquidated by the trustee, to be effected directly between the customer of the debtor and the person identified by the clearing organization as the party to whom delivery should be made or from whom delivery should be taken by such customer of the debtor without intervention of the trustee and without including such physical commodity or the payment for such physical commodity in any bankruptcy distribution: *Provided, however,* That such rules shall not relieve a customer of its obligation to make or take delivery for the sole reason that delivery must be made or taken from a commodity broker which is a debtor; and

(2) Recognize that the equity of a customer of the debtor in a commodity contract upon which delivery is made or taken must be included in the net equity claim of that customer and, as such, can only be distributed pro rata at the time of, and as part of, any distributions to customers made by the trustee.

(c) *Delivery made or taken within the debtor's estate.* (1) Any property in a delivery account which is part of the debtor's estate on the date of the order for relief may be returned under the terms set forth in § 190.08(d)(1)(ii).

(2) If the property to be delivered is part of the debtor's estate on the date of the order for relief and a customer of the debtor is required to make delivery, the trustee must make delivery in the same manner as if no bankruptcy had occurred and the party by whom delivery is taken must pay the full notice price or strike price for delivery.

(3) If delivery is to be made or taken on behalf of a house account the trustee must either make or take delivery, as the case may be, on behalf of the debtor's estate: *Provided*, That if the trustee, at any time, takes delivery of a physical commodity, the trustee must convert that physical commodity to cash as promptly as possible.

§ 190.06 Transfers.

(a) *Transfer rules.* No self-regulatory organization or clearing organization may adopt, maintain in effect or enforce rules which:

(1) Are inconsistent with the provisions of this Part;

(2) Interfere with the acceptance by its members of open commodity contracts and the equity margining or securing such contracts from futures commission merchants, or persons which are required to be registered as futures commission merchants, which are required to transfer accounts pursuant to § 1.17(a)(4) of this chapter; or

(3) Prevent the acceptance by its members of transfers of open commodity contracts and the equity margining or securing such contracts from futures commission merchants with respect to which a petition in bankruptcy has been filed, if such transfers have been apprved by the Commission.

Provided, however, That this paragraph shall not limit the exercise of any contractual right of a self-regulatory organization or clearing organization to liquidate open commodity contracts.

(b) *Notice.* If a futures commission merchant, or a person required to be registered as a futures commission merchant, intends to transfer commodity contracts held by or for a commodity broker from or for the account of a customer to another person registered as a futures commission merchant and such transfer is not upon the request of that customer or in the ordinary course of business, the transferor must notify the Commission:

(1) If no petition in bankruptcy has been filed, as soon as possible but in any event prior to effectuation of the transfer; or

(2) If a petition in bankruptcy has been filed by or against such transferor, no later than is required under § 190.02(a)(2).

(c) *Financial requirements for transferees.* (1) No transfer may be made which would cause the transferee to be in violation of the minimum financial requirements set forth in this chapter.

(2) A transferee may accept a transfer of open commodity contracts even though the money, securities and other property eligible for transfer under the regulations contained in this Part is insufficient to fully margin such positions, if the transferee agrees to accept the transfer subject to any loss due to the failure to recover such deficiency from the customers whose contracts it has accepted or from the estate of the debtor.

(3) The transferee of a commodity contract for which notice is given under § 190.06(b)(2) must keep that contract open one business day after its receipt, unless the customer for whom the transfer is made fails to respond within a reasonable time to a margin call for the difference between the margin transferred with such contract and the margin which such transferee would require with respect to a similar commodity contract held for the account of a customer in the ordinary course of business.

(4) No commission may be collected by the transferor with respect to the transfer of an open commodity contract for which notice is given under § 190.06(b)(2).

(d) *Customer instructions.*—(1) *Customer instructions.* A commodity broker must provide an opportunity for each customer to specify when undertaking its first hedging contract whether, in the event of bankruptcy, such customer prefers that open commodity contracts held in a hedging account be liquidated by the trustee without seeking customer instructions.

(2) *Record of customer instructions.* Each futures commission merchant must indicate prominently in the accounting records in which it maintains open trade balances any customer accounts which are hedging accounts for which the customer has not specified that it prefers open contracts to be liquidated in bankruptcy by the trustee without instruction.

(e) *Eligibility for transfer under Section 764(b) of the Bankruptcy Code.*—(1) *Accounts eligible for transfer.* Subject to the requirements of paragraph (e)(2) of this section, all accounts are eligible for transfer after the filing date pursuant to Section 764(b) of the Bankruptcy Code, except:

(i) House accounts or the accounts of general partners of the debtor if the debtor is a partnership.

(ii) Leverage accounts, if the debtor is the leverage transaction merchant with respect to such accounts;

(iii) Dealer option accounts, if the debtor is the dealer option grantor with respect to such accounts;

(iv) Accounts which contain no open commodity contracts; or

(v) Accounts which are in deficit.

(2) *Amount of equity which may be transferred.* In no case may money, securities or property be transferred in respect of any eligible account if the value of such money, securities or property would exceed the funded balance of such account based on available information as of the close of business on the business day immediately preceding transfer less the value on the date of return or transfer of any property previously returned or transferred with respect thereto.

(f) *Special rules for transfers under Section 764(b) of the Bankruptcy Code.*—(1) *Dealer options.*

(i) *Eligibility for transfer.* Prior to exercise, any dealer option contract held by or for the account of a debtor which is a futures commission merchant from or for the account of a customer may be transferred even if the funded balance available for transfer which is attributable to such contract does not equal 100% of the portion of the purchase price required to be segregated with respect to such contract: *Provided*, That a dealer option contract will be eligible for transfer only if any deficiency in the funded balance of the customer account in which it is held is not due to amounts owed by such customer to the debtor; and, *Provided further*, That the transferee of any dealer option contract need not segregate more than an amount equal to that portion of the purchase price due the grantor which is transferred with the contract which should be equal to the grantor's funded balance in the portion of the purchase price segregated less any reasonable reserve established by the trustee for the nonrecovery of overpayments.

(ii) *Obligation of the dealer option grantor.* In the event of the transfer of a dealer option contract pursuant to this section, the failure of the debtor futures commission merchant to segregate 100% of the purchase price due the grantor for such contract, or the failure of the dealer option grantor to collect 100% of such purchase price due the grantor, shall not excuse the dealer option grantor from its obligation to perform such contract in full upon its exercise, without any setoff or set aside for the premium deficiency.

(2) *Clearing Organizations.* Commodity contracts held by a clearing organization which is a debtor may not be transferred.

(3) *Partial transfers.*—(i) *Of the customer estate.* If all eligible customer accounts held by a debtor cannot be transferred under this section, a partial transfer may nonetheless be made. The Commission will not disapprove such a transfer for the sole reason that it was a

partial transfer if it would prefer the transfer of accounts, the liquidation of which could adversely affect the market or the bankrupt estate. Any dealer option contract held by or for the account of a debtor which is a futures commission merchant from or for the account of a customer which has not previously been transferred, and is eligible for transfer, must be transferred on or before the close of business on the tenth business day after entry of the order for relief.

(ii) *Of a customer account.* If all of a customer's open commodity contracts cannot be transferred under this section, a partial transfer of contracts may be made. A partial transfer may be effected by liquidating that portion of the open commodity contracts held by a customer which represents sufficient equity to permit the transfer of the remainder. If any commodity contracts to be transferred in a partial transfer are part of a spread or straddle, both sides of such spread or straddle must be transferred or neither side may be transferred.

(g) *Prohibition on avoidance of transfers under Section 764(b) of the Bankruptcy Code.*—(1) *Pre-relief transfers.* Notwithstanding the provisions of paragraph (e) of this section, the following transfers may not be avoided by a trustee:

(i) The transfer of commodity accounts prior to the entry of the order for relief in compliance with § 1.17(a)(4) of this chapter unless such transfer is disapproved by the Commission; or

(ii) The transfer prior to the order for relief by a public customer, including a transfer by a public customer which is a commodity broker, of commodity accounts held from or for the account of such customer by or on behalf of the debtor unless:

(A) The customer acted in collusion with the debtor or its principals to obtain a greater share of the bankrupt estate than that to which it would be entitled in a bankruptcy distribution; or

(B) The transfer is disapproved by the Commission.

(2) *Post-relief transfers.* On or after the entry of the order for relief, the following transfers to one or more transferees may not be avoided by the trustee:

(i) The transfer of a customer account eligible to be transferred under paragraph (e) or (f) of this section made by the trustee of the commodity broker or by any self-regulatory organization or clearing organization of the commodity broker:

(A) On or before the close of business on the fourth business day after the entry of the order for relief; and

(B) The Commission is notified in accordance with § 190.02(a)(2) prior to the transfer and does not disapprove the transfer; or

(ii) The transfer of a customer account at the direction of the Commission on or before the close of business on the fourth business day after the order for relief upon such terms and conditions as the Commission may deem appropriate and in the public interest.

(3) *Withdrawals prior to bankruptcy.* The withdrawal or settlement of a commodity account by a public customer including a public customer which is a commodity broker, prior to the filing date may not be avoided by a trustee unless:

(i) The customer making the withdrawal or settlement acted in collusion with the debtor or its principals to obtain a greater share of the bankruptcy estate than that to which such customer would be entitled in a bankruptcy distribution; or

(ii) The withdrawal or settlement is disapproved by the Commission.

(h) *Commission action.* Notwithstanding any other provision of this section, in appropriate cases and to protect the public interest, the Commission may:

(1) Prohibit the transfer of customer accounts; or

(2) Permit transfers of accounts which do not comply with the requirements of this section.

§ 190.07 Calculation of allowed net equity.

Allowed net equity shall be computed as follows: (a) *Allowed claim.* The allowed net equity claim of a customer shall be equal to the aggregate of the funded balances of such customer's net equity claim for each account class plus or minus the adjustments specified in paragraph (d) of this section.

(b) *Net equity.* Net equity means the total claim of a customer against the estate of the debtor based on the commodity contracts held by the debtor for or on behalf of such customer less any indebtedness of the customer to the debtor. Net equity shall be calculated as follows:

(1) *Step 1—Equity determination.* Determine the equity balance of each customer account by computing, with respect to such account, the sum of:

(i) The ledger balance;

(ii) The open trade balance; and

(iii) The current realizable market value, determined as of the close of the market on the last preceding market day, of any securities or other property held by or for the debtor from or for such account, plus accrued interest, if any.

(A) For the purposes of this paragraph (b)(1), the ledger balance of a customer account shall be calculated by adding:

(*1*) Cash deposited to purchase, margin, guarantee, secure, or settle a commodity contract;

(*2*) Except as is otherwise provided in this chapter, the cash proceeds of such cash, or of securities or other property referred to in papagraph (b)(1) of this section held from or for the customer by or for the account of the commodity broker; and

(*3*) Gains realized on trades, and

(B) Subtracting from the result:

(*1*) Losses realized on trades;

(*2*) Disbursements to or on behalf of the customer; and

(*3*) The normal costs attributable to the payment of commissions, brokerage, interest, taxes, storage, transaction fees, insurance and other costs and charges lawfully incurred in connection with the purchase, sale, exercise, or liquidation of any commodity contract in such account.

For purposes of this paragraph (b)(1), the open trade balance of a customer's account shall be computed by subtracting the unrealized loss in value of the open commodity contracts held by or for such account from the unrealized gain in value of the open commodity contracts held by or for such account.

(2) *Step 2—Customer determination (aggregation).* Aggregate the credit and debit equity balances of all accounts of the same class held by a customer in the same capacity. Paragraphs (b)(2)(i) through (b)(2)(xiii) of this section prescribe which accounts must be treated as being held in the same capacity and which accounts must be treated as being held in a separate capacity.

(i) Except as otherwise provided in this paragraph (b)(2), all accounts which are maintained with a debtor in a person's name and which, under this paragraph (b)(2), are deemed to be held by that person in its individual capacity shall be deemed to be held in the same capacity.

(ii) An account maintained with a debtor by a guardian, custodian, or conservator for the benefit of a ward, or for the benefit of a minor under the Uniform Gift to Minors Act, shall be deemed to be held in a separate capacity from accounts held by such guardian, custodian or conservator in its individual capacity.

(iii) An account maintained with a debtor in the name of an executor or administrator of an estate shall be deemed to be held in a separate capacity from accounts held by such

executor or administrator in its individual capacity.

(iv) Subject to paragraph (b)(2)(iii) of this section, an account maintained with a debtor in the name of a decedent, in the name of the decedent's estate, or in the name of the executor or administrator of such estate shall be deemed to be accounts held in the same capacity.

(v) An account maintained with a debtor by a trustee shall be deemed to be held in the individual capacity of the grantor of the trust unless the trust is created by a valid written instrument for a purpose other than avoidance of an offset under the regulations contained in this Part. A trust account which is not deemed to be held in the individual capacity of its grantor under paragraph (b)(2)(v) of this section shall be deemed to be held in a separate capacity from accounts held in an individual capacity by the trustee, by the grantor or any successor in interest of the grantor, or by any trust beneficiary, and from accounts held by any other trust.

(vi) An account maintained with a debtor by a corporation, partnership, or unincorporated association shall be deemed to be held in a separate capacity from accounts held by the shareholders, partners or members of such corporation, partnership or unincorporated association, if such entity was created for purposes other than avoidance of an offset under the regulations contained in this Part.

(vii) A hedging account of a person shall be deemed to be held in the same capacity as a speculative account of such person.

(viii) Subject to paragraph (b)(2)(ix) of this section, the futures accounts, leverage accounts, options accounts, and foreign futures accounts of the same person shall not be deemed to be held in separate capacities: *Provided, however,* That such accounts may be aggregated only in accordance with paragraph (b)(3) of this section.

(ix) An omnibus customer account of a futures commission merchant maintained with a debtor shall be deemed to constitute one account and to be held in a separate capacity from the house account and any other omnibus customer account of such futures commission merchant.

(x) A joint account maintained with the debtor shall be deemed to be held in a separate capacity from any account held in an individual capacity by the participants in such account, from any account held in an individual capacity by a commodity pool operator or commodity trading advisor for such account, and from any other joint account: *Provided, however,* That if such account is not transferred in accordance with § 190.06, it shall be deemed to be held in the same capacity as any other joint account held by identical participants and a participant's percentage interest therein shall be deemed to be held in the same capacity as any account held in an individual capacity by such participant.

(xi) An account maintained with a debtor in the name of a plan which, on the filing date, has in effect a registration statement in accordance with the requirements of Section 1031 of the Employee Retirement Income Security Act of 1974 and the regulations thereunder shall be deemed to be held in a separate capacity from an account held in an individual capacity by the plan administrator, any employer, employee, participant, or beneficiary with respect to such plan.

(xii) Except as otherwise provided in this section, an account maintained with a debtor by an agent or nominee for a principal or a beneficial owner shall be deemed to be an account held in the individual capacity of such principal or beneficial owner.

(xiii) Accounts held by a customer in separate capacities shall be deemed to be accounts of different customers. The burden of proving that an account is held in a separate capacity shall be upon the customer.

(3) *Step 3—Setoffs.* (i) The net equity of one customer account may not be offset against the net equity of any other customer.

(ii) Any obligation which is not required to be included in computing the equity of a customer under paragraph (b)(1) of this section, but which is owed by such customer to the debtor must be deducted from any obligation not required to be included in computing the equity of a customer which is owed by such debtor to the customer. If the former amount exceeds the latter, the excess must be deducted from the equity balance of the customer obtained after performing the preceding calculations required by paragraph (b) of this section: *Provided,* That if the customer owns more than two classes of accounts the excess must be offset against each positive equity balance in the same proportion as that positive equity balance bears to the total of all positive equity balances of accounts of different classes held by such customer.

(iii) A negative equity balance obtained with respect to one customer account class must be set off against a positive equity balance in any other account class of such customer held in the same capacity: *Provided,* That if a customer owns more than two classes of accounts such balance must be offset against each positive equity balance in the same proportion as that positive equity balance bears to the total of all positive equity balances in accounts of different classes held by such customer.

(iv) To the extent any indebtedness of the debtor to the customer which is not required to be included in computing the equity of such customer under paragraph (b)(1) of this section exceeds such indebtedness of the customer to the debtor, the customer claim therefor will constitute a general creditor's claim rather than a customer property claim, and the net equity therefor shall be separately calculated.

(v) The rules pertaining to separate capacities and permitted setoffs contained in this section must be applied subsequent to the entry of an order for relief; prior to the filing date the provisions of § 1.22 of this chapter and of Section 4d(2) of the Act shall govern what setoffs are permitted.

(4) *Step 4—Correction for distributions.* The value on the date of transfer or distribution of any property transferred or distributed subsequent to the filing date and prior to the primary liquidation data with respect to each class of account held by a customer must be added to the equity obtained for that customer for accounts of that class after performing the steps contained in paragraphs (b)(1)–(3) of this section: *Provided, however,* That if all accounts for which there are customer claims of record and 100% of the equity pertaining thereto are transferred in accordance with § 190.06 and Section 764(b) of the Bankruptcy Code, net equity shall be computed based solely upon those customer claims, if any, filed subsequent to bankruptcy which are not claims of record on the filing date.

(5) *Step 5—Correction for subsequent events.* Compute any adjustments to Steps 1 through 4 of this paragraph (b) required to correct misestimates or errors including, without limitation, corrections for subsequent events such as the liquidation of unliquidated claims at a value different from the estimated value previously used in computing net equity.

(6) *Step 6—Net equity of accounts which remain open subsequent to the primary liquidation date.* If the accounts of a customer contain commodity contracts which remain open subsequent to the primary liquidation date, the trustee must adjust the net equity obtained for that customer pursuant to the steps contained in paragraphs (b)(1)–(5) of this section as provided in paragraphs (d)(1) and (d)(2) of this section.

(c) *Calculation of funded balance.* "Funded balance" means a customer's pro rata share of the customer estate with respect to each account class available as of the primary liquidation date for distribution to customers of the same class.

(1) The funded balance of any customer claim shall be computed by:

(i) Multiplying the ratio of the amount the net equity claim less the amounts referred to in (1)(ii) of this section of such customer for any account class bears to the sum of the net equity claims less the amounts referred to in (1)(ii) of this secion of all customers for accounts of that class by the sum of:

(A) The value of the money, securities or property segregated on behalf of all accounts of the same class less the amounts referred to in (1)(ii) of this section;

(B) The value of any money, securities or property which must be allocated under § 190.08 to customer accounts of the same class; and

(C) The amount of any add-back required under paragraph (b)(4) of this section; and

(ii) The adding 100% of any margin payment made between the entry of the order for relief and the primary liquidation date.

(2) *Corrections to funded balance.* The funded balance must be adjusted, as of the primary liquidation date, to correct for subsequent events including, without limitation:

(i) Added claimants;

(ii) Disallowed claims;

(iii) Liquidation of unliquidated claims at a value other than their estimated value;

(iv) Recovery of property; and

(v) Deficits generated by the continued operation of accounts after the primary liquidation date which cannot be fully adjusted under paragraph (d) of this section.

(d) *Adjustments to funded balance for operations subsequent to the primary liquidation date.* If accounts of a customer contain commodity contracts which remain open subsequent to the primary liquidation date, the funded balance for each class must be adjusted until liquidation or transfer of all such open commodity contracts of that customer of the same class, as follows:

(1) Unrealized and realized gains and any receipts of margin with respect thereto must be added to the funded balance;

(2) Unrealized and realized losses, and the normal costs attributable to the payment of commissions, brokerage, interest, taxes, storage, transaction fees and other costs and charges lawfully incurred with respect to the maintenance or liquidation of such open commodity contracts, and any distributions must be subtracted from the funded balance; and

(3) Subject to claims against the trustee for failure to liquidate, any deficit which is not recovered from the customer on whose behalf it is incurred must be charged against the funded balance of each account which remained open on the date the deficit occurred in the same proportion as the funded balance of each account bears to all the funded balances of all accounts which remained open on that date.

(e) *Valuation.* In computing net equity, commodity contracts and other property held by or for a commodity broker must be valued as provided in this paragraph (e): *Provided, however,* That if identical commodity contracts, securities, or other property are liquidated on the same date, but cannot be liquidated at the same price, the trustee may use the weighted average of the liquidation prices in computing the net equity of each customer holding such contracts, securities or property.

(1) *Exchange-traded contracts.* The value of an open commodity contract which is traded on a board of trade shall be equal to the settlement price as of the close of business on the board of trade upon which it is traded: *Provided,* That if such contract is transferred its value shall be determined at the time of its transfer: and *Provided further,* That if such contract is liquidated, its value shall be equal to the net proceeds of liquidation.

(2) *Principal contracts.* The valuation date of principal contracts which are not transferred shall be the date of the order for relief unless there is specific property which constitutes cover by the principal for the principal contract in which case it shall be the date of liquidation of the cover. For purposes of valuing contracts for which there is no established secondary market:

(i) *Cash price series approved by Commission.* The market value of the physical commodity which is the subject of a principal contract shall be computed using a cash price series approved by the Commission for use by the dealer option grantor, in the case of dealer options, and by the leverage transaction merchant, in the case of leverage contracts.

(ii) *No cash price series approved by Commission.* If no applicable cash price series has been submitted to the Commission, or if such a cash price series has been submitted, but has not been approved by the Commission, the market value of the physical commodity which is the subject of a principal contract shall be equal to the lesser of:

(A) The market value of the physical commodity as of the close of business on the local cash market most proximate to the debtor's principal place of business; or

(B) The spot month settlement price on a contract market which trades contracts in that physical commodity most proximate to the debtor's principal place of business: *Provided,* That where there is more than one local market as described in paragraphs (e)(2)(ii) (A) or (B) of this section, the trustee should use the most active market.

(iii) *Special rule for valuing dealer options.* A dealer option which is in-the-money will be deemed to have been exercised for purposes of determining its value which shall be equal to the greater of:

(A) The in-the-money amount; or

(B) The premium paid for such option divided by the number of days contained in the option period and multiplied by the number of days remaining in such period on the liquidation date: *Provided,* That in the trustee's sole discretion, the trustee may reduce such value to an amount which does not exceed the average of the premiums recently paid for similar options granted by the same grantor. Any time value not reflected in this computation claimed by a customer must be treated as a general creditor's claim.

(iv) *Special rule for valuing leverage contracts.* Notwithstanding paragraphs (e)(2) (i) and (ii) of this section, if the records of the debtor are not sufficient to substantiate customer claims for profits and to identify the owners of contracts with losses, the liquidation value of a leverage contract shall be deemed to be an amount equal to the total deposit made by a customer in respect to such contract.

(3) *Bucketed contracts.* The value of a commodity contract which has not been established in fact shall be deemed to be equal to the value of the total deposit made by a customer in respect to such contract.

(4) *Securities.* The value of a listed security shall be equal to the closing price for such security on the exchange upon which it is traded. The value of over-the-counter securities traded pursuant to the National Association of Securities Dealers Automated Quotation system shall be equal, in the case of a long position, to the closing bid price and, in the case of a short position, to the closing asking price. The value of all other over-the-counter securities shall be equal in the case of a long position, to the average of the bid prices for long positions, and in the case of a short

position, to the average of the asking prices for the short positions. If liquidated prior to the primary liquidation date, the value of such security shall be equal to the net proceeds of its liquidation. Securities which are not publicly traded shall be valued by the trustee subject to approval of the court, using such professional assistance as the trustee deems necessary in its sole discretion under the circumstances.

(5) *Property.* Cash commodities held in inventory, as collateral or otherwise, shall be valued at their fair market value. Subject to the other provisions of this paragraph (e), all other property shall be valued by the trustee subject to approval by the court, using such professional assistance as the trustee deems necessary in its sole discretion under the circumstances: *Provided, however,* That if such property is sold, its value for purposes of the calculations required by this part shall be the net proceeds of such sale: *Provided further,* That the sale is made in compliance with all applicable statutes, rules and orders of any court or governmental entity with jurisdiction thereover .

§ 190.08 Allocation of property and allowance of claims.

The property of the debtor's estate must be allocated among account classes and between customer classes as provided in this section. The property so allocated will constitute a separate estate of the customer class and the account class to which it is allocated, and will be designated by reference to such customer class and account class.

(a) *Scope of customer property.* (1) Customer property includes the following:

(i) All cash, securities, or other property or the proceeds of such cash, securities or other property received, acquired, or held by or for the account of the debtor, from or for the account of a customer, including a non-public customer, which is:

(A) Property received, acquired or held to margin, guarantee, secure, purchase or sell a commodity contract;

(B) Open commodity contracts;

(C) Warehouse receipts, bills of lading, or other documents of title or property held or acquired by the debtor to fulfill a commodity contract;

(D) Profits or contractual rights accruing to a customer as the result of a commodity contract;

(E) The full proceeds of a letter of credit if such letter of credit was received, acquired or held to margin, guarantee, secure, purchase or sell a commodity contract;

(F) Property hypothecated under § 1.30 of this chapter to the extent that the value of such property exceeds the proceeds of any loan of margin made with respect thereto, and

(ii) All cash, securities, or other property which:

(A) Is segregated on the filing date;

(B) Is a security owned by the debtor to the extent there are customer claims for securities of the same class and series of an issuer;

(C) Is specifically identifiable to a customer;

(D) Is property of a type described in paragraph (a)(1)(i)(A) of this section which has been withdrawn and subsequently is recovered by the avoidance powers of the trustee;

(E) Represents recovery of any debit balance, margin deficit, or other claim of the debtor against a customer account;

(F) Was unlawfully converted but is part of the debtor's estate;

(G) Is property of the debtor that any applicable law, rule, regulation, or order requires to be set aside for the benefit of customers, unless including such property in the customer estate would not significantly increase the customer estate;

(H) Is property of the debtor's estate recovered by the Commission in any proceeding brought against the principals, agents, or employees of the debtor;

(I) Is proceeds from the investment of customer property by the trustee pending final distribution; or

(J) Is cash, securities or other property of the debtor's estate, including the debtor's trading or operating accounts and commodities of the debtor held in inventory, but only to the extent that the property enumerated in paragraphs (a)(1)(i)(E) and (a)(1)(ii)(A) through (a)(1)(ii)(H) of this section is insufficient to satisfy in full all claims of public customers.

(2) Customer property will not include:

(i) Claims against the debtor for damages for any wrongdoing of the debtor, including claims for misrepresentation or fraud, or for any violation of the Act or of the regulations thereunder;

(ii) Other claims for property which are not based upon property received, acquired or held by or for the account of the debtor, from or for the account of the customer;

(iii) Forward contracts;

(iv) Property delivered to or from a customer to or by another customer to fulfill a commodity contract held for or on behalf of either customer by the debtor if such delivery is effected pursuant to § 190.05 by a commodity broker other than the debtor;

(v) Property deposited by a customer with a commodity broker after the entry of an order for relief which is not necessary to meet the maintenance margin requirements applicable to the accounts of such customer; and

(vi) Property hypothecated pursuant to § 1.30 to the extent of the loan of margin with respect thereto.

(b) *Allocation of property between customer classes.* No portion of the customer estate may be allocated to pay non-public customer claims until all public customer claims have been satisfied in full. Any property segregated on behalf of non-public customers must be treated initially as part of the public customer estate and allocated under paragraph (c)(2) of this section.

(c) *Allocation of property among account classes.*—(1) *Segregated property.* Subject to paragraph (b) of this section, property held by or for the account of a customer, which is segregated on behalf of a specific account class, or readily traceable on the filing date to customers of such account class, must be allocated to the customer estate of the account class for which it is segregated or to which it is readily traceable.

(2) *All other property.* Money, securities and property received from or for the account of customers on behalf of any account class which is received on behalf of the customer estate and which cannot be allocated in accordance with paragraph (c)(1) of this section, must be allocated as of the primary liquidation date in the following order:

(i) To the estate of the account class for which, after the allocation required in paragraph (c)(1) of this section, the percentage of each public customer net equity claim which is funded is the lowest, until the funded percentage of net equity claims of such class equals the percentage of each public customer's net equity claim which is funded for the account class with the next lowest percentage of the funded claims; and then

(ii) To the estate of the two account classes referred to in paragraph (c)(2)(i) of this section so that the percentage of the net equity claims which are funded for each class remains equal until the percentage of each public customer net equity claim which is funded equals the percentage of each public customer net equity claim which is funded for the account class with the next lowest percentage of funded claims, and so forth, until the percentage of each public customer net equity claim which is funded is equal for all classes of accounts; and then,

(iii) Among account classes in the same proportion as the public customer net equity claims for each such account class bears to the total of public customer net equity claims of all account classes until the public customer claims of each account class are paid in full; and, thereafter,

(iv) To the non-public customer estate for each account class in the same order as is prescribed in paragraphs (c)(2) (i) to (iii) of this section for the allocation of the customer estate among account classes.

(d) *Distribution of customer property.*—(1) *Return or transfer of specifically identifiable property other than a commodity contract.* Specifically identifiable property other than an open commodity contract not required to be liquidated under § 190.02(f)(2) may be returned or transferred on behalf of the customer to which it is identified:

(i) If it is margining an open commodity contract, only if cash is first deposited with the trustee in an amount equal to the greater of the full fair market value of such property on the return date or the balance due on the return date on any loan by the debtor to the customer for which such property constitutes security; or

(ii) If it is not so margining an open contract, at the option of the customer, either pursuant to the terms of subparagraph (i) of this paragraph, or pursuant to the following terms: such customer first deposits cash with the trustee in an amount equal to the amount by which the greater of the value of the specifically identifiable property to be transferred or returned on the date of such transfer or return or the balance due on the return date on any loan by the debtor to the customer for which such property constitutes security, together with any other disbursements made, or to be made, to such customer, plus a reasonable reserve in the trustee's sole discretion, exceeds the estimated aggregate of the funded balances for each class of account of such customer less the value on the date of its transfer or return of any property transferred or returned prior to the primary liquidation date with respect to the customer's net equity claim for such account; *Provided,* That adequate security for the nonrecovery of any overpayments by the trustee is provided to the debtor's estate by the customer.

(2) *Transfers of specifically identifiable commodity contracts under Section 766 of the Bankruptcy Code.* Any specifically identifiable commodity contract which is not required to be liquidated under § 190.02(f)(1) or § 190.03(b), and which is not otherwise liquidated, may be transferred on behalf of a customer: *Provided,* That such customer must first deposit cash with the trustee in an amount equal to the amount by which the equity to be transferred to margin such contract together with any other transfers or returns of specifically identifiable property or disbursements made, or to be made, to such customer, plus a reasonable reserve in the trustee's sole discretion, exceeds the estimated aggregate of the funded balances for each class of account of such customer less the value on the date of its transfer or return of any property transferred or returned prior to the primary liquidation date with the respect to the customer's net equity claim for such account: and, *Provided further,* That adequate security for the nonrecovery of any overpayments by the trustee is provided to the debtor's estate by the customer.

(3) *Distribution in kind of specifically identifiable securities.* If any securities of a customer would have been specifically identifiable under § 190.01(kk)(6) if that customer had had no open commodity contracts, the customer may request that the trustee purchase or otherwise obtain the largest whole number of like-kind securities, with a fair market value (inclusive of transaction costs) which does not exceed that portion of such customer's allowed net equity claim that constitutes a claim for securities, if like-kind securities can be purchased in a fair and orderly manner.

(4) *Proof of customer claim.* No distribution shall be made pursuant to paragraphs (d)(1) and (d)(3) of this section prior to receipt of a completed proof of customer claim as described in § 190.02(d).

(5) *No differential distributions.* No further disbursements may be made to customers for whom transfers have been made pursuant to § 190.06 and paragraph (d)(2) of this section, until a percentage of each net equity claim equivalent to the percentage distributed to such customers is distributed to all public customers. Partial distributions, other than the transfers referred to in § 190.06 and paragraph (d)(2) of this section, made prior to the final net equity determination date must be made pursuant to a preliminary plan of distribution approved by the court, upon notice to the parties and to all customers, which plan requires adequate security to the debtor's estate for the nonrecovery of any overpayments by the trustee and distributes an equal percentage of net equity to all public customers.

(6) *Margin Payments.* The trustee may make margin payments on behalf of any account which do not exceed the funded balance of that account.

§ 190.09 Member property.

(a) *"Member property".* "Member property" means, in connection with a clearing organization bankruptcy, the property which may be used to pay that portion of the net equity claim of a member which is based on its house account.

(b) *Scope of member property.* Member property shall include all money, securities and property received, acquired, or held by a clearing organization to margin, guarantee or secure the proprietary account, as defined in § 1.3(y) of this chapter, of a clearing member: *Provided, however,* That any guaranty deposit or similar payment or deposit made by such member and any capital stock, or membership of such member in the clearing organization shall also be included in member property after payment in full of that portion of the net equity claim of the member based on its customer account and of any obligations due the clearing organization which may be paid therefrom in accordance with the by-laws or rules of the clearing organization, including obligations due from the clearing organization to customers or other members.

§ 190.10 General.

(a) *Notices.* Unless instructed otherwise, all mandatory or discretionary notices to be given to the Commission under this Part shall be directed to the Washington, D.C. headquarters of the Commission (2033 K Street, NW., Washington, D.C. 20581) and addressed to the Secretariat, for the attention of the Director of the Division of Trading and Markets. All such notices shall be in writing and shall be given by telegram or other similarly rapid means of communication. For purposes of this Part, notice to the Commission shall be deemed to be given only upon actual receipt.

(b) *Request for exemption from time limit.* (1) A trustee or any other person charged with the management of a commodity broker which has filed a petition in bankruptcy, or against which such a petition has been filed, may for good cause shown request from the Commission an exemption from, or extension of, any time limit prescribed by this Part 190: *Provided,* That no such exemption or extension will be granted for any time period established by the Bankruptcy Code, as amended, 11 U.S.C. 101 *et seq.*

(2) Such a request shall be made *ex parte* and by any means of

communication, written or oral: *Provided,* That an oral request shall be confirmed in writing within one business day and such confirmation shall contain all the information required by paragraph (b)(3) of this section. Any such request shall be directed to the person as provided in paragarph (a) of this section, and at the address provided therein.

(3) Such a request shall state the particular provision of the Part 190 rules with respect to which the exemption or extension is sought, the reason for the requested exemption or extension, the amount of time sought if the request is for an extension, and the reason why such exemption or extension would not be contrary to the purposes of the Bankruptcy Code and the Commission's Part 190 regulations promulgated thereunder.

(4) The Director of the Division of Trading and Markets, or such members of the Commission's staff acting under his direction as he may designate, on the basis of the information provided in any such request, shall determine, in his sole discretion, whether to grant, deny or otherwise respond to a request, and shall communicate that determination by the most appropriate means to the person making the request and to the bankruptcy court with jurisdiction over the case.

(c) *Disclosure statement for non-cash margin.* (1) No commodity broker may accept property other than cash from or for the account of a customer to margin, guarantee, or secure a commodity contract unless:

(i) The commodity broker first furnishes the customer with a separate written document which contains only the statement set forth in paragraph (c)(2) of this section in bold-faced print in at least ten point type; and

(ii) The commodity broker receives an acknowledgment, signed and dated by the customer, that it has received and understood the statement, which acknowledgment must be retained by the commodity broker for the greater of the period required in § 1.31 of this chapter or until the customer who executes such acknowledgment terminates or closes its account.

(2) The disclosure statement required by paragraph (c)(1) of this section is as follows:

This statement is furnished to you because Rule 190.10(c) of the Commodity Futures Trading Commission requires it:

1. YOU SHOULD KNOW THAT IN THE UNLIKELY EVENT OF THIS COMPANY'S BANKRUPTCY, PROPERTY, INCLUDING PROPERTY SPECIFICALLY TRACEABLE TO YOU, WILL BE RETURNED, TRANSFERRED OR DISTRIBUTED TO YOU, OR ON YOUR BEHALF, ONLY TO THE EXTENT OF YOUR PRO RATA SHARE OF ALL PROPERTY AVAILABLE FOR DISTRIBUTION TO CUSTOMERS.

2. NOTICE CONCERNING THE TERMS FOR THE RETURN OF SPECIFICALLY IDENTIFIABLE PROPERTY WILL BE BY PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION.

3. THE COMMISSION'S REGULATIONS CONCERNING BANKRUPTCIES OF COMMODITY BROKERS CAN BE FOUND AT 17 CODE OF FEDERAL REGULATIONS PART 190.

(3) The statement contained in paragraph (c)(2) of this section need be furnished only once to each customer to whom it is required to be furnished by this section.

(d) *Delegation of authority to the Director of the Division of Trading and Markets.* (1) Until such time as the Commission orders otherwise, the Commission hereby delegates to the Director of the Division of Trading and Markets, and to such members of the Commission's staff acting under his direction as he may designate, all the functions of the Commission set forth in this part except the authority to approve or disapprove a withdrawal or settlement of a commodity account by a public customer pursuant to § 190.06(g)(3).

(2) The Director of the Division of Trading and Markets may submit to the Commission for its consideration any matter which has been delegated to him pursuant to paragraph (d)(1) of this section.

(3) Nothing in this section shall prohibit the Commission, at its election, from exercising its authority delegated to the Director of the Division of Trading and Markets under paragraph (d)(1) of this section.

(e) *Forward contracts.* For purposes of this part, an entity for or with whom the debtor deals who holds a claim against the debtor solely on account of a forward contract will not be deemed to be a customer.

(f) *Notice of court papers pertaining to the operation of the estate.* The trustee shall promptly provide the Commission with copies of any complaint, motion, or petition filed in a commodity broker bankruptcy which concerns the disposition of customer property. Court papers shall be directed to the Washington, D.C. headquarters of the Commission addressed as provided in paragraph (a) of this section.

(g) *Other.* The Bankruptcy Code will not be construed by the Commission to prohibit a commodity broker from doing business as any combination of the following: futures commission merchant, commodity option dealer, foreign futures commission merchant or leverage transaction merchant, nor will the Commission construe the Bankruptcy Code to permit any operation, trade or business, or any combination of the foregoing, otherwise prohibited by the Act or by any rule, regulation or order of the Commission thereunder.

Bankruptcy Appendix 1—Operation of the Debtor's Estate—Schedule of Trustee's Duties

For the convenience of a prospective trustee, the Commission has constructed an approximate schedule of important duties which the trustee should perform during the early stages of a commodity broker bankruptcy proceeding. The schedule includes duties required by this Part, subchapter IV of Chapter 7 of the Bankruptcy Code as well as certain practical suggestions, but it is only intended to highlight the more significant duties and is not an exhaustive description of all the trustee's responsibilities. It also assumes that the commodity broker being liquidated is an FCM. Moreover, it is important to note that the operating facts in a particular bankruptcy proceeding may vary the schedule or obviate the need for any of the partiular activities.

All Cases

Date of Order for Relief

1. Assure that the commodity broker has notified the Commission and its designated self-regulatory organization ("DSRO") that a petition or order for relief has been filed (§ 190.02(a)(1)).

2. Attempt to estimate short-fall in customer segregated funds.

a. If there is a substantial short-fall of customer segregated funds, the trustee should:

i. Contact the DSRO and attempt to effectuate a transfer under Section 764(b) of the Code (hereinafter "bulk transfer"); notify the Commission for assistance (§§ 190.02(a)(2) and (e)(1), § 190.06(b)(2), (e), (f)(3), (g)(2), and (h)) but recognize that a bulk transfer is highly unlikely.

ii. If a bulk transfer cannot be effectuated, liquidate all customer commodity contracts, except dealer options and specifically identifiable commodity contracts which are bona fide hedging positions (as defined in § 190.01(kk)(2)) with instructions not to be liquidated. (*See* §§ 190.02(f) and 190.06(d)(1)). (In this connection, depending upon the size of the debtor and other complications of liquidation, the trustee should be aware of special liquidation rules, and in particular the availability under certain circumstances of book-entry liquidation (§ 190.04(d)(1)(ii)).

b. If there is a small short-fall of customer segregrated funds, negotiate with the DSRO to effect a bulk transfer; notify the Commission (§§ 190.02(a)(2) and (e)(1), 190.06(b)(2), (e), (f)(3), (g)(2), and (h)).

3. Whether or not a transfer has occurred, liquidate or offset open commodity contracts not eligible for transfer (*i.e.*, deficit accounts, accounts with no open positions) (§ 190.06(e)(1)).

4. Offset all futures contracts which would otherwise remain open beyond the last day of trading or first day on which notice of intent

to deliver may be tendered; offset long options on a physical commodity which cannot be settled in cash, have value and would be automatically exercised or would remain open beyond the last day of exercise; and offset all short options on a physical commodity which cannot be settled in cash (§ 190.02(f)(1)).

5. Compute estimated funded balance for each customer commodity account containing open commodity contracts (§ 190.04(b)) (daily thereafter).

6. Make margin calls if necessary (§ 190.02(g)(1)) (daily thereafter).

7. Liquidate or offset any open commodity account for which a customer has failed to meet a margin call (§ 190.02(f)(1)) (daily thereafter).

8. Commence liquidation or offset of specifically identifiable property described in § 190.02(f)(2)(i) (property which has lost 10% or more of value) (and as appropriate thereafter).

9. Commence liquidation or offset of property described in § 190.02(f)(3) ("all other property").

10. Be aware of any contracts in delivery position and rules pertaining to such contracts (§ 190.05).

First Business Day After the Entry of an Order for Relief

1. If a bulk transfer occurred on the date of entry of the order for relief:

a. Liquidate any remaining open commodity contracts, except any dealer option or specifically identifiable commodity contract [hedge] (*See* § 190.01(kk)(2) and § 190.02(f)(1)), and not otherwise transferred in the bulk transfer.

b. Primary liquidation date for transferred or liquidated commodity contracts (§ 190.01(ff)).

2. If no bulk transfer has yet been effected, continue attempt to negotiate bulk transfer of open commodity positions and dealer options (§ 190.02(c)(1)).

3. Provide the clearing house or carrying broker with assurances to prevent liquidation of open accounts available for transfer at the customer's instruction or liquidate all open contracts except those available for transfer at a customer's instruction and dealer options.

Second Business Day After the Entry of an Order for Relief

If no bulk transfer has yet been effected, request directly customer instructions regarding transfer of open commodity contracts and publish notice for customer instructions regarding the return of specifically identifiable property other than commodity contracts (§§ 190.02(b) (1) and (2)).

Third Business Day After the Entry of an Order for Relief

1. Last day on which to notify the Commission with regard to whether a bulk transfer in accordance with Section 764(b) of the Bankruptcy Code will take place (§ 190.02(a)(2) and § 190.06(e)).

2. Second publication date for customer instructions (§ 190.02(b)(1)) (publication is to be made on two consecutive days, whether or not the second day is a business day).

Fourth Business Day After the Entry of an Order for Relief

If not previously concluded, conclude transfers under § 190.06(e) and (f). *(See* § 190.02(e)(1) and § 190.06(g)(2)(i)(A)).

Fifth Business Day After the Entry of an Order for Relief

Last day for customers to instruct the trustee concerning open commodity contracts (§ 190.02(b)(2)).

Sixth Business Day After the Entry of an Order for Relief

Commence liquidation of open commodity contracts for which no customer instructions have been received (§ 190.02(b)(2)).

Seventh Business Day After the Entry of an Order for Relief

1. Customer instructions due to trustee concerning specifically indentifiable property (§ 190.02(b)(1)).

2. Primary liquidation date (§ 190.01(ff)) (assuming no bulk transfers and liquidation effected for all open commodity contracts for which no customer instructions were received by the close of business on the sixth business day).

3. Establishment of transfer accounts (§ 190.03(a)(1)) (assuming this is the primary liquidation date); mark such accounts to market (§ 190.03(a)(2) (daily thereafter until closed).

Eighth Business Day After the Entry of an Order for Relief

Commence liquidation of specifically identifiable property for which no customer intructions have been received (§ 190.02(b)(1)).

Ninth Business Day After the Entry of an Order for Relief

Complete liquidation to the extent reasonably possible of specifically identifiable property which has yet to be liquidated and for which no customer instructions have been received (§ 190.03(c)).

Tenth Business Day After the Entry of an Order for Relief

1. Liquidate or offset all remaining open commodity contracts (§ 190.02(b)(2)).

2. Transfer all open dealer option contracts which have not previously been transferred (§190.06(f)(3)(i)).

Eleventh Business Day After the Entry of an Order for Relief

If not done previously, notify customers of bankruptcy and request customer proof of claim (§ 190.02(b)(4)).

Thirteenth Business Day After the Entry of an Order for Relief

Commence liquidation of specifically identifiable property for which no arrangements for return have been made in accordance with customer instructions (§§ 190.02(b)(1), 190.03(c)).

Separate Procedures for Involuntary Petitions for Bankruptcy

1. Within one business day after notice of receipt of filing of the petition in bankruptcy, the trustee should assure that proper notification has been given to the Commission and the commodity broker's designated self-regulatory organization (§ 190.02(a)(1)); margin calls should be issued if necessary (§ 190.02(g)(2)).

2. On or before the fourth business day after the filing of a petition in bankruptcy, the trustee should use his best efforts to effect a transfer in accordance with §§ 190.06 (e) and (f) of all open commodity contracts and equity held for or on behalf of customers of the commodity broker (§ 190.02(e)(2)) unless the debtor can provide certain assurances to the trustee.

Bankruptcy Appendix Form 2—Request for Instructions Concerning Non-Cash Property Deposited With (Commodity Broker)

Please take notice: On (date), a petition in bankruptcy was filed by [against] (commodity broker). Those commodity customers of (commodity broker) who deposited certain kinds of non-cash property (see below) with (commodity broker) may instruct the trustee of the estate to return their property to them as provided below.

As no customer may obtain more than his proportionate share of the property available to satisfy customer claims, if you instruct the trustee to return your property to you, you will be required to pay the estate, as a condition to the return of your property, an amount determined by the trustee. If your property is not margining an open contract, this amount will approximate the difference between the market value of your property and your pro rata share of the estate, as estimated by the trustee. If your property is margining an open contract, this amount will be approximately the full fair market value of the property on the date of its return.

Kinds of Property To Which This Notice Applies

1. Any security deposited as margin which, as of (date petition was filed), was securing an open commodity contract and is:
—registered in your name,
—not transferable by delivery, and
—not a short-term obligation.

2. Any fully-paid, non-exempt security held for your account in which there were no open contracts as of (date petition was filed). (Rather than the return, at this time, of the specific securities you deposited with (commodity broker), you may instead request now, or at any later time, that the trustee purchase "like-kind" securities of a fair market value which does not exceed your proportionate share of the estate).

3. Any warehouse receipt, bill of lading or other document of title deposited as margin which, as of (date petition was filed), was securing an open commodity contract and:—can be identified in (commodity broker)'s records as being held for your account, and—is neither in bearer form nor otherwise transferable by delivery.

4. Any warehouse receipt bill of lading or other document of title, or any commodity received, acquired or held by (commodity broker) to make or take delivery or exercise from or for your account and which:—can be identified in (commodity broker)'s records as recieved from or for your account as held

specifically for the purpose of delivery or exercise.

5. Any cash or other property deposited to make or take delivery on a futures or options contract may be eligible to be returned. The trustee should be contacted directly for further information if you have deposited such property with (commodity broker) and desire its return.

Instructions must be received by (close of business on 4th business day after 2d publication date) or the trustee will liquidate your property. (If you own such property but fail to provide the trustee with instructions, you will still have a claim against (commodity broker) but you will not be able to have your specific property returned to you).

Note.—Prior to receipt of your instructions, circumstances may require the trustee to liquidate your property, or transfer your property to another broker if it is margining open contracts. If your property is transferred and your instructions were received within the required time, your instructions will be forwarded to the new broker.

Instructions should be directed to: (Trustee's name, address, telephone and/or telex number).

Even if you request the return of your property, you must also pay the trustee the amount he specifies and provide the trustee with proof of your claim before (close of business on the 10th business day after 2d publication date) or your property will be liquidated. (Upon receipt of customer instructions to return property, the trustee will mail the sender a form which describes the information he must provide to substantiate his claim).

Note.—The trustee is required to liquidate your property despite the timely receipt of your instructions, money, and proof of claim if, for any reason, your property cannot be returned by (close of business on the 10th business day after 2d publication date).

Bankruptcy Appendix Form 3—Request For Instructions Concerning Transfer of Your Hedge Contracts Held by (Commodity Broker)

United States Bankruptcy Court —— District of ——In re ——, Debtor, No. ——.

Please take notice: On (date), a petition in bankruptcy was filed by [against] (commodity broker).

You indicated when your hedge account was opened that the contracts (futures and/or options) in your hedge account should not be liquidated automatically in the event of the bankruptcy of (commodity broker), and that you wished to provide instructions at this time concerning their disposition.

Instructions to transfer your positions and a cash deposit (as described below) must be received by the trustee by (close of business on 5th business day after entry of order for relief) or your positions will be liquidated.

If you request the transfer of your contracts, prior to their transfer, you must pay the trustee in cash an amount determined by the trustee which will approximate the difference between the value of the equity margining your positions and your pro rata share of the estate plus an amount constituting security for the nonrecovery of any overpayments. In your instructions, you should specify the broker to which you wish your contracts transferred.

Be further advised that prior to receipt of your instructions, circumstances may, in any event, require the trustee to liquidate or transfer your contracts. If your contracts are so transferred and your instructions are received, your instructions will be forwarded to the new broker.

Note also that the trustee is required to liquidate your positions despite the timely receipt of your instructions and money if, for any reason, you have not made arrangements to transfer and/or your contracts are not transferred by (10 business days after entry of order for relief).

Instructions should be sent to: (Trustee's or designee's name, address, telephone and/or telex number). [Instructions may also be provided by phone].

Bankruptcy Appendix Form 4—Proof of Claim

[Note to trustee: As indicated in § 190.02(d), this form is provided as a guide to the trustee and should be modified as necessary depending upon the information which the trustee needs at the time a proof of claim is requested and the time provided for a response.]

Proof of Claim

United States Bankruptcy Court —— District of —— in re ——, Debtor, No. ——.

Return this form by —— or your claim will be barred (unless extended, for good cause only).

I. [If claimant is an individual claiming for himself] The undersigned, who is the claimant herein, resides at ——.

[If claimant is a partnership claiming through a member] The undersigned, who resides at ——, is a member of ——, a partnership, composed of the undersigned and ——, of ——, and doing business at ——, and is duly authorized to make this proof of claim on behalf of the partnership.

[If claimant is a corporation claiming though a duly authorized officer] The undersigned, who resides at —— is the —— of ——, a corporation organized under the laws of —— and doing business at ——, and is duly authorized to make this proof of claim on behalf of the corporation.

[If claim is made by agent] The undersigned, who resides at ——, is the agent of ——, and is duly authorized to make this proof of claim on behalf of the claimant.

II. The debtor was, at the time of the filing of the petition initiating this case, and still is, indebted to this claimant for the total sum of $——.

III. List EACH account on behalf of which a claim is being made by number and name of account holder[s], and for EACH account, specify the following information:

a. Whether the account is a futures, foreign futures, leverage, option (if an option account, specify whether exchange-trade or dealer), or "delivery" account (a "delivery" account is one which contains only documents of title, commodities, cash or other property identified to the claimant and deposited for the purpose of making or taking delivery on a commodity underlying a commodity contract or for payment of the strike price upon exercise of an option).

b. The capacity in which the account is held, as follows (and if more than one is applicable, so state):

1. [The account is held in the name of the undersigned in his individual capacity];

2. [The account is held by the undersigned as guardian, custodian, or conservator for the benefit of a ward or a minor under the Uniform Gift to Minors Act];

3. [The account is held by the undersigned as executor or administrator of an estate];

4. [The account is held by the undersigned as trustee for the trust beneficiary];

5. [The account is held by the undersigned in the name of a corporation, partnership, or unincorporated association];

6. [The account is held as an omnibus customer account of the undersigned futures commission merchant];

7. [The account is held by the undersigned as part owner of a joint account];

8. [The account is held by the undersigned in the name of a plan which, on the date the petition in bankruptcy was filed, had in effect a registration statement in accordance with the requirements of § 1031 of the Employee Retirement Income Security Act of 1974 and the regulations thereunder]; or

9. [The account is held by the undersigned as agent or nominee for a principal or beneficial owner (and not described above in items 1–8 of this II, b)].

10. [The account is held in any other capacity not described above in items 1–9 of this II, b. Specify the capacity].

c. The equity, as of the date the petition in bankruptcy was filed, based on the commodity transactions in the account.

d. Whether the person[s] (including a general partnership, limited partnership, corporation, or other type of association) on whose behalf the account is held is one of the following persons OR whether one of the following persons, alone or jointly, owns 10% or more of the account:

1. [If the debtor is an individual—

A. Such individual;

B. Relative (as defined below in item 8 of this III,d) of the debtor or of a general partner of the debtor;

C. Partnership in which the debtor is a general partner;

D. General partner of the debtor; or

E. Corporation of which the debtor is a director, officer, or person in control];

2. [If the debtor is a partnership—

A. Such partnership;

B. General partner in the debtor;

C. Relative (as defined in item 8 of this III,d) of a general partner in, general partner of, or person in control of the debtor;

D. Partnership in which the debtor is a general partner;

E. General partner of the debtor; or

F. Person in control of the debtor];

3. [If the debtor is a limited partnership—

A. Such limited partnership;

B. A limited or special partner in such partnership whose duties include:

i. The management of the partnership business or any part thereof;

ii. The handling of the trades or customer funds of customers of such partnership;

iii. The keeping of records pertaining to the trades or customer funds of customers of such partnership; or

iv. The signing or co-signing of checks or drafts on behalf of such partnership];

4. [If the debtor is a corporation or association (except a debtor which is a futures commission merchant and is also a cooperative association of producers)—

A. Such corporation or association;

B. Director of the debtor;

C. Officer of the debtor;

D. Person in control of the debtor;

E. Partnership in which the debtor is a general partner;

F. General partner of the debtor;

G. Relative (as defined in item 8 of this III.d) of a general partner, director, officer, or person in control of the debtor;

H. An officer, director or owner of ten percent or more of the capital stock of such organization];

5. [If the debtor is a futures commission merchant which is a cooperative association of producers—

Shareholder or member of the debtor which is an officer, director or manager];

6. [An employee of such individual, partnership, limited partnership, corporation or association whose duties include:

A. The management of the business of such individual, partnership, limited partnership, corporation or association or any part thereof;

B. The handling of the trades or customer funds of customers of such individual, partnership, limited partnership, corporation or association;

C. The keeping of records pertaining to the trade or funds of customers of such individual, partnership, limited partnership, corporation or association; or

D. The signing or co-signing of checks or drafts on behalf of such individual, partnership, limited partnership, corporation or association];

7. [Managing agent of the debtor];

8. [A spouse or minor dependent living in the same household of ANY OF THE FOREGOING PERSONS, or any other relative, regardless of residency, (unless previously described in items 1–B, 2–C, or 4–G of this III.d) defined as an individual related by affinity or consanguinity within the third degree as determined by the common law, or individual in a step or adoptive relationship within such degree];

9. ["Affiliate" of the debtor, defined as:

A. Entity that directly or indirectly owns, controls, or holds with power to vote, 20 percent or more of the outstanding voting securities of the debtor, other than an entity that holds such securities—

i. In a fiduciary or agency capacity without sole discretionary power to vote such securities; or

ii. Solely to secure a debt, if such entity has not in fact exercised such power to vote;

B. Corporation 20 percent or more of whose outstanding voting securities are directly or indirectly owned, controlled, or held with power to vote, by the debtor, or by an entity that directly or indirectly owns, controls, or holds with power to vote, 20 percent or more of the outstanding voting securities of the debtor, other than an entity that holds such securities—

i. In a fiduciary or agency capacity without sole discretionary power to vote such securities; or

ii. Solely to secure a debt, if such entity has not in fact exercised such power to vote;

C. Person whose business is operated under a lease or operating agreement by the debtor, or person substantially all of whose property is operated under an operating agreement with the debtor;

D. Entity that otherwise, directly or indirectly, is controlled by or is under common control with the debtor];

E. Entity that operates the business or all or substantially all of the property of the debtor under a lease or operating agreement; or

F. Entity that otherwise, directly or indirectly, controls the debtor; or

10. [Any of the persons listed in items 1–7 above of this III.d if such person is associated with an affiliate (see item 9 above) of the debtor as if the affiliate were the debtor].

e. Whether the account is a discretionary account. (If it is, the name in which the "attorney in fact" is held).

f. If the account is a joint account, the amount of the claimant's percentage interest in the account. (Also specify whether participants in a joint account are claiming separately or jointly).

IV. Describe all claims against the debtor not based upon a commodity account of the claimant (*e.g.*, if landlord, for rent; if customer, for misrepresentation or fraud).

V. Describe all claims of the DEBTOR against the CLAIMANT not already included in the equity of a commodity account[s] of the claimant (see III.c above).

VI. Describe any deposits of money, securities or other property held by or for the debtor from or for the claimant, and indicate if any of this property was included in your answer to III.c above.

VII. Of the money, securities, or other property described in VI above, identify any which consists of the following:

a. With respect to property received, acquired, or held by or for the account of the debtor from or for the account of the claimant to margin, guarantee or secure an open commodity contract, the following:

1. Any security which as of the filing date is:

A. Held for the claimant's account;

B. Registered in the claimant's name;

C. Not transferable by delivery; and

D. Not a short term obligation; or

2. Any warehouse receipt, bill of lading or other document of title which as of the filing date:

A. Can be identified on the books and records of the debtor as held for the account of the claimant; and

B. Is not in bearer form and is not otherwise transferable by delivery.

b. With respect to open commodity contracts, and except as otherwise provided below in item g of this VII, any such contract which:

1. As of the date the petition in bankruptcy was filed, is identified on the books and records of the debtor as held for the account of the claimant;

2. Is a bona fide hedging position or transaction as defined in Rule 1.3(z) of the Commodity Futures Trading Commission ("CFTC") or is a commodity option transaction which has been determined by the exchange to be economically appropriate to the reduction of risks in the conduct and management of a commercial enterprise pursuant to rules which have been adopted in accordance with Rule 1.61(b) of the CFTC and approved by the CFTC; and

3. Is in an account designated in the accounting records of the debtor as a hedging account.

c. With respect to warehouse receipts, bills of lading or other documents of title, or physical commodities received, acquired, or held by or for the account of the debtor for the purpose of making or taking delivery or exercise from or for the claimant's account, any such document of title or commodity which as of the filing date can be identified on the books and records of the debtor as received from or for the account of the claimant specifically for the purpose of delivery or exercise.

d. Any cash or other property deposited prior to bankruptcy to pay for the taking of physical delivery on a long futures contract or for payment of the strike price upon exercise of a short put or a long call option contract on a physical commodity, which cannot be settled in cash, in excess of the amount necessary to margin such commodity contract prior to the notice date or exercise date which cash or other property is identified on the books and records of the debtor as received from or for the account of the claimant within three or less days of the notice date or three or less days of the exercise date specifically for the purpose of payment of the notice price upon taking delivery or the strike price upon exercise.

e. The cash price tendered for any property deposited prior to bankruptcy to make physical delivery on a short futures contract or for exercise of a long put or a short call option contract on a physical commodity, which cannot be settled in cash, to the extent it exceeds the amount necessary to margin such contract prior to the notice exercise date which property is identified on the books and records of the debtor as received from or for the account of the claimant within three or less days of the notice date or of the exercise date specifically for the purpose of a delivery or exercise.

f. Fully paid, non-exempt securities identified on the books and records of the debtor as held by the debtor for or on behalf of the commodity account of the claimant for which, according to such books and records as of the filing date, no open commodity contracts were held in the same capacity.

g. Open commodity contracts transferred to another futures commission merchant by the trustee.

VIII. Specify whether the claimant wishes to receive payment in kind, to the extent possible, for any claim for securities.

IX. Attach copies of any documents which support the information provided in this proof of claim, including but not limited to customer confirmations, account statements, and statements of purchase or sale.

This proof of claim must be filed with the trustee no later than ——, or your claim will

be barred unless an extension has been granted, available only for good cause.

Return this form to:
(Trustee's name (or designee's) and address)

Dated:_____
(Signed)_____

Penalty for Presenting Fraudulent Claim. Fine of not more than $5,000 or imprisonment for not more than five years or both—title 18, U.S.C. § 152.

Issued in Washington, D.C. on February 18, 1983.

Jane K. Stuckey

Secretary of the Commission.

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Tuesday
March 1, 1983

Part V

Department of Housing and Urban Development

Office of Assistant Secretary for Community Planning and Development

Urban Development Action Grants; Revised Minimum Standards for Small Cities

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Community Planning and Development

[Docket No. N-83-1209]

Urban Development Action Grants; Revised Minimum Standards for Small Cities

AGENCY: Department of Housing and Urban Development.

ACTION: Notice.

SUMMARY: In accordance with 24 CFR 570.452(b)(1), the Department is providing Notice of the most current minimum standards of physical and economic distress for small cities for the Urban Development Action Grant program.

This notice revises the Notice published June 8, 1982 (47 FR 24820) because the five minimum standards of distress have now changed generally as a result of new data from the Bureau of the Census.

This Notice contains four lists: The first list identifies those cities which qualify as distressed communities based upon the new minimum standards; the second list identifies those cities which did not qualify when the June 1982 list was published but which do qualify now; the third list identifies those cities which were classified as distressed on the June 8, 1982 list, but which no longer qualify under the new minimum standards. The fourth list identifies those towns and townships which qualify as distressed communities based upon the new minimum standards.

EFFECTIVE DATE: This Notice replaces the June 8, 1982 Notice which listed the small cities which passed the previous minimum standards.

FOR FURTHER INFORMATION CONTACT: Frank Ridenour, Office of Action Grants, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410, Telephone: 202/755-6784. For information on the minimum distress standards of the data used to determine whether a community qualifies as distressed contact: Wendy Mellinger, Telephone 202/755-6042.

SUPPLEMENTARY INFORMATION: A Notice published by the Department on June 8, 1982 provided the minimum standards of physical and economic distress which were applicable up to the effective date of this Notice for small cities which met the standards published at that time.

Part I of this Notice now specifies the new minimum standards of physical and economic distress. Part II of this Notice contains a revised list of all the small cities which meet the new standards. Part III of this Notice lists those small cities which, based upon the new minimum standards, appear on the list in Part II but did not qualify when the June 1982 list was published. Part IV is a list of those cities which were classified as distressed on the June 1982 list but which no longer qualify under the new minimum standards. These cities listed in Part IV have a period of time, as specified in Part IV, during which they may submit Action Grant applications. Part V is a revised list of all towns and townships which meet the new standards.

The new minimum standards for poverty and per capita income are revised based on the 1980 Census. Previously, 1970 poverty data and 1977 per capita income data were used. The data for the other standards remain unchanged from last year except for small corrections mainly to the 1980 population to reflect boundary changes. The minimum distress thresholds for age of housing, population lag/decline, and job/lag decline have changed slightly to reflect small corrections and additions to the data.

This Notice is published pursuant to 24 CFR 570.452(b)(1).

I. A small city must pass three minimum standards of physical and economic distress, except, if the poverty is less than half the minimum standard, the city must pass four standards. The most current minimum standards of physical and economic distress are:

A. *Age of Housing.* At least 33.81 percent of the applicant's year-round housing units must have been constructed prior to 1940, based on U.S. Census data, in order to meet this minimum standard;

B. *Per Capita Income.* The net increase in per capita income for the period 1969–1979 must have been $4062 or less, based on U.S. Census data, in order to meet this minimum standard;

C. *Population Lag/Decline.* For the period 1970–1980 the percentage rate of population growth (based on corporate boundaries in 1970 and as of the 1980 Census) must have been 1.13 percent or less, based on U.S. Census data, in order to meet the minimum standard;

D. *Job/lag/Decline.* The rate of growth in retail and manufacturing employment for the period 1972–1977 must have increased by 6.84 percent or less, based on U.S. Census data, in order to meet this minimum standard. If data are nor available for both retail and manufacturing employment, the percentage used will be the median for either retail employment or manufacturing employment, based upon the median for those cities on which both sets of data are available. If neither data source is available, this standard will not be considered;

E. *Poverty.* The percentage of persons within the applicant's juridiction at or below the poverty level must be 11.99 percent or more, based on U.S. 1980 Census data, in order to meet this minimum standard.

II. The following small cities meet the current minimum standards of physical and economic distress appropriate to their class.

Alabama

Abbeville
Addison
Akron
Altoona
Andalusia
Anderson
Ardmore
Ariton
Ashford
Ashland
Ashville
Attalla
Auburn
Autaugabille
Baileyton
Banks
Bay Minette
Bayou La Batre
Beatrice
Belk
Benton
Bessemer
Billingsly
Black
Blue Mountain
Blue Springs
Boligee
Bon Air
Brantley
Brent
Bridgeport
Brighton
Brilliant
Brookside
Brundidge
Calera
Camden
Camp Hill
Carbon Hill
Cardiff
Carrollton
Carrville
Castleberry
Cedar Bluff
Centre
Centreville
Chickasaw
Childersburg
Clanton
Cleveland
Clio
Coffeeville
Collinsville
Colony
Columbia
Coosada
Cordova
Cotttonwood
County Line (Covington County)
Courtland
Cuba
Dadeville
Daleville
Daphne
Dayton
Demopolis
Detroit
Dora
Douglas
Dozier
Dutton
Eclectric
Edwardsville
Elba
Eldridge
Elkmont
Epes
Ethelsville
Eufaula
Evergreen
Excel
Fairfield
Fairview
Faunsdale
Five Points
Flomaton
Florala
Forkland
Fort Deposit
Fort Payne
Franklin
Frisco City
Fruithurst
Fulton
Fyffe
Gainesville
Gantt
Gantts Quarry
Garden City
Georgiana
Glen Allen
Glenwood
Goldville
Good Hope
Goodwater
Gordo
Gordon
Goshen
Graysville
Greensboro
Greenville
Gurley
Guwin
Haleburg
Haleyville
Hammondville
Hartford
Hayneville
Headland
Helflin
Hillsboro
Hobson City
Hodges
Holly Pond
Hurtsboro
Jackson's Gap
Jasper
Kennedy
Kinsey
Kinston
Lafayette

Lakeview
Lanett
Langston
Leighton
Level Plains
Libertyville
Linden
Lipscomb
Lisman
Livingston
Lockhart
Louisville
Lowndesboro
Luverne
Madrid
Maplesville
Margaret
Marion
Maytown
McKenzie
McMullen
Memphis
Mentone
Midland City
Midway
Millport
Millry
Mooresville
Mosses
Moundville
Mount Vernon
Mountainboro
Mulga
Napier Field
Nauvoo
Needham
Newbern
Newville
North Courtland
North Johns
Oak Hill
Oakman
Odenville
Opp
Orrville
Ozark
Paint Rock
Parrish
Pennington
Phenix City
Phil Campbell
Pickensville
Piedmont
Pinckard
Pine Apple
Pine Hill
Pollard
Prichard
Providence
Ranburne
Red Bay
Red Level
Reform
Repton
Ridgeville
River Falls
Roanoke
Rockford
Roosevelt City
Rosa
Rutledge
Samson
Sanford
Section
Selma
Sheffield
Silas
Sipsey
Slocomb
Somerville
South Vinemont
Stevenson
Sulligent
Sumiton
Summerdale
Talladega
Talledega Springs
Tallassee
Tarrant City
Thomaston
Town Creek
Toxey
Trafford
Triana
Troy
Tuscumbia
Tuskegee
Union
Union Grove
Union Springs
Uniontown
Valley Head
Vina
Vincent
Vredenburgh
Wadley
Walnut Grove
Waterloo
Waverly
Webb
Wedowee
West Blocton
Wetumpka
Whites Chapel
Wilton
Woodville
York

Alaska

Akhiok
Akiak
Akolmiut
Akutan
Alakanuk
Allakaket
Anaktuvuk Pass
Angoon
Anvik
Atmautluak
Brevig Mission
Buckland
Chefornak
Chevak
Chuathbaluk
Clark's Point
Deering
Diomede
Eagle
Eek
Ekwok
Elim
Emmonak
Fort Yukon
Fortuna Ledge
Gambell
Golovin
Goodnews Bay
Grayling
Haines
Holy Cross
Hughes
Huslia
Kaltag
Kivalina
Kobuk
Koyuk
Koyukuk
Kwethluk
Lower Kalskag
Mekoryuk
Napakiak
New Stuyahok
Newtok
Nightmute
Nikolai
Nondalton
Noorvik
Nulato
Old Harbor
Pilot Station
Port Alexander
Port Lions
Quinhagak
Russian Mission
Savoonga
Scammon Bay
Selawik
Shageluk
Shaktoolik
Sheldon Point
Shishmaref
St. Michael
St. Paul
Stebbins
Tanana
Teller
Tenakee Springs
Togiak
Toksook Bay
Tuluksak
Tununak
Unalakleet
Upper Kalskag
Wales
White Mountain
Yakutat

Arizona

Avondale
Bisbee
Clarkdale
Cottonwood
Douglas
Duncan
El Mirage
Eloy
Florence
Gila Bend
Globe
Guadalupe
Jerome
Miami
Nogales
Patagonia
Pima
San Luis
Somerton
South Tucson
St. Johns
Superior
Surprise
Thatcher
Tombstone
Wellton
Williams
Winslow

Arkansas

Adona
Alicia
Allport
Alma
Almyra
Alpena
Altheimer
Altus
Amagon
Amity
Antoine
Arkadelphia
Arkansas City
Ash Flat
Atkins
Aubrey
Augusta
Bald Knob
Bassett
Batesville
Bauxite
Bearden
Beaver
Beedeville
Belleville
Ben Lomond
Bentonville
Bergman
Big Flat
Bigelow
Biggers
Biscoe Town
Black Oak
Black Rock
Blevins
Blue Eye
Blue Mountain
Bluff
Blytheville
Bodcaw
Bonanza
Bond
Booneville
Bradford
Bradley
Branch
Brinkley
Brookland
Buckner
Burdette
Cale
Calico Rock
Calion
Camden
Caraway
Carlisle
Carthage
Casa
Cash
Cave City
Cave Springs
Charleston
Cherry Valley
Chester
Chidester
Clarendon
Clarksville
Clinton
Coal Hill
College City
Concord
Cotter
Cotton Plant
Cove
Coy
Crawfordsville
Crossett
Cushman
Daisy
Damascus
Danville
Dardanelle
Datto
De Queen
De Valls Bluff
De Witt
Decatur
Delaplaine
Delight
Dell
Denning
Dermott
Des Arc
Dierks
Dumas
Dyer
Earle
Edmondson
El Dorado
Elaine
Elkins
Elm Springs
Emerson
Emmet
England
Enola
Eudora
Eureka Springs
Evening Shade
Everton
Fifty Six
Fordyce
Foreman
Forrest City
Fouke
Fountain Hill
Franklin
Fulton
Garfield
Garland
Garner
Gateway
Gentry
Gilbert
Gillett
Gilmore
Glenwood
Gould
Grady
Grannis
Gravette
Green Forest
Greenway
Greenwood
Greers Ferry
Guion
Gum Springs
Gurdon
Hackett
Hamburg
Hardy
Harrell
Harrisburg
Harrison
Hartford
Hatfield
Havana
Haynes
Hazen
Heber Springs
Hector
Helena
Hermitage
Higginson
Holly Grove
Hope
Horatio
Hot Springs
Houston
Hughes
Humnoke
Humphrey
Hunter
Huntington
Huntsville
Huttig
Imboden
Jacksonport
Jasper
Jerome
Johnson
Joiner
Judsonia
Junction City
Keiser
Keo
Knobel
Lake City
Lake View
Lake Village
Lamar
Leachville
Leola
Lepanto
Leslie
Letona
Lewisville
Lincoln
Lockesburg
London
Lonoke
Lonsdale
Luxora
Lynn
Madison
Magazine
Magness
Magnolia
Malvern
Mammoth Spring
Mansfield
Marianna
Marie
Marked Tree
Marmaduke
Marshall
Marvell
Maynard
McCrory
McDougal
McGehee
McNeil
McRae
Mena
Menifee
Midland
Minturn
Mitchellville
Monette
Monticello
Montrose
Moro
Morrilton
Morrison Bluff
Mount Vernon
Mountain Pine
Mountainburg
Mountainview
Mulberry
Nashville
Newark
Nimmons
Norfolk
Norman
Norphlet
Oak Grove
Oak Grove Heights
Oden
Ogden
Oil Trough
Okolona
Ola
Omaha
Oscedla
Ozan
Palestine
Paragould
Paris
Parkdale
Parkin
Patterson
Peach Orchard
Perla
Piggott
Plainview
Pollard
Portia
Portland
Pottsville
Powhatan
Prairie Grove
Prescott
Pyatt
Quitman
Ratcliff
Ravenden
Ravenden Springs
Reader
Rector
Reed
Reyno
Rison

Roe
Rondo
Rose Bud
Rosston
Rudy
Russell
Scranton
Sherrill
Shirley
Sidney
Smackover
Smithville
South Lead Hill
Sparkman
St. Charles
St. Francis
St. Paul
Stamps
Stephens
Strong
Success
Sulphur Rock
Sulphur Springs
Summit
Sunset
Swifton
Thornton
Tiller
Tollette
Tupelo
Turrell
Ulm
Van Buren
Vandervoort
Victoria
Vilonia
Viola
Wabbaseka
Waldenburg
Waldo
Waldron
Ward
Warren
Washington
Watson
West Helena
West Memphis
West Point
Western Grove
Wheatley
Wickes
Widener
Williford
Wilmot
Wilson
Wilton
Winchester
Winslow
Winthrop
Wynne
Yellville
Zinc

California

Adelanto
Amador
Arvin
Bell
Bell Gardens
Blue Lake
Calexico
Calipatria
Commerce
Corning
Cudahy
Dinuba
Dorris
Etna
Eureka
Exeter
Farmersville
Fort Bragg
Fort Jones
Fowler
Gonzales
Grass Valley
Gridley
Hollister
Huntington Park
Huron
Industry
Ione
Irwindale
Isleton
King City
La Puente
Lake Elsinore
Lawndale
Lindsay
Live Oak
Lynwood
Maricopa
Marina
Maywood
Mendota
National City
Needles
Nevada City
Orland
Oroville
Paramount
Parlier
Point Arena
Red Bluff
San Fernando
San Joaquin
San Pablo
Sand City
Santa Paula
Selma
Sonora
Susanville
Tehama
Tulelake
Watsonville
Weed
Wheatland
Williams
Willits
Woodlake

Colorado

Aguilar
Alamosa
Alma
Antonito
Arriba
Ault
Bennett
Blanca
Boone
Branson
Brookside
Burlington
Calhan
Campo
Cedaredge
Center
Central City
Cheyenne Wells
Coal Creek
Cokedale
Commerce City
Cripple Creek
Crowley
Del Norte
Delta
Dolores
Eckley
Elizabeth
Evans
Flagler
Florence
Fort Lupton
Fowler
Fraser
Frederick
Garden City
Granada
Grover
Gunnison
Hartman
Haswell
Holly
Holyoke
Hooper
Hotchkiss
Hugo
Ignacio
Iliff
Johnstown
Julesburg
Keenesburg
Kim
Kiowa
Kit Carson
La Jara
La Junta
La Veta
Lamar
Las Animas
Limon
Manassa
Mancos
Manzanola
Milliken
Moffat
Monte Vista
Mountain View
Naturita
Nunn
Oak Creek
Olathe
Olney Springs
Orchard City
Ordway
Otis
Ouray
Ovid
Pagosa Springs
Paoli
Peetz
Pierce
Pitkin
Pritchett
Ramah
Raymer
Rico
Rockvale
Rocky Ford
Romeo
Rosedale
Saguache
San Luis
Sanford
Sawpit
Sedgwick
Seibert
Silver Cliff
Silverton
Simla
Springfield
Starkville
Sugar City
Superior
Telluride
Trinidad
Two Buttes
Victor
Walsenburg
Walsh
Ward
Westcliffe
Wiggins
Wiley
Williamsburg
Yampa
Yuma

Connecticut

Ansonia
Bantam
Colchester
Danielson
Jewett City
Middletown
Naugatuck
Putnam
Stafford Springs
Torrington
Willimantic

Delaware

Bethel
Blades
Bowers
Bridgeville
Cheswold
Clayton
Delaware City
Delmar
Ellendale
Farmington
Frankford
Frederica
Georgetown
Greenwood
Harrington
Laurel
Leipsic
Lewes
Little Creek
Magnolia
Middletown
Milford
Milton
Odessa
Seaford
Townsend
Woodside
Wyoming

Florida

Alachua
Alford
Altha
Apalachicola
Arcadia
Archer
Avon Park
Bay Lake
Bell
Blountstown
Bonifay
Bowling Green
Branford
Bronson
Bunnell
Bushnell
Campbellton
Carrabelle
Caryville
Cedar Key
Center Hill
Chattahoochee
Chiefland
Chipley
Cinco Bayou
Coleman
Cottondale
Crescent City
Crestview
Cross City
Davenport
De Land
Eatonville
Esto
Fanning Spring
Fellsmere
Florida City
Fort Meade
Fort Pierce
Fort White
Graceville
Greensboro
Greenville
Gretna
Groveland
Hampton
Hastings
Havana
Hawthorne
High Springs
Homestead
Horseshoe Beach
Interlachen
Inverness
Jasper
Jennings
Key West
La Crosse
Lake Butler
Lake City
Lake Hamilton
Lake Helen
Lake Wales
Laurel Hill
Lawtey
Lee
Live Oak
Madison
Malone
Marianna
Mascotte
Mayo
Micanopy
Monticello
Mulberry
Noma
Oak Hill
Oakland
Otter Creek
Palatka
Paxton
Perry
Pierson
Polk City
Ponce De Leon
Port St Joe
Quincy
Reddick
Sanford
Sebring
Sopchoppy
South Bay
South Flomaton
Springfield
St. Augustine
St. Leo
St. Marks
Starke
Trenton
Vernon
Waldo
Wasau
Wauchula
Webster
Welaka
Westville
Wewahitchka
White Springs
Wildwood
Williston
Worthington Springs
Zolfo Springs

Georgia

Abbeville
Adairsville
Adrian
Ailey
Alamo
Alapaha
Aldora
Allenhurst
Allentown
Alma
Ambrose
Americus
Andersonville
Arabi
Aragon
Arcade
Argyle
Arlington
Ashburn
Attapulgus
Auburn
Avalon
Avera
Bainbridge
Ball Ground
Barnesville
Bartow
Barwick
Baxley
Berlin
Between
Bibb City
Bishop
Blairsville
Blakely
Blue Ridge
Bluffton
Boston
Bostwick
Bowdon
Bowersville
Bowman
Braselton
Brinson
Bronwood
Brooks
Broxton
Brunswick
Buckhead
Buena Vista
Buford
Butler
Byromville
Byron
Cadwell
Cairo
Calhoun
Camilla
Canon
Canton
Carl
Carlton
Carnesville
Carrollton
Cartersville
Cave Spring
Cecil
Cedartown
Centralhatchee
Chatsworth
Chauncey
Chester
Claxton
Clayton
Clermont
Climax
Cobbtown
Cochran
Cohutta
Colbert
Coleman
Collins
Colquitt
Comber
Concord
Coolidge

Cordele
Covington
Crawford
Crawfordville
Cusseta
Cuthbert
Daisy
Dallas
Damascus
Danielsville
Danville
Darien
Davisboro
Dawson
Dawsonville
De Soto
Dearing
Decatur
Denton
Dexter
Doerun
Donalsonville
Doraville
Du Pont
East Ellijay
East Point
Eastman
Eatonton
Edison
Elberton
Ellaville
Ellenton
Ellijay
Enigma
Ephesus
Eton
Euharlee
Fitzgerald
Flemington
Flovilla
Flowery Branch
Folkston
Forsyth
Fort Gaines
Fort Valley
Franklin
Garden City
Gay
Geneva
Georgetown
Gibson
Gillsville
Girard
Glennville
Glenwood
Gordon
Grantville
Greensboro
Greenville
Griffin
Gumbranch City
Guyton
Hagan
Hahira
Hamilton
Hampton
Harlem
Harrison
Hartwell
Hawkinsville
Helena
Higgston
Hiltonia
Hoboken
Hogansville
Homeland
Homer
Homerville
Ideal
Ila
Industrial City
Irwinton
Jackson
Jacksonville
Jeffersonville
Jersey
Junction City
Kingston
Kite
La Fayette
La Grange
Lake Park
Lakeland
Lavonia
Leary
Leesburg
Lenox
Leslie
Lexington
Lilly
Lincolnton
Linwood
Lithonia
Locust Grove
Loganville
Lone Oak
Lovejoy
Ludowici
Lula
Lumber City
Lumpkin
Luthersville
Lyerly
Lyons
Madison
Manassas
Manchester
Mansfield
Marshallville
Martin
Maxeys
McCaysville
McDonough
McIntyre
Meansville
Meigs
Menlo
Metter
Midville
Milledgeville
Millen
Milner
Mitchell
Molena
Monroe
Montezuma
Monticello
Montrose
Morganton
Morven
Moultrie
Mount Vernon
Nahunta
Naylor
Nelson
Newborn
Newington
Newnan
Newton
Nicholls
Norman Park
North High Shoals
Norwood
Oak Park
Ochlocknee
Ocilla
Odum
Oglethorpe
Oliver
Omaha
Omega
Parrott
Patterson
Pavo
Payne
Pearson
Pelham
Pembroke
Pinehurst
Pineview
Pitts
Plains
Portal
Porterdale
Poulan
Preston
Pulaski
Quitman
Ranger
Rayle
Rebecca
Reidsville
Remerton
Rentz
Resaca
Rest Haven
Reynolds
Rhine
Riceboro
Richland
Riddleville
Ringgold
Riverside
Roberta
Rochelle
Rockmart
Rocky Ford
Rome
Rossville
Royston
Rutledge
Sale City
Sandersville
Sardis
Sasser
Scotland
Screven
Sendia
Sharon
Shellman
Shiloh
Siloam
Smithville
Social Circle
Sparta
Stapleton
Stillmore
Summertown
Summerville
Sumner
Sunny Side
Surrency
Sycamore
Sylvania
Sylester
Talbotton
Talking Rock
Tallapoosa
Tarrytown
Taylorsville
Tennille
The Rock
Thomaston
Thomasville
Thomson
Tiger
Tignall
Toomsboro
Tridon
Ty Ty
Unadilla
Union Point
Uvalda
Varnell
Vidalia
Vienna
Villa Rica
Wadley
Waleska
Walnut Grove
Walthourville
Warm Springs
Warrenton
Warwick
Washington
Waverly Hall
Waycross
Waynesboro
Whigham
White Plains
Willacoochee
Williamson
Winder
Woodbine
Woodbury
Woodland
Woodville
Woolsey
Wrens
Wrightsville
Yatesville

Idaho

Aberdeen
Acequia
Albion
Ashton
Bancroft
Bellevue
Blackfoot
Bliss
Bloomington
Bonners Ferry
Buhl
Burley
Caldwell
Castleford
Challis
Clark Fork
Clayton
Clifton
Cottonwood
Dayton
Downey
Driggs
Dubois
East Hope
Eden
Elk River
Emmett
Glenns Ferry
Gooding
Grand View
Grangeville
Hagerman
Hauser Lake
Hollister
Jerome
Kellogg
Kendrick
Kooskia
Kootenai
Lapwai
Lava Hot Springs
Leadore
Mackay
Malta
Marsing
McCammon
Melba
Menan
Middleton
Midvale
Minidoka
Moscow
Mud Lake
Mullan
Nampa
New Plymouth
Newdale
Nezperce
Notus
Oakley
Oldtown
Onaway
Orofino
Oxford
Parma
Payette
Ponderay
Preston
Priest River
Rathdrum
Reubens
Rexburg
Rigby
Ririe
Roberts
Rockland
Rupert
Salmon
Sandpoint
Shoshone
Smelterville
Spirit Lake
St. Anthony
Stanley
Stites
Tensed
Teton
Tetonia
Wallace
Wardner
Weippe
Weiser
Wendell
Weston
White Bird
Wilder
Worley

Illinois

Allerton
Alma
Alorton
Alsey
Alto Pass
Alton
Apple River
Argenta
Armington
Aroma Park
Ashley
Assumption
Astoria
Augusta
Ava
Avon
Baldwin
Bardolph
Barry
Batchtown
Bay View Gardens
Baylis
Beaverville
Beecher City
Belgium
Belknap
Belle River
Belleflower
Benlo
Bently
Benton
Berlin
Bingham
Birds
Bishop Hill
Blandinsville
Blue Island
Bluffs
Bone Gap
Bowen
Bridgeport
Broadwell
Brocton
Brooklyn
Brookport
Broughton
Browing
Brownstown
Brussels
Buckner
Buda
Bulpitt
Buncombe
Bureau Junction
Burnt Prairie
Bush
Cabery
Cairo
Calhoun
Camden
Camp Point
Carbondale
Carlinville
Carriers Mills
Carrollton
Caseyville
Cave-In-Rock
Central City
Centreville
Chandlerville
Charleston
Chicago Heights
Christopher
Cisne
Claremont
Clay City
Clayton
Coalton
Cobden
Colchester
Colp
Columbus
Cowden
Creal Springs
Cutler
Cypress
Danville
De Kalb
Detroit
Dongola
Donnellson
Dorchester
Dover
Du Bois
Dupo
Durand
Eagarville
East Alton
East Carondelet
East Chicago Heights
East Gillespie
Eddyville
Edgewood
Eldorado
Eldred
Elizabethtown
Elkville
Ellis Grove
Enfield
Equality
Exeter
Fairfield
Fairmont City
Fairmount
Fayetteville
Fidelity
Fieldon
Fillmore
Flat Rock
Flora
Florence
Forest City
Freeman Spur
Freeport
Galatia
Garrett
Georgetown
Golconda
Golden
Goreville
Gorham
Grafton

Grand Tower
Grandview
Greenfield
Greenview
Griggsville
Hamburg
Hamletsburg
Hanaford
Hanover
Hardin
Harrisburg
Harvel
Harvey
Havana
Herrick
Hidalgo
Hillview
Hodgkins
Homer
Hoopeston
Hopedale
Hull
Hume
Hurst
Indianola
Iola
Iroquois
Irving
Iuka
Ivesdale
Jeffersonville
Jeiseyville
Johnston City
Joppa
Joy
Junction
Junction City
Kampsville
Kane
Karnak
Keenes
Keensburg
Keithsburg
Kewanee
Kilbourne
Kinderhook
Kinmundy
Kinsman
La Harpe
La Prairie
La Salle
Lawrenceville
Leaf River
Lenzburg
Lisbon
Litchfield
Littleton
Loami
Loda
London Mills
Longview
Loraine
Lovington
Ludlow
Macedonia
Macomb
Madison
Maeystown
Magnolia
Makanda
Manchester
Mapleton
Marietta
Mascoutah
Maunie
Maywood
McLeansboro
Mendon
Metcalf
Metropolis
Middletown
Milford
Mill Shoals
Milton
Monmouth
Montrose
Mound
Mound City
Mound Station
Mount Clare
Mount Erie
Mount Sterling
Muddy
Mulberry Grove
Muncie
Murphysboro
Nason
National City
Nauvoo
Nebo
New Athens
New Boston
New Burnside
New Canton
New Douglas
New Grand Chain
New Haven
New Minden
New Salem
Niantic
Noble
Norris
Norris City
North City
North Henderson
Oakland
Oblong
Ohlman
Old Shawneetown
Olmstead
Omaha
Onarga
Oquawka
Orient
Palmer
Palmyra
Pana
Papineau
Paris
Pearl
Pembroke
Phoenix
Pittsburg
Plainville
Pleasant Hill
Plymouth
Pocahontas
Potomac
Prairie City
Pulaski
Quincy
Ramsey
Rankin
Redmond
Richview
Ridgway
Ridott
Ripley
Robbins
Rockbridge
Rockwood
Roodhouse
Rose Hill
Roseville
Rosiclare
Rossville
Roxana
Royal Lakes
Royalton
Russellville
Sadorus
Sailor Springs
Sandoval
Sauget
Savanna
Scales Mound
Sciota
Scottville
Seaton
Secor
Sheldon
Shumway
Sidell
Simpson
Sims
Smithboro
Sorento
South Beloit
South Pekin
Spillertown
Springerton
St. David
St. Elmo
St. Johns
Standard City
Stewardson
Stonefort
Stoy
Strawn
Summerfield
Summit
Table Grove
Tennessee
Thawville
Thebes
Thompsonville
Tilton
Tower Hill
Ullin
Valley City
Valmeyer
Venice
Vermilion
Vermont
Vernon
Versailles
Victoria
Vienna
Virginia
Waggoner
Wamac
Washington Park
Wenonah
West Brooklyn
West City
West Frankfort
West Point
Westville
Wheeler
White Hall
Whiteash
Williamson
Willisville
Willow Hill
Wilsonville
Winchester
Witt
Woodlawn
Worden
Wyoming
Xenia
Zeigler

Indiana

Advance
Alamo
Alexandria
Alfordsville
Alton
Altona
Ambia
Amboy
Aurora
Austin
Bainbridge
Bedford
Bethany
Bicknell
Bloomfield
Blountsville
Boston
Brazil
Brook
Brooklyn
Brooksburg
Bruceville
Bryant
Cadiz
Cambridge City
Campbellsburg
Cannelburg
Cannelton
Carbon
Carlisle
Carthage
Cayuga
Centerville
Charlestown
Chrisney
Clarks Hill
Claypool
Clayton
Clinton
Connersville
Corunna
Corydon
Crandall
Crawfordsville
Cromwell
Culver
Dana
Darlington
Decker
Dublin
Dugger
Dunkirk
Dupont
Earl Park
East Germantown
Economy
Edinburg
Edwardsport
Elnora
Elwood
English
Fairmount
Fountain City
Fowler
Fowlerton
Francisco
Franklin
Fredericksburg
French Lick
Garrett
Glenwood
Gosport
Grandview
Greencastle
Greensboro
Greensburg
Griffin
Hardinsburg
Harmony
Hartford City
Hillsboro
Holton
Hudson
Huntington
Jasonville
Jeffersonville
Jonesboro
Jonesville
Judson
Kennard
Knightstown
Knightsville
Knox
Laconia
Lagro
Laurel
Lawrenceburg
Leavenworth
Liberty
Linton
Little York
Logansport
Losantville
Lynn
Lyons
Madison
Marengo
Marion
Markleville
Martinsville
Mecca
Medaryville
Medora
Mellott
Merom
Michigan City
Michigantown
Milford
Milltown
Milton
Modoc
Monon
Monroe City
Montgomery
Montpelier
Mooreland
Moores Hill
Mooresville
Morgantown
Morocco
Mount Auburn
Mount Carmel
Napoleon
New Albany
New Amsterdam
New Castle
New Market
New Middleton
New Pekin
New Providence
Newberry
Newpoint
Newport
Newtown
North Grove
North Judson
North Liberty
North Vernon
Oakland City
Oaktown
Oldenburg
Orland
Osgood
Palmyra
Paoli
Paragon
Patriot
Pendleton
Pennville
Peru
Pierceton
Plainville
Plymouth
Portland
Ravenswood
Redkey
Richmond
Ridgeville
Roachdale
Rockport
Rockville
Rosedale
Roseland
Royal Center
Rushville
Salamonia
Saltillo
Saratoga
Shelburn
Shelbyville
Shirley
Shoals
Sidney
Silver Lake
Spencer
Spiceland
Springport
Stinesville
Straughn
Summitville
Switz City
Tennyson
Thorntown
Tipton
Troy
Union City
Universal
Vernon
Versailles
Vevay
Vincennes
Wabash
Walkerton
Wallace
Washington
Waveland
West Baden
West College Corner
West Harrison
West Lebanon
West Terre Haute
Wheatfield
Wheatland
Whitestown
Whitewater
Wingate
Winona Lake
Winslow
Worthington

Iowa

Afton
Ainsworth
Akron
Albion
Alexander
Allerton
Alvord
Anthon
Aredale
Arion
Arispe
Arlington
Ashton
Athelstan
Auburn
Aurora
Ayrshire
Bagley
Baldwin
Bancroft
Barnes City
Batavia
Beaconsfield
Bedford
Belle Plaine
Blakesburg
Blockton
Bonaparte
Boxholm
Bradgate
Brandon
Bridgewater
Brighton
Bronson
Burlington
Callender
Cantril
Carbon
Carpenter
Carson
Casey
Castalia
Castana
Center Junction
Centerville
Central City
Charles City
Charlotte
Charter Oak
Chatsworth

Chelsea
Cincinnati
Clare
Clarinda
Clayton
Clearfield
Clemons
Clermont
Clutier
Coggon
Coin
Colesburg
Colfax
Collins
Columbus City
Colwell
Conway
Corning
Correctionville
Corydon
Cotter
Crawfordsville
Cromwell
Cumberland
Curlew
Cylinder
Dallas
Danbury
Davis City
Dawson
Decatur City
Deep River
Delaware
Delhi
Deloit
Delta
Derby
Diagonal
Dickens
Dolliver
Dougherty
Drakesville
Dumont
Dundee
Dunlap
Eagle Grove
Earling
Earlville
Early
East Peru
Elberon
Eldon
Elliston
Ely
Estherville
Exira
Exline
Farnhamville
Fayette
Fenton
Floris
Fonda
Fontanelle
Fraser
Galt
Garden Grove
Garrison
Gillett Grove
Gilmore City
Graettinger
Grafton
Grand Junction
Grand River
Grandview
Grant
Gravity
Gray
Greeley
Green Island
Greenville
Griswold
Guthrie Center
Hamilton
Hanlontown
Hardy
Harpers Ferry
Harvey
Hastings
Havelock
Hawkeye
Hayesville
Hillsboro
Hopkinton
Hornick
Humeston
Imogene
Iowa Falls
Ireton
Jackson Junction
Jolley
Kamrar
Kellerton
Kensett
Kent
Keokuk
Keota
Kirkville
Kiron
Knierim
La Motte
Lacona
Lamont
Lanesboro
Lansing
Lawler
Le Roy
Leon
Letts
Libertyville
Lime Springs
Linden
Lineville
Linn Grove
Liscomb
Little Rock
Little Sioux
Littleport
Livermore
Logan
Lohrville
Lorimor
Lovilia
La Verne
Lucas
Lytton
Macedonia
Macksburg
Madrid
Magnolia
Manchester
Mapleton
Maquoketa
Marathon
Marble Rock
Marcus
Marne
Marquette
Martinsburg
Marysville
Mason
Masonville
Massena
Maxwell
Maysville
McClelland
McGregor
McIntire
Melcher
Melrose
Millerton
Milton
Missouri Valley
Mondamin
Monmouth
Moravia
Morley
Moulton
Mount Ayr
Mount Sterling
Murray
Mystic
Neola
New Albin
New Liberty
New Market
New Virginia
Nichols
North Washington
Northbound
Norway
Numa
Oakland
Oakville
Oelwein
Ollie
Onawa
Onslow
Orient
Oskaloosa
Ossian
Oto
Ottumwa
Oxford Junction
Panama
Panora
Paton
Persia
Peterson
Pierson
Pisgah
Pleasanton
Plover
Plymouth
Pocahontas
Pomeroy
Popejoy
Portsmouth
Postville
Primghar
Promise City
Protivin
Pulaski
Randolph
Rathbun
Redding
Renwick
Rhodes
Richland
Ricketts
Rinard
Ringsted
Riverside
Riverton
Rock Falls
Rodney
Rome
Rose Hill
Russell
Ruthven
Sabula
Schleswig
Scranton
Searsboro
Seymour
Shannon City
Sharpsburg
Sibley
Sigourney
Smithland
Spillville
Springbrook
St. Anthony
St. Lucas
St. Olaf
Stacyville
Steamboat Rock
Stockton
Stratford
Strawberry Point
Swaledale
Tabor
Tama
Tennant
Thayer
Thompson
Thor
Thornburg
Thurman
Tingley
Toronto
Udell
Unionville
Ute
Vail
Van Wert
Villisca
Vining
Volga
Wadena
Walker
Wall Lake
Walnut
Washta
Waterville
Wauconda
Webster
Weldon
Wellsburg
Welton
Westphalia
What Cheer
Wheatland
Whittenmore
Whitten
Willey
Williams
Williamson
Winterset
Wiota
Woodburn
Yetter
Zwingle

Kansas

Abbyville
Abilene
Agenda
Alden
Alexander
Almena
Altoona
Anthony
Arcadia
Arlington
Arma
Atchison
Athol
Attica
Axtell
Barnard
Barnes
Bartlett
Bassett
Baxter Springs
Baxine
Beattie
Belpre
Benedict
Bern
Bison
Blue Mound
Blue Rapids
Bluff City
Bronson
Brownell
Buffalo
Burns
Burr Oak
Caldwell
Cambridge
Caney
Cassoday
Cawker City
Cedar
Centralia
Chapman
Chautauqua
Cherokee
Cherryvale
Chetopa
Circleville
Clay Center
Clifton
Climax
Clyde
Coffeyville
Collyer
Colony
Columbus
Concordia
Coolidge
Copeland
Corning
Cottonwood Falls
Council Grove
Courtland
Coyville
Cuba
Damar
Delphos
Denison
Denton
Dighton
Downs
Dresden
Dunlap
Durham
Dwight
Earlton
Edna
Elgin
Elk City
Elk Falls
Ellis
Elsmore
Elwood
Emmett
Englewood
Ensign
Enterprise
Erie
Eureka
Fairview
Fall River
Florence
Fontana
Ford
Formoso
Fort Scott
Fredonia
Fulton
Galena
Gaylord
Geneseo
Geuda Springs
Glade
Glasco
Goff
Gove City
Green
Greenleaf
Grenola
Haddam
Hamilton
Hamlin
Hanover
Hardtner
Hazleton
Hepler
Herington
Herndon
Highland
Hillsboro
Holcomb
Holyrood
Horace
Horton
Howard
Humboldt
Hunter
Huron
Jamestown
Jennings
Jewell
Johnson City
Junction City
Kanorado
Kincaid
Kingman
Kiowa
Kirwin
La Harpe
Labette
Lane
Langdon
Latham
Le Roy
Leavenworth
Lebanon
Lenora
Leona
Leonardville
Leoti
Liebenthal
Lincoln Center
Lincolnville
Logan
Lone Elm
Lost Springs
Louisville
Lucas
Luray
Mahaska
Manhattan
Mankato
Mapleton
Marquette
McCracken
McCune
McDonald
McLouth
Meade
Menlo
Milan
Miltonvale
Minneola
Moline
Morland
Morrill
Morrowville
Mount City
Mount Valley
Mulberry
Mullinville
Munden
Muscotah
Narka
Natoma
Neosho Falls
Netawaka
New Cambria
Niotaze
Norcatur
Norton
Oak Hill
Oakley
Offerle
Olmitz
Olsburg
Onaga
Oneida
Oswego
Ottawa
Palmer
Paradise
Park
Parker
Parsons
Partridge
Pawnee Rock
Paxico
Penalosa
Peru
Phillipsburg
Pittsburg
Plainville
Pleasanton
Plevna

Portis
Powhattan
Prairie View
Prescott
Preston
Quenemo
Ramona
Randall
Rantoul
Raymond
Redfield
Republic
Reserve
Rexford
Richfield
Richmond
Rolla
Rush Center
Russell Springs
Sabetha
Savonburg
Scammon
Scandia
Schoenchen
Scranton
Selden
Severance
Severy
Seward
Sharon Springs
Smith Center
Soldier
Solomon
Spearville
St. Francis
Stafford
Stark
Sterling
Strong City
Summerfield
Sun City
Susank
Sylvan Grove
Sylvia
Tampa
Tescott
Thayer
Tipton
Treece
Troy
Turon
Tyro
Utica
Virgil
Wakefield
Waldo
Wallace
Walnut
Waverly
Weir
West Mineral
Wetmore
Wheaton
White City
White Cloud
Whiting
Willard
Williamsburg
Wilson
Windom
Winona
Woodston
Zenda
Zurich

Kentucky

Adairville
Albany
Arlington
Auburn
Augusta
Barbourville
Bardstown
Bardwell
Barlow
Beattyville
Bedford
Bellevue
Benham
Berry
Blaine
Bloomfield
Bonnieville
Booneville
Bowling Green
Bradfordsville
Brodhead
Bromley
Brooksville
Brownsville
Burgin
Burkesville
Butler
Cadiz
Calhoun
California
Camargo
Campbellsburg
Campton
Caneyville
Carlisle
Carrollton
Carrsville
Catlettsburg
Cave City
Central
Clarkson
Clay
Clay City
Clinton
Cloverport
Columbia
Columbus
Concord
Corbin
Corinth
Corydon
Crab Orchard
Crofton
Cumberland
Cynthiana
Danville
Dawson Springs
Dayton
Dixon
Dover
Drakesboro
Earlington
Ekron
Elkhorn City
Elkton
Eminence
Eubank
Evarts
Ewing
Fairfield
Falmouth
Ferguson
Flemingsburg
Fleming-Neon
Fordsville
Foster
Fountain Run
Franklin
Frenchburg
Fulton
Georgetown
Germantown
Ghent
Glencoe
Gratz
Grayson
Guthrie
Hardinsburg
Harlan
Harrodsburg
Hartford
Hawesville
Hazard
Hazel
Hickman
Hiseville
Hodgenville
Horse Cave
Hustonville
Inex
Irvine
Irvington
Island
Jamestown
Jeffersonville
Junction City
La Center
La Fayette
Lancaster
Latonia Lakes
Lebanon
Lebanon Junction
Lewisburg
Livermore
Livingston
Lockport
London
Loretto
Louisa
Loyall
Ludlow
Manchester
Marion
Martin
Mayfield
Maysville
McHenry
McKee
Melbourne
Middlesborough
Midway
Millersburg
Milton
Monterey
Monticello
Morehead
Mortons Gap
Mount Olivet
Mount Sterling
Mount Vernon
Muldraugh
Munfordville
Murray
Nebo
New Castle
New Haven
Newport
Nicholasville
Oakland
Olive Hill
Owenton
Owingsville
Paducah
Paintsville
Paris
Pembroke
Perryville
Pikeville
Pineville
Pleasureville
Prestonville
Princeton
Providence
Ravenna
Richmond
Rockport
Russellville
Sacramento
Sadieville
Salem
Salt Lick
Salyersville
Sanders
Sandy Hook
Sardis
Science Hill
Scottsville
Sharpsburg
Shelbyville
Silver Grove
Smithland
Smiths Grove
Somerset
Sonora
South Carrolton
South Shore
Sparta
Springfield
St. Charles
Stamping Ground
Stanford
Taylorsville
Tollesboro
Tompkinsville
Trenton
Upton
Vanceburg
Vicco
Visalia
Wallins Creek
Walton
Warsaw
Water Valley
Mayland
West Liberty
West Point
Wheatcroft
Wheelwright
White Plains
Whitesburg
Wickliffe
Williamsburg
Willisburg
Winchester
Worthville

Louisiana

Abbeville
Abita Springs
Amite City
Angie
Arcadia
Arnaudville
Basile
Baskin
Bastrop
Belcher
Bernice
Bienville
Bogalusa
Bonita
Boyce
Bunkie
Calvin
Campti
Carencro
Castor
Chataignier
Chathman
Cheneyville
Choudrant
Church Point
Clarence
Clarks
Clayton
Clinton
Colfax
Collinston
Columbia
Converse
Cottonport
Coushatta
Crowley
Cullen
De Quincy
Delhi
Delta
Dodson
Donaldsonville
Dubach
East Hodge
Elizabeth
Elton
Epps
Erath
Eros
Estherwood
Evergreen
Farmerville
Ferriday
Fisher
Florien
Folsom
Forest
Forest Hill
Franklinton
Georgetown
Gibsland
Gilbert
Gilliam
Glenmora
Golden Meadow
Grand Coteau
Grand Isle
Grayson
Gretna
Grosse Tete
Gueydan
Hall Summit
Harrisonburg
Haynesville
Heflin
Henderson
Hodge
Homer
Hornbeck
Hosston
Independence
Iota
Jamestown
Jeanerette
Jonesboro
Jonesville
Junction City
Kaplan
Keatchie
Kentwood
Kinder
Krotz Springs
Lake Arthur
Lake Providence
Lecompte
Leesville
Leonville
Lillie
Lisbon
Livingston
Logansport
Longstreet
Lucky
Madisonville
Mamou
Mangham
Mansfield
Mansura
Maringouin
Marksville
Maurice
Melville
Mer Rouge
Merryville
Montgomery
Montpelier
Moreauville
Morse
Mound
Napoleonville
Natchex
New Roads
Newellton
North Hodge
Oak Grove
Oak Ridge
Oakdale
Oberlin
Oil City
Opelousas
Palmetto
Parks
Pioneer
Plain Dealing
Plaquemine
Pleasant Hill
Pollock
Ponchatoula
Powhatan
Provencal
Rayne
Rayville
Reeves
Richmond
Richwood
Ringold
Rodeline
Rodessa
Rosedale
Roseland
Saline
Sicily Island
Sikes
Simmesport
Sorrento
South Mansfield
Spearsville
Springfield
Springhill
St. Francisville
St. Joseph
Sun
Sunset
Tallulah
Tangipahoa
Tickfaw
Turkey Creek
Urania
Varnado
Ville Platte
Vivian
Washington
Waterproof
White Castle
Wilson
Winnfield
Winnsboro
Wisner
Woodworth
Youngsville
Zwolle

Maine

Augusta
Belfast
Biddeford
Brewer
Calais
Caribou
Eastport
Gardiner
Hallowell
Old Town
Presque Isle
Rockland
South Portland
Waterville

Maryland

Aberdeen
Annapolis
Barton
Berlin
Betterton
Brentwood

Brookeville
Brookview
Cambridge
Capitol Heights
Cecilton
Charlestown
Chesapeake City
Chestertown
Church Creek
Colmar Manor
Crisfield
Deer Park
Delmar
Denton
Eagle Harbor
East New Market
Elkton
Emmitsburg
Fairmount Heights
Federalburg
Friendsville
Fruitland
Grantsville
Greensboror
Hancock
Havre De Grace
Henderson
Kitzmillerville
Loch Lynn Heights
Lonaconing
Mardela Springs
Marydel
Midland
Mount Rainier
North Beach
North Brentwood
North East
Oakland
Perryville
Pocomoke City
Port Deposit
Princess Anne
Queen Anne
Ridgely
Rock Hall
Salisbury
Secretary
Snow Hill
St. Michaels
Sudlersville
Templeville
Union Bridge
Vienna

Massachusetts

Attleboro
Beverly
Chelsea
Everett
Gardner
North Adams
Northampton
Revere
Salem

Michigan

Addison
Ahmeek
Akron
Alanson
Albion
Allen
Alma
Alpena
Alpha
Applegate
Athens
Baldwin
Bancroft
Bangor
Baraga
Barryton
Beaverton
Bellevue
Benzonia
Berrien Springs
Bessemer
Beulah
Big Rapids
Bloomingdale
Breedsville
Bronson
Buckley
Burlington
Burr Oak
Cadillac
Calumet
Camden
Carney
Caro
Carsonville
Casnovia
Caspian
Cassopolis
Cedar Springs
Cement City
Central Lake
Charlotte
Cheboygan
Clarksville
Clayton
Clifford
Clio
Coleman
Coloma
Concord
Constantine
Copemish
Copper City
Crystal Falls
Custer
Daggett
Dansville
De Tour Village
Decatur
Deckerville
Dowagiac
Eagle
East Lake
Eau Claire
Ecorse
Edmore
Elberta
Elkton
Emmett
Empire
Escanaba
Essexville
Evart
Ferndale
Fife Lake
Fowler
Frankfort
Fremont
Gaastra
Gagetown
Galesburg
Galien
Garden
Gaylord
Gladstone
Gladwin
Gobles
Grant
Grayling
Hamtramck
Hancock
Hanover
Harbor Beach
Harbor Springs
Harrietta
Harrison
Harrisville
Hart
Hartford
Hastings
Hazel Park
Hesperia
Highland Park
Hillman
Hillsdale
Holland
Honor
Houghton
Howard City
Hubbardston
Hudson
Inkster
Ionia
Iron Mountain
Iron River
Ironwood
Kalkaska
Kinde
Kingsford
Laingsburg
Lake Linden
Lake Odessa
Lakeview
Lakewood Club
Lanse
Lapeer
Laurium
Lexington
Ludington
Luther
Lyons
Mackinac Island
Mackinaw City
Mancelona
Manistee
Manistique
Manton
Marcellus
Marine City
Marion
Marshall
Martin
McBain
McBride
Mecosta
Melvin
Mendon
Menominee
Merrill
Messick
Monroe
Morenci
Morley
Morrice
Mount Clemens
Mount Morris
Mount Pleasant
Muir
Munising
Nashville
New Haven
Newaygo
Newberry
Niles
North Adams
Norway
Oakley
Olivet
Onaway
Ontonagon
Otisville
Otsego
Owendale
Owosso
Perrinton
Petoskey
Pewamo
Pierson
Pinconning
Port Austin
Port Hope
Port Huron
Posen
Powers
Prescott
Ravenna
Reed City
River Rouge
Rose City
Rosebush
Saranac
Sault Sainte Marie
Sebewaing
Shelby
Sherwood
South Haven
South Range
Springport
St. Ignace
St. Louis
Stambaugh
Stanton
Stanwood
Sterling
Suttons Bay
Tekonsha
Thompsonville
Three Rivers
Turner
Twining
Ubly
Union City
Unionville
Vandalia
Vanderbilt
Vassar
Wakefield
Walkerville
Watervliet
Wayland
West Branch
White Cloud
Whitehall
Whittemore
Wolverine
Woodland
Ypsilanti

Minnesota

Ada
Adrian
Aitkin
Akeley
Albany
Alberta
Aldrich
Alexandria
Alpha
Altura
Amboy
Argyle
Arlington
Askov
Avoca
Backus
Badger
Bagley
Barnum
Baudette
Beardsley
Bejou
Belgrade
Bellchester
Bellingham
Beltrami
Bemidji
Bena
Bertha
Bethel
Big Falls
Bigelow
Bingham Lake
Blackduck
Blomkest
Bluffton
Bock
Bovey
Boy River
Boyd
Braham
Brainerd
Breckenridge
Brewster
Brook Park
Brooks
Brooten
Browerville
Browns Valley
Brownsdale
Bruno
Buckman
Buffalo Lake
Callaway
Canby
Canton
Carlton
Cass Lake
Cedar Mils
Chandler
Clarissa
Clear Lake
Clearbrook
Clements
Clinton
Clitherall
Clontarf
Cloquet
Coates
Cobden
Comfrey
Conger
Correll
Cosmos
Cromwell
Crosby
Currie
Cyrus
Dalton
Danvers
De Graff
Deer Creek
Deer River
Deerwood
Delavan
Delhi
Denham
Dennison
Dent
Donaldson
Dumont
Dundee
Dunnell
Eagle Bend
Echo
Eden Valley
Edgerton
Effie
Elbow Lake
Elmdale
Elmore
Emily
Emmons
Erhard
Erskine
Evan
Evansville
Fairfax
Faribault
Farwell
Federal Dam
Felton
Fergus Falls
Fertile
Fifty Lakes
Finlayson
Flensburg
Floodwood
Florence
Foreston
Fosston
Freeport
Frost
Garvin
Gary
Georgetown
Ghent
Gilman
Glenwood
Glyndon
Good Thunder
Goodridge
Grand Marais
Granite Falls
Green Isle
Grey Eagle
Grygla
Gully
Hadley
Hallock
Halma
Hammond
Hampton
Hanska
Harding
Hardwick
Harmony
Hatfield
Hazel Run
Henderson
Hendricks
Henning
Herman
Heron Lake
Hewitt
Hill City
Hillman
Hilltop
Hinckley
Hitterdal
Hoffman
Hokah
Holland
Holloway
Holt
Houston
Humboldt
Ihlen
International Falls
Ironton
Jackson
Jasper
Jeffers
Kelliher
Kellogg
Kennedy
Kenneth
Kensington
Kent
Kenyon
Kettle River
Kilkenny
Kimball
Kingston
La Porte
La Salle
Lake Benton
Lake Brownson
Lake Wilson
Lamberton
Lancaster
Lanesboro
Lastrup
Lengby
Leonard
Lewisville
Lismore
Little Falls
Littlefork
Long Beach
Longville
Lonsdale
Louisburg
Lowry

Lucan
Luverne
Mabel
Madison
Madison Lake
Magnolia
Mahnomen
Manhattan Beach
Mankato
Mapleview
Marietta
Maynard
McGrath
McGregor
McIntosh
McKinley
Meadowlands
Meire Grove
Menahga
Mendota
Mentor
Middle River
Milan
Millerville
Millville
Miltona
Minnesota City
Mizpah
Moose Lake
Morgan
Morris
Motley
Murdock
Nashua
Nassau
Nelson
New Auburn
New Germany
New Munich
New Trier
New York Mills
Newfolden
Nimrod
Norcross
Northome
Odessa
Ogema
Ogilvie
Oklee
Onamia
Orr
Ortonville
Oslo
Ottertail
Palisade
Park Rapids
Parkers Prairie
Pelican Rapids
Pemberton
Pequot Lakes
Perham
Perley
Peterson
Pierz
Pillager
Pine City
Pine River
Pipestone
Porter
Quamba
Randall
Randolph
Ranier
Red Lake Falls
Remer
Revere
Richmond
Richville
Ronneby
Roscoe
Rose Creek
Roseau
Royalton
Rushford Village City
Ruthton
Sacred Heart
Sandstone
Sauk Centre
Seaforth
Sebeka
Sedan
Shafer
Shelly
Shevlin
Slayton
Sobieski
Solway
Spring Grove
Spring Hill
Springfield
St. Anthony
St. Hilaire
St. Martin
St. Rosa
St. Vincent
Staples
Starbuck
Steen
Stewart
Strandquist
Sunburg
Swanville
Tamarack
Taopi
Taunton
Tenstrike
Tower
Tracy
Trail
Trimont
Trommald
Twin Lakes
Ulen
Underwood
Upsala
Vergas
Verndale
Vernon Center
Vesta
Villard
Vining
Wabasha
Wabasso
Wadena
Waldorf
Walker
Walnut Grove
Walters
Waltham
Wanda
Watkins
Watson
Waubun
Waverly
Wells
West Union
Westbrook
Westport
Whalan
Wheaton
Williams
Willow River
Wilmont
Wilton
Winger
Winona
Winthrop
Wolf Lake
Wykoff

Mississippi

Abbeville
Aberdeen
Ackerman
Alligator
Amory
Anguilla
Arcola
Artesia
Ashland
Bassfield
Bay Springs
Bay St. Louis
Beaumont
Belzoni
Benoit
Bentonia
Beulah
Big Creek
Blue Mountain
Blue Springs
Bolton
Boyle
Braxton
Brookhaven
Brooksville
Bruce
Bude
Burnsville
Byhalia
Caledonia
Canton
Carrollton
Cary
Centreville
Charleston
Chunky
Clarksdale
Coffeeville
Coldwater
Collins
Columbia
Columbus
Como
Courtland
Crawford
Crenshaw
Crosby
Crowder
Cruger
Crystal Springs
De Kalb
Decatur
Doddsville
Drew
Duck Hill
Dumas
Duncan
Durant
D'Lo
Ecru
Eden
Edwards
Ellisville
Enterprise
Ethel
Eupora
Falcon
Falkner
Fayette
Flora
Flowood
Forest
Friars Point
Gattman
Georgetown
Glendora
Gloster
Golden
Goodman
Greenville
Greenwood
Grenada
Gunnison
Guntown
Hatley
Hazlehurst
Heidelberg
Hickory
Hickory Flat
Hollandale
Holly Springs
Houston
Indianola
Inverness
Isola
Itta Bena
Iuka
Jonestown
Jumpertown
Kilmichael
Kosciusko
Kossuth
Lake
Lake Center
Lambert
Laurel
Leland
Lena
Lexington
Louin
Louise
Lula
Lumberton
Lyon
Maben
Macon
Magnolia
Marks
Mathiston
Mayersville
McComb
McCool
McLain
Meadville
Memphis
Meridian
Merigold
Metcalfe
Mize
Montrose
Moorhead
Morgan City
Mound Bayou
Mount Olive
Myrtle
Natchez
New Albany
New Augusta
New Houlka
Newport
Newton
North Carrollton
Noxapater
Oakland
Okolona
Osyka
Pace
Pachuta
Paden
Picayune
Pickens
Pittsboro
Plantersville
Polkville
Pope
Poplarville
Port Gibson
Potts Camp
Prentiss
Puckett
Quitman
Raleigh
Richton
Rienzi
Ripley
Rolling Fork
Rosedale
Roxie
Ruleville
Sallis
Sardis
Schlater
Scooba
Seminary
Shannon
Shaw
Shelby
Sherman
Shubuta
Shuqualak
Sidon
Silver City
Sledge
Starkville
State Line
Stonewall
Sturgis
Summit
Sumner
Sumrall
Sunflower
Taylorsville
Tchula
Terry
Tishomingo
Toccopola
Tremont
Tunica
Tutwiler
Tylertown
Union
Utica
Vaiden
Vardaman
Vicksburg
Walnut
Walnut Grove
Water Valley
Waynesboro
Webb
Weir
West
West Point
Winona
Winstonville
Woodland
Woodville
Yazoo City

Missouri

Adrian
Albany
Aldrich
Alexandria
Allendale
Altamont
Alton
Amazonia
Amity
Amoret
Amsterdam
Anderson
Annapolis
Anniston
Appleton City
Arbyrd
Arcadia
Arcola
Argyle
Armstrong
Arrow Rock
Asbury
Ash Grove
Atlanta
Aurora
Ava
Aville
Bakersfield
Baldwin Park
Baring
Barnard
Barnett
Bates City
Bell City
Belle
Bellflower
Benton
Benton City
Berger
Bernie
Bethany
Beverly Hills
Bevier
Bigelow
Billings
Birch Tree
Birmingham
Bismarck
Blackwater
Bland Blodgett
Blue Eye
Blythedale
Bogard
Bolckow
Bolivar
Boonville
Bourbon
Bowling Green
Bragg City
Brandsville
Brashear
Braymer
Breckenridge
Brimson
Bronaugh
Brookline
Browning
Brownington
Brunswick
Bucklin
Buffalo
Bunceton
Bunker
Burgess
Burlington Junction
Butler
Cabool
Cainsville
Caledonia
Calhoun
California
Callao
Camden
Campbell
Canalou
Canton
Cape Girardeau
Cardwell
Carrollton
Carterville
Carthage
Caruthersville
Caryton
Cassville
Catron
Cedar
Centertown
Centerview
Centerville
Chaffee
Chamois
Charlack
Charleston
Chilhowee
Chillicothe
Chula
Clarence
Clark
Clarksburg
Clarksville
Clarkton
Clever
Climax Springs
Clinton
Clyde
Cobalt City
Coffey
Cole Camp
Collins
Commerce
Conway
Cooter
Corning
Cosby

Craig
Crane
Creighton
Crocker
Cross Timbers
Curryville
Dalton
Darlington
De Soto
De Witt
Deepwater
Delta
Dennis Acres
Denver
Des Arc
Desloge
Diamond
Diehlstadt
Digins
Dixon
Doniphan
Downing
Duenweg
Eagleville
East Kansas City
East Prairie
Edina
El Dorado Springs
Eldon
Ellsinore
Elmer
Elmo
Elsberry
Elvins
Eminence
Eolia
Essex
Esther
Ethel
Eugene
Everton
Ewing
Excelsior Springs
Exeter
Fair Grove
Fair Play
Fairfax
Fairview
Fairview Acres
Fayette
Festus
Fillmore
Fisk
Flat River
Fleming
Flemington
Flordell Hills
Foley
Fordland
Foster
Frankford
Franklin
Fredericktown
Freeburg
Freistatt
Fulton
Gainesville
Galena
Gallatin
Galt
Garden City
Gasconade
Gentry
Gerald
Gerster
Gideon
Gilliam
Gilman City
Glasgow
Glenallen
Glenwood
Golden City
Goodman
Graham
Granby
Grand Pass
Grandin
Granger
Grant City
Green City
Green Ridge
Greencastle
Greenfield
Greentop
Guilford
Hale
Halfway
Hamilton
Hannibal
Hardin
Harris
Hartsburg
Hartville
Hawk Point
Hayti
Hayti Heights
Hayward
Haywood City
Henrietta
Hermitage
Higbee
Hillsdale
Hoberg
Holcomb
Holden
Holland
Holliday
Hollister
Holt
Homestown
Hopkins
Hornersville
Houston
Houstonia
Howardville
Humansville
Hume
Humphreys
Hunnewell
Huntsville
Hurdland
Hurley
Iberia
Ionia
Iron Gates
Irondale
Ironton
Jacksonville
Jameson
Jamesport
Jerico
Springs
Jonesburg
Kahoka
Kennett
Keytesville
King City
Kingston
Kingsville
Kinloch
Kirksville
Knob Noster
Knox City
Koshkonong
La Belle
La Grange
La Monte
La Russell
Laddonia
Lamar
Lambert
Lanagan
Lancaster
Laredo
Leadington
Leadwood
Leasburg
Lebanon
Leeton
Leslie
Lewistown
Lexington
Liberal
Licking
Lilbourn
Linn
Linn Creek
Linneus
Lithium
Livonia
Lock Spring
Lockwood
Longtown
Louisburg
Louisiana
Lowry City
Lucerne
Ludlow
Lupus
Luray
Lutesville
Macks Creek
Madison
Malden
Malta Bend
Mansfield
Maplewood
Marble Hill
Marionville
Marquand
Marshfield
Marston
Martinsburg
Maryville
Maysville
Mayview
McFall
Meadville
Memphis
Mercer
Meta
Metz
Mexico
Miami
Middletown
Midway
Milan
Mill Spring
Millard
Miller
Mindenmines
Mineral Point
Missouri City
Moberly
Montgomery City
Montrose
Morehouse
Morley
Morrison
Mosby
Moscow Mills
Mound City
Moundville
Mount Leonard
Mount Moriah
Mount Vernon
Mountain Grove
Mountain View
Naylor
Neck City
Neelyville
Nelson
Neosho
Nevada
New Cambria
New Florence
New Hampton
New Madrid
New Melle
Newark
Newburg
Newtonia
Newtown
Niangua
Noel
Norborne
Normandy
North Lilbourn
North Wardell
Northmoor
Norwood
Novinger
Oak Ridge
Oakland
Park
Olean
Oran
Oronogo
Osborn
Osceola
Osgood
Otterville
Owensville
Pagedale
Paris
Parma
Parnell
Pascola
Pattonsburg
Paynesville
Penermon
Perry
Phillipsburg
Pickering
Piedmont
Pierce City
Pilot Grove
Pilot Knob
Pine Lawn
Pineville
Pocahontas
Pollock
Poplar Bluff
Portageville
Potosi
Powersville
Prairie Home
Preston
Princeton
Purcell
Purdin
Purdy
Puxico
Queen City
Quitman
Qulin
Raymondville
Rayville
Rea
Reeds
Reeds Spring
Revere
Rich Hill
Richards
Richland
Ridgeway
Risco
Ritchey
Rivermines
Riverview
Rocheport
Rockville
Rogersville
Rolla
Roscoe
Rosendale
Rush Hill
Russellville
Rutledge
Salem
Sarcoxie
Schell City
Sedalia
Seligman
Senath
Seneca
Seymour
Shelbina
Shelbyville
Sheldon
Sheridan
Silex
Skidmore
Slater
South Gifford
South Gorin
South Greenfield
South Lineville
South West City
Sparta
Spickardsville
Spring Valley
St. Clair
St. Elizabeth
St. James
St. John
St. Mary's
Stanberry
Stark City
Steele
Steelville
Stella
Stewartsville
Stockton
Stotesbury
Stotts City
Stoutland
Stoutsville
Stover
Strasburg
Sullivan
Summersville
Sumner
Sweet Springs
Syracuse
Tallapoosa
Taneyville
Tarkio
Thayer
Theodosia
Trenton
Triplett
Truesdail
Union
Union Star
Unionville
Unity Village
University City
Urbana
Valley Park
Van Buren
Velda Village
Verona
Versailles
Vinita Park
Vista
Waco
Wakenda
Walker
Walnut Grove
Wardell
Warrensburg
Warsaw
Washburn
Watson
Waverly
Waynesville
Weaubleau
Webb City
Wellston
Wellsville
West Line
West Plains
Westphalia
Wheatland
Wheaton
Whiteside
Williamsville
Willow Springs
Wilson City
Winfield
Winona
Wooldridge
Worth
Worthington
Wyaconda
Zalma

Montana

Alberton
Anaconda-Deer-Lodge
Belt
Big Sandy
Bozeman
Bridger
Broadus
Broadview
Brockton
Browning
Butte-Silver Bow
Cascade
Chinook
Choteau
Circle
Clyde Park
Darby
Deer Lodge
Denton
Dillon
Dutton
Ekalaka
Eureka
Flaxville
Fromberg
Geraldine
Grass Range
Hamilton
Hardin
Harlem
Harlowton
Hingham
Hobson
Hot Springs
Ismay
Joliet
Jordan
Kevin
Lewistown
Libby
Lima
Lodge Grass
Melstone
Missoula
Nelhart
Outlook
Philipsburg
Plains
Plevna
Polson
Poplar
Red Lodge
Rexford
Richey
Ronan
Roundup
Ryegate
Saco
Scobey
Shelby
St. Ignatius
Stevensville
Sunburst
Terry
Three Forks
Troy
Twin Bridges
West Yellowstone
Westby
White Sulphur Sprgs
Whitehall
Wibaux
Winifred
Winnett
Wolf Point

Nebraska

Abie
Adams
Ainsworth
Albion
Alexandria
Alma
Alvo
Amherst
Ansley
Arapahoe
Arcadia
Arnold
Arthur
Ashton
Atlanta
Auburn
Ayr
Bancroft
Barneston
Bayard
Beaver City
Beaver Crossing
Belden
Belgrade
Belvidere
Benkelman
Bennington
Berwyn
Bladen
Bloomington
Blue Hill
Blue Springs
Brady
Brainard
Brewster
Bristow
Broadwater
Brock
Brownville
Brunswick
Burchard
Burr
Burwell
Bushnell
Butte
Callaway
Campbell
Carleton
Cedar Rapids
Chadron
Chambers
Chappell
Clarks
Clay Center
Clearwater
Cody
Cleridge
Comstock
Concord
Cowles
Crawford
Creighton
Crookston
Culbertson
Curtis
Dannebrog
Dawson
Decatur
Deweese
Diller
Dixon
Du Bois
Dunbar
Dunning
Dwight
Eddyville
Edgar
Elgin
Elk Creek
Ericson
Ewing
Fairbury
Falls City
Farnam
Farwell
Firth
Fordyce
Foster
Garland
Genoa
Gilead
Gordon
Grafton
Grant
Greeley Center
Gresham
Guide Rock
Hadar
Haigler
Hardy
Harrison
Harvard
Hastings
Hay Srpings
Heartwell
Hendley
Herman
Hershey
Holbrook
Holstein
Howells
Hubbard
Hubbell
Humboldt
Humphrey
Huntley
Hyannis
Imperial
Indianola
Inman
Ithaca
Jackson
Johnson
Johnstown
Julian
Kimball
Laurel
Lawrence
Lebanon
Lewellen
Liberty
Linwood
Litchfield
Long Pine
Lorton
Louisville
Loup City
Luston
Lyman
Lynch
Madrid
Malmo
Manley
Martinsburg
Maskell
Mason City
McLean
Memphis
Merriman
Miller
Minatare
Mullen
Murdock
Naponee
Nebraska City
Nehawka
Nelson
Nemaha
Nenzel
Newcastle
Newman Grove
Newport
Niobrara
Norman
North Loup
Oak
Oakdale
Oakland
Oconto
Odell
Ohiowa
Ong
Orleans
Osmond
Oxford
Page
Palisade
Palmer
Palmyra
Pawnee City
Peru
Pilger
Plainview
Plattsmouth
Polk
Prague
Primrose
Prosser
Ragan
Randolph
Ravenna
Raymond
Red Cloud
Republican City
Reynolds
Richland
Riverton
Rockville
Rosalie
Royal
Rulo
Rushville
Salem
Santee
Sargen
Scotia
Scotts Bluff
Scribner
Seneca
Shelby
Silver Creek
Snyder
Spalding
Springfield
St. Edward
St. Paul
Staplehurst
Stapleton
Steinauer
Sterling
Stockville
Strang
Stratton
Stuart
Superior
Surprise
Table Rock
Tarnov
Tecumseh
Tekamah
Terrytown
Thayer
Thurston
Tilden
Ulysses
Union
Upland
Verdel
Verdigre
Wakefield
Walthill
Waterbury
Wauneta
Wausa
Wayne
Western
Weston
Whitney
Wilsonville
Winnebago
Winnetoon
Winside
Wolbach
Wynot

Nevada

Caliente
Carlin
Fallon
Yerington

New Hampshire

Berlin

New Jersey

Audubon
Beverly
Bradley Beach
Brooklawn
Burlington
Chesilhurst
Clementon
Collingswood
Dover
East Newark
East Rutherford
Egg Harbor City
Elmer
Englishtown
Fairview
Fieldsboro
Freehold
Garfield
Glassboro
Gloucester City
Hackensack
Haledon
Hoboken
Island Heights
Keansburg
Kearny
Keyport
Lambertville
Lawnside
Linden
Mount Ephraim
National Park
Orange
Paulsboro
Pemberton
Penns Grove
Phillipsburg
Pine Hill
Pitman
Plainfield
Pleasantville
Prospect Park
Salem
Seaside Heights
South Amboy
South Toms River
Sussex
Swedesboro
Union Beach
West Cape May
West New York
West Wildwood
Westville
Wildwood
Woodbury
Woodlynne

New Mexico

Artesia
Belin
Bernalillo
Carrizozo
Causey
Central
Cimarron
Clayton
Columbus
Corona
Cuba
Des Moines
Dexter
Elida
Encino
Estancia
Floyd
Folsom
Fort Summer
Grady
Grenville
Hagerman
Hatch
House
Hurley
Jemez Springs
Lake Arthur
Las Vegas
Logan
Lordsburg
Magdalena
Maxwell
Melrose
Mesilla
Mosquero
Mountainair
Pecos
Portales
Raton
Reserve
Roy
San Jon
San Ysidro
Santa Rosa
Silver City
Socorro
Springer
Taos
Tatum,
Truth or Consequences
Tucumcari
Tularosa
Vaughn
Virden
Wagan Mound
Willard

New York

Adams
Addison
Afton
Albion
Alexander
Alexandria Bay
Almond
Altmar
Amsterdam
Andover
Angelica
Angola
Antwerp
Argyle
Arkport
Athens
Attica
Auburn
Avoca
Avon
Bainbridge
Ballston Spa
Barker
Batavia
Bath
Beacon
Belmont
Bloomingburgh
Bolivar
Boonville
Brewster
Bridgewater
Broadalbin
Brockport
Brownville
Brushton
Burdett
Burke
Camden
Camillus
Canajoharie
Canandaigua
Canaseraga
Canastota
Candor
Canisteo
Cape Vincent
Carthage
Cassadaga
Castile
Castleton-on Hudson
Castorland
Catskill
Cattaraugus
Celdron
Champlain
Chateaugay
Chatham
Chaumont
Cherry Creek
Clayton
Clayville
Cleveland
Clifton Springs
Clyde
Cobocton
Cohoes
Cold Brook
Corinth
Cortland
Coxsackie
Croghan
Cuba
Dansville
De Ruyter
Deferiet
Delanson
Deposit
Dexter
Dolgeville
Dresden
Dryden
Dundee
Dunkirk
Earlville
East Syracuse
Edwards
Ellenville
Ellicottville
Ellisburg
Elmira Heights
Endicott
Esperance
Fabius
Falconer
Farnham
Fillmore
Fleischmanns
Fonda
Forestville
Fort Ann
Fort Edward
Fort Johnson
Fort Plain
Frankfort
Franklin

Franklinville
Freeport
Freeville
Fulton
Fultonville
Galway
Geneseo
Geneva
Glen Park
Gloversville
Gouverneur
Gowanda
Granville
Green Island
Greene
Greenport
Greenwich
Hagaman
Hamilton
Hammond
Hammondsport
Hancock
Hannibal
Harriman
Haverstraw
Hempstead
Herkimer
Hermon
Herrings
Heuvelton
Highland Falls
Hobart
Holland Patent
Holley
Homer
Hoosick Falls
Hornell
Hudson
Hudson Falls
Hunter
Ilion
Interlaken
Island Park
Ithaca
Jamestown
Jeffersonville
Johnson City
Johnstown
Jordan
Keeseville
Kingston
Kiryas Joel
Lackawanna
Lacona
Lake George
Lake Placid
Laurens
Le Roy
Liberty
Limestone
Lisle
Little Falls
Little Valley
Livonia
Lockport
Lodi
Long Beach
Lowville
Lyons
Lyons Falls
Malone
Mannsville
Marathon
Marcellus
Margaretville
Massena
Mayfield
McGraw
Mechanicville
Medina
Meridian
Middleburgh
Middleville
Milford
Millerton
Millport
Mohawk
Monticello
Mooers
Moravia
Morris
Morristown
Mount Morris
Munnsville
Naples
Nassau
Nelliston
New Berlin
New Paltz
New Square
New York Mills
Newark
Newport
Nichols
North Collins
North Tonawanda
Northville
Norwich
Norwood
Nunda
Oakfield
Ogdensburg
Olean
Oneida
Oneonta
Oriskany
Oriskany Falls
Oswego
Ovid
Owego
Oxford
Palmyra
Parish
Patchogue
Peekskill
Penn Yan
Perry
Perrysburg
Philadelphia
Philmont
Phoenix
Pike
Pine Hill
Plattsburgh
Poland
Port Byron
Port Chester
Port Henry
Port Jervis
Port Leyden
Portville
Potsdam
Pulaski
Randolph
Red Creek
Red Hook
Rensselaer
Rensselaer Falls
Richburg
Richfield Springs
Richmondville
Richville
Riverside
Round Lake
Rouses Point
Rushville
Sackets Harbor
St. Johnsville
Salamanca
Salem
Saranac Lake
Saugerties
Savona
Schenevus
Schoharie
Schuylerville
Seneca Falls
Sharon Springs
Sherburne
Sherman
Silver Creek
Silver Springs
Sloan
Smyrna
Sodus
South Dayton
South Glens Falls
Speculator
Spencer
Springville
Stamford
Sylvan Beach
Tannersville
Theresa
Ticonderoga
Tivoli
Trumansburg
Tupper Lake
Unionville
Valley Falls
Van Etten
Victory
Waddington
Walden
Walton
Wampsville
Wappingers Falls
Warsaw
Waterford
Waterloo
Watertown
Waterville
Watervliet
Watkins Glen
Waverly
Wayland
Wellsburg
Wellsville
West Carthage
West Winfield
Westfield
Westport
Whitehall
Whitesboro
Wilson
Windsor
Wolcott
Woodhull
Woodridge
Yorkville

North Carolina

Ahoskie
Alamance
Alexander Mills
Alliance
Andrews
Arapahoe
Atkinson
Aulander
Aurora
Ayden
Bailey
Bakersville
Bath
Beaufort
Belhaven
Belmont
Belwood
Benson
Bessemer City
Bethel
Beulaville
Bladenboro
Bolivia
Bolton
Bridgeton
Brookford
Brunswick
Bryson City
Bunn
Burgaw
Burnsville
Calabash
Calypso
Cameron
Carrboro
Casar
Castalia
Cerro Gordo
Chadbourn
Clarkton
Clayton
Cleveland
Clinton
Cofield
Colerain
Columbia
Como
Conetoe
Conway
Cove City
Cramerton
Creswell
Dallas
Denton
Dillsboro
Dortches
Dover
Drexel
Dunn
East Arcadia
East Laurinburg
East Spencer
Eden
Edenton
Elizabeth City
Elizabethtown
Elk Park
Ellenboro
Ellerbe
Elm City
Enfield
Erwin
Eureka
Fair Bluff
Fairmont
Faison
Falkland
Farmville
Fountain
Four Oaks
Franklinton
Fremont
Garland
Garysburg
Gaston
Gibson
Glen Alpine
Goldsboro
Granite Falls
Greenevers
Grimesland
Halifax
Hamilton
Hamlet
Harrells
Hassell
Haw River
Hayesville
Hazelwood
Henderson
Hendersonville
Hertford
Hillsborough
Hobgood
Hoffman
Holly Ridge
Holly Springs
Hot Springs
Jackson
Jamesville
Jonesville
Kelford
Kenly
Kings Mountain
Kinston
Kittrell
La Grange
Lansing
Lasker
Lattimore
Laurinburg
Lawndale
Leggett
Lenoir
Lewiston
Lexington
Liberty
Lilesville
Lincolnton
Linden
Littleton
Louisburg
Love Valley
Lowell
MacClesfield
Macon
Madison
Maggie Valley
Magnolia
Marion
Marshall
Maxton
Mayodan
Maysville
McAdenville
McDonald
McFarlan
Mebane
Micro
Middleburg
Middlesex
Milton
Monroe
Mooresboro
Mooresville
Morehead City
Morganton
Morven
Mount Airy
Mount Gilead
Mount Holly
Mount Olive
Murfreesboro
Murphy
Nashville
Navassa
New Bern
New London
Newton
Norlina
Norman
North Wilkesboro
Norwood
Oak City
Old Fort
Orrum
Oxford
Parkton
Parmele
Peachland
Pembroke
Pilot Mountain
Pineville
Pink Hill
Pittaboro
Plymouth
Polkton
Pollocksville
Powellsville
Princeton
Princeville
Proctorville
Randleman
Ranlo
Raynham
Red Oak
Red Springs
Reidsville
Rennert
Rhodhiss
Rich Square
Richlands
Roanoke Rapids
Robbins
Robersonville
Rockingham
Rocky Mount
Ronda
Roper
Roseboro
Rosman
Rowland
Roxboro
Roxobel
Ruth
Rutherfordton
Saluda
Saratoga
Scotland Neck
Selma
Seven Springs
Severn
Shelby
Simpson
Smithfield
Speed
Spindale
Spring Hope
Spring Lake
Spruce Pine
St. Pauls
Staley
Stantonsburg
Star
Statesville
Stoneville
Stovall
Tabor City
Tarboro
Taylorsville
Teachey
Thomasville
Trenton
Troy
Tryon
Turkey
Valdese
Vanceboro
Vandemere
Vass
Wade
Wadesboro
Wagram
Wake Forest
Wallace
Walnut Cove
Warrenton
Warsaw
Washington
Weldon
West Jefferson
Whitakers
Williamston
Wilson
Windsor
Winfall
Winterville
Winton
Youngsville
Zebulon

North Dakota

Abercrombie
Adams
Alamo
Alexander
Alice
Almont
Ambrose
Amenia
Amidon
Anamoose
Aneta
Arnegard

Ashley
Balta
Barton
Bathgate
Beach
Berlin
Binford
Bowbells
Bowdon
Braddock
Brinsmade
Butte
Buxton
Calio
Cando
Carson
Cathay
Clifford
Cogswell
Columbus
Cooperstown
Courtenay
Crosby
Crystal
Dawson
Dazey
Deering
Dickey City
Dodge City
Donnybrook
Douglas
Drake
Drayton
Dunseith
Edgeley
Edinburg
Edmore
Elgin
Ellendale
Elliott
Esmond
Fairdale
Fessenden
Flasher
Flaxton
Forbes
Fordville
Forest River
Fort Ransom
Fort Yates
Fortuna
Fredonia
Fullerton
Gardena
Golva
Goodrich
Grafton
Granville
Great Bend
Grenora
Hague
Hamberg
Hankinson
Hannah
Hansboro
Harvey
Hatton
Havana
Hazelton
Hebron
Hoople
Hope
Hurdsfield
Inskster
Jud
Karlsruhe
Kathryn
Kenmare
Kensal
Kief
Kramer
Kulm
Lakota
Landa
Lawton
Lehr
Leith
Leonard
Lidgerwood
Lignite
Linton
Makoti
Mantador
Manvel
Marmarth
Martin
Max
Maxbass
Mayville
McClusky
McVille
Medina
Milton
Minto
Monango
Montpelier
Mooreton
Mott
Napoleon
Neche
New England
New Leipzig
New Town
Newburg
Nome
Noonan
Oberon
Parshall
Pekin
Petersburg
Pettibone
Pingree
Pisek
Plaza
Portl
Powers Lake
Ray
Regan
Regent
Robinson
Rolla
Ross
Ryder
Sanborn
Sarles
Selfridge
Sheldon
Sheyenne
Solen
Souris
St. John
Starkweather
Strasburg
Streeter
Sykeston
Tappen
Taylor City
Tolley
Tolna
Towner
Turtle Lake
Tuttle
Upham
Valley City
Velva
Verona
Walhalla
White Earth
Willow City
Wilton
Wimbledon
Wing
Wishek
York
Zeeland

Ohio

Ada
Addyston
Adelphi
Adena
Albany
Alexandria
Alger
Alliance
Amanda
Amelia
Amesville
Amsterdam
Apple Creek
Arcadia
Arcanum
Arlington Heigths
Ashtabula
Athalia
Athens
Bainbridge
Bairdstown
Barberton
Barnesville
Barnhill
Batavia
Batesville
Beach City
Beallsville
Beaver
Bellaire
Belle Center
Belle Valley
Bellefontaine
Belmore
Bergholz
Bethel
Blakeslee
Bloomdale
Bloomingburg
Bloomingdale
Bowersville
Bowling Green
Bradford
Bradner
Brady Lake
Bridgeport
Brilliant
Brookville
Broughton
Buchtel
Buckeye
Burgoon
Butler
Cadiz
Caldwell
Caledonia
Cambridge
Camden
Campbell
Cardington
Casstown
Castine
Catawba
Cecil
Centerville
Chatfield
Chauncey
Cherry Fork
Chesapeake
Chesterville
Chilo
Christianburg
Circleville
Clarksburg
Clarksville
Clifton
Clinton
Cloverdale
Clyde
Coal Grove
Coalton
Columbus Grove
Commercial Point
Conesville
Congress
Conneaut
Continental
Coolville
Corning
Corwin
Crestline
Crooksville
Crown City
Cumberland
Custar
Danville
Darbyville
Deersville
Delphos
Dennison
Deshler
Dexter City
Dillonvale
Dunkirk
East Cleveland
East Liverpool
Edgerton
Elgin
Elmwood Place
Empire
Fairborn
Fairport Harbor
Fairview
Fayetteville
Felicity
Fletcher
Fostoria
Franklin
Fredericksburg
Freeport
Fremont
Fulton
Fultonham
Galion
Gallipolis
Gann
Georgetown
Glenford
Glouster
Grand Rapids
Gratiot
Graysville
Greenfield
Greenwich
Grover Hill
Hamden
Hamersville
Hanging Rock
Harbor View
Harpster
Harrisburg
Harrisville
Harrod
Hartford
Harveysburg
Haviland
Hemlock
Higginsport
Highland
Hillsboro
Holgate
Holland
Hollansburg
Holloway
Hoytville
Irondale
Ironton
Jackson
Jacksonburg
Jamestown
Jeffersonville
Kelleys Island
Kent
Kimbolton
Kipton
Kirby
La Rue
Lakemore
Lakeview
Latty
Laurelville
Leetonia
Lewisburg
Lewisville
Lincoln Heights
Linndale
Lisbon
Lockbourne
Lockland
Lowell
Lowellville
Lower Salem
Lucas
Ludlow Falls
Lynchburg
Lyons
Macksburg
Magnetic Springs
Malinta
Malta
Manchester
Mantua
Marengo
Marion
Marseilles
Martinsville
Massillon
Matamora
McClure
McConnelsville
McGuffey
Melrose
Middleport
Midland
Mifflin
Milledgeville
Millersburg
Milton Center
Miltonsburg
Minerva
Montezuma
Morral
Morristown
Morrow
Mount Cory
Mount Gilead
Mount Pleasant
Mount Vernon
Mount Victory
Mowrystown
Murray City
Nashville
Nelsonville
Neville
New Alexandria
New Athens
New Bloomington
New Boston
New Concord
New Holland
New Lexington
New London
New Miami
New Paris
New Richmond
New Reigel
New Straitsville
Newburgh Heights
Newcomerstown
Newton Falls
Newtown
North Baltimore
North Fairfield
Norwich
Norwood
Oak Hill
Oakwood
Oberlin
Old Washington
Orangeville
Orient
Ostrander
Otway
Painesville
Palestine
Peebles
Philo
Piketon
Piqua
Plain City
Pleasant City
Pleasant Plain
Plymouth
Pomeroy
Port William
Portage
Portsmouth
Potsdam
Proctorville
Put-in-Bay
Quaker City
Quincy
Racine
Rarden
Rendville
Republic
Ripley
Rittman
Rock Creek
Rogers
Rome
Roseville
Roswell
Rushville
Russells Point
Russellville
Rutland
Sabina
Salem
Salesville
Salineville
Sandusky
Sarahsville
Sardinia
Savannah
Scio
Scott
Seaman
Senecaville
Shawnee
Shelby
Sherrodsville
Shiloh
Shreve
Smithfield
Somerset
Somerville
South Bloomfield
South Charleston
South Lebanon
South Salem
South Solon
Spencerville
Spring Valley
St. Bernard
St. Louisville
St. Paris
Stafford
Stockport
Stoutsville
Struthers
Summerfield
Sycamore
Syracuse
Tarlton
Tiffin
Tiro
Tremont City
Trimble
Uhrichsville
Union City
Uniopolis
Urbana
Urbancrest
Valley Hi
Vanlue

Versona
Versailles
Vinton
Warsaw
Washington
Wayne
Waynesburg
Wellston
Wellsville
West Alexandria
West Elkton
West Farmington
West Leipsic
West Mansfield
West Milligrove
West Rushville
West Union
Wilkesville
Williamsburg
Williamsport
Willshire
Wilmot
Winchester
Woodfield
Xenia
Zanesfield
Zanesville

Oklahoma

Achille
Ada
Afton
Agra
Albion
Alderson
Aline
Allen
Altus
Anadarko
Antlers
Apache
Arapaho
Asher
Ashland
Atoka
Avant
Barnsdall
Bearden
Beggs
Bennington
Big Cabin
Billings
Binger
Blackburn
Blackwell
Blair
Boise City
Bokchito
Bokoshe
Boley
Boswell
Bowlegs
Boynton
Braggs
Braman
Bridgeport
Bristow
Broken Bow
Bromide
Brooksville
Bryant
Burbank
Burlington
Butler
Byars
Byron
Cache
Caddo
Calvin
Camargo
Cameron
Canadian
Caney
Carmen
Carnegie
Carney
Carrier
Carter
Castle
Cement
Centrahoma
Chandler
Checotah
Chelsea
Cheyenne
Clayton
Cleo
Cleveland
Coalgate
Colbert
Colcord
Cole
Collinsville
Comanche
Commerce
Cooperton
Cornish
Council Hill
Covington
Coweta
Cowlington
Coyle
Cromwell
Custer City
Cyril
Dacoma
Davenport
Davidson
Davis
Deer Creek
Delaware
Depew
Devol
Dewar
Dewey
Dibble
Dill City
Disney
Dougherty
Drumright
Durant
Dustin
Eakly
Earlsboro
East Duke
Eldorado
Elmer
Elmore City
Erick
Eufaula
Fairfax
Fairland
Fanshawe
Faxon
Fletcher
Fort Cobb
Fort Gibson
Fort Towson
Foss
Foyil
Francis
Frederick
Gans
Garber
Garvin
Gate
Geary
Gene Autry
Gerty
Glencoe
Goodwell
Gore
Gotebo
Gould
Gracemont
Grandfield
Granite
Grayson
Greenfield
Guthrie
Haileyville
Hallett
Hammon
Hanna
Harris
Hartshorne
Haskell
Hastings
Haworth
Headrick
Healdton
Heavener
Helena
Hendrix
Henryetta
Hitchita
Hobart
Hoffman
Holdenville
Hollis
Hollister
Hominy
Howe
Hugo
Hulbert
Hydro
Idabel
Indiahoma
Indianola
Jay
Jennings
Jones
Kaw
Kemp
Kendrick
Kenefic
Keota
Ketchum
Kinta
Kiowa
Knowles
Konawa
Krebs
Lamar
Lamont
Langley
Langston
Le Flore
Lehigh
Lenapah
Leon
Lexington
Lima
Lindsay
Loco
Locust Grove
Lone Wolf
Longdale
Lookeba
Luther
Madill
Manchester
Mangum
Manitou
Mannsville
Maramec
Marble City
Marietta
Marland
Marlow
Marshall
Martha
Maud
May
McAlester
McBride
McCurtain
Medicine Park
Meridian
Miami
Milburn
Mill Creek
Moffett
Morris
Mountain Park
Mountain View
Mulhall
Muskogee
Nash
New Alluwe
Newkirk
Nicoma Park
Norge
North Miami
Nowata
Oakland
Oaks
Oakwood
Ochelata
Oilton
Okay
Okemah
Okmulgee
Oktaha
Olustee
Osage
Paden
Panama
Paoli
Pauls Valley
Pawhuska
Pawnee
Peoria
Perry
Phillips
Picher
Pittsburg
Pond Creek
Porter
Porum
Poteau
Prague
Quapaw
Quay
Quinlan
Quinton
Ralston
Ramona
Randlett
Rattan
Ravia
Red Oak
Red Rock
Redbird
Rentiesville
Ringling
Ripley
Roff
Roosevelt
Rosedale
Rush Springs
Ryan
Salina
Sapulpa
Sasakwa
Savanna
Sayre
Seiling
Seminole
Sentinel
Shamrock
Shamrock
Sharon
Shawnee
Shidler
Skedee
Slick
Smith Village
Smithville
Snyder
Soper
Sparks
Spavinaw
Spiro
St. Louis
Stidham
Stigler
Stilwell
Stonewall
Strang
Stringtown
Stroud
Stuart
Sulphur
Taft
Talihina
Tamaha
Tatums
Temple
Terlton
Terral
Texhoma
Texola
Thackerville
Tipton
Tishomingo
Tryon
Tullahassee
Tupelo
Tushka
Valley Brook
Valliant
Vera
Verden
Vian
Vinita
Wagoner
Wainwright
Wakita
Walters
Wanette
Wann
Wapanucka
Warwick
Washington
Watonga
Watts
Waurika
Wayne
Waynoka
Webb City
Webbers Falls
Welch
Weleetka
Wellston
Westville
Wetumka
Wewoka
Whitefield
Wilburton
Willow
Wilson
Wister
Wright City
Wyandotte
Wynnewood
Yale
Yeager

Oregon

Amity
Banks
Bonanza
Carlton
Chiloquin
Coburg
Condon
Coquille
Cottage Grove
Cove
Creswell
Dallas
Dayville
Drain
Echo
Elgin
Falls City
Fossil
Garibaldi
Gervais
Glendale
Gold Hill
Grass Valley
Haines
Halfway
Halsey
Hammond
Huntington
Independence
Jefferson
Joseph
Klamath Falls
La Grande
Lebanon
Long Creek
Malin
Maupin
Milton Freewater
Mitchell
Monroe
Monument
Mount Angel
Mt. Vernon
Myrtle Point
North Powder
Nyssa
Oakland
Ontario
Paisley
Phoenix
Port Orford
Powers
Prescott
Redmond
Richland
Rockaway
Scio
Scotts Mills
Shaniko
Siletz
Sisters
Sodaville
St. Helens
Tillamook
Union
Vale
Vernonia
Wallowa
Wasco
Wheeler
Yoncalla

Pennsylvania

Addison
Albion
Alexandria
Aliquippa
Ambridge
Apollo
Arnold
Arona
Ashland
Ashley
Ashville
Athens
Atwood
Austin
Avis
Avoca
Avondale
Avonmore
Bangor
Barkeyville
Beallsville
Bear Lake
Beaver Falls
Belle Vernon
Bellefonte
Bellwood

Bentleyville
Benton
Bernville
Berrysburg
Berwick
Big Run
Blain
Bloomsburg
Blossburg
Boswell
Brackenridge
Braddock
Bradford
Briar Creek
Bridgeport
Bristol
Brownsville
Burnham
California
Callensburg
Canton
Carbondale
Carrolltown
Cassandra
Casselman
Cassville
Catawissa
Centerville
Centralia
Chest Springs
Chester Hill
Clairton
Clarendon
Clarion
Clarksville
Clearfield
Clifton Heights
Clymer
Coal Center
Coaldale
Coaldale
Coalmont
Coalport
Coatesville
Cochranton
Collingdale
Columbia
Colwyn
Confluence
Conneautville
Connellsville
Conshohocken
Corry
Coudersport
Courtdale
Cranesville
Cresson
Cressona
Curwensville
Dale
Danville
Darby
Dawson
Dayton
Delta
Dickson City
Donegal
Donora
Dudley
Dunbar
Duncansville
Duquesne
Dushore
East Brady
East Conemaugh
East Lansdowne
East McKeesport
East Pittsburgh
East Vandergrift
Eastvale
Eau Claire
Edinboro
Edwardsville
Ehrenfeld
Elco
Elderton
Eldred
Elizabethville
Elkland
Ellwood City
Emlenton
Emporium
Enon Valley
Etna
Everett
Everson
Factoryville
Fairchance
Falls Creek
Farrell
Flemington
Ford City
Forest City
Forksville
Forty Fort
Frackville
Frankfort Springs
Franklintown
Fredonia
Freeburg
Freedom
Freeland
Galeton
Gallitzin
Garrett
Gettysburg
Gilberton
Girardville
Glasgow
Glen Campbell
Glenfield
Great Bend
Green Lane
Greensboro
Halifax
Hallstead
Hanover
Hartleton
Harveys Lake
Hastings
Hawley
Hawthorne
Heidelberg
Herndon
Highspire
Hollidaysburg
Homestead
Honesdale
Hooversville
Hop Bottom
Hopewell
Huntingdon
Hydetown
Hyndman
Indiana
Ingram
Irvona
Jamestown
Jeannette
Jefferson
Jermyn
Jersey Shore
Jim Thorpe
Johnsonburg
Kane
Kingston
Kistler
Kittanning
Knoxville
Koppel
Kulpmont
Kutztown
Landisburg
Lanesboro
Lansford
Lawrenceville
Le Raysville
Lebanon
Lehighton
Lewisberry
Lewisburg
Lewistown
Liberty
Ligonier
Linesville
Littlestown
Liverpool
Lock Haven
Lorain
Loretto
Luzerne
Lykens
Lyons
Mahaffey
Mahanoy City
Manns Choice
Mansfield
Mapleton
Marcus Hook
Marianna
Marklesburg
Markleysburg
Masontown
Matamoras
Mayfield
McAdoo
McClure
McCollennsburg
McDonald
McKees Rocks
McKeesport
McSherrystown
McVeytown
Meadville
Mercer
Mercersburg
Meshoppen
Meyersdale
Middleburg
Middleport
Midland
Milford
Mill Creek
Mill Hall
Millbourne
Millersburg
Millheim
Millvale
Milton
Minersville
Modena
Monongahela
Monroe
Montgomery
Montrose
Morrisville
Mount Carmel
Mount Jewett
Mount Oliver
Mount Union
Muncy
Myerstown
Nanticoke
Nanty Glo
Nescopeck
New Albany
New Alexandria
New Berlin
New Brighton
New Castle
New Florence
New Hope
New Kensington
New Lebanon
New Milford
New Paris
New Phila
New Ringgold
Newburg
Newell
Newport
Newton Hamilton
Newville
Nicholson
Norristown
North Braddock
North Irwin
Northumberland
Norwood
Oakland
Ohiopyle
Old Forge
Olyphant
Orbisonia
Osceola Mills
Oswayo
Oxford
Paint
Palo Alto
Parker
Parkesburg
Parryville
Patton
Penn
Petersburg
Philipsburg
Phoenixville
Pittston
Platea
Pleasantville
Plumville
Plymouth
Point Marion
Port Allegany
Port Matilda
Port Royal
Portage
Portland
Pottstown
Pottsville
Prospect Park
Punxsutawney
Railroad
Rankin
Renovo
Reynoldsville
Ridgway
Ringtown
Rockhill Furnace
Rockwood
Rome
Roseville
Rouseville
Royalton
Saegertown
Salisbury
Saltillo
Saltsburg
Saxton
Sayre
Scalp Level
Schellsburg
Schuylkill Haven
Seward
Shade Gap
Shamokin
Sharon Hill
Sharpsburg
Shenandoah
Shickshinny
Shinglehouse
Shippensburg
Shippenville
Shippingport
Shirleyburg
Silverdale
Slattington
Smethport
Smithfield
Snow Shoe
South Coatsville
South Connellsville
South Fork
South New Castle
South Renovo
South Waverly
Spangler
Spartansburg
Springboro
St. Clair
St. Clairsville
St. Petersburg
Starrucca
Stillwater
Stoystown
Strattanville
Strausstown
Stroudsburg
Summerville
Sunbury
Susquehanna Depot
Swissvale
Swoyersville
Sykesville
Sylvania
Tamaqua
Tarentum
Thompson
Three Springs
Throop
Tidioute
Timblin
Tioga
Titusville
Towanda
Tower City
Tremont
Trumbauersville
Tunkhannock
Tyrone
Ulysses
Union City
Union Dale
Uniontown
Unionville
Upland
Valencia
Vanderbilt
Vandergrift
Vintondale
Volant
Wall
Wallaceton
Wampum
Warren
Warrior Run
Washington
Watsontown
Wattsburg
Waynesburg
Weissport
Wellersburg
Wellsboro
Wellsville
West Brownsville
West Chester
West Conshohocken
West Easton
West Elizabeth
West Fairview
West Grove
West Hazleton
West Homestead
West Middlesex
West Pittston
West Reading
West York
Westfield
Westover
Wilkinsburg
Williamsburg
Wilmerding
Wilmore
Windber
Windsor
Worthington
Worthville
Wyalusing
Wyoming
Yeadon
York Haven
Youngstown

Rhode Island

Central Falls
Newport
Woonsocket

South Carolina

Abbeville
Allendale
Atlantic Beach
Bamberg
Batesburg
Belton
Bennettsville
Bethune
Bishopville
Blacksburg
Blackville
Blenheim
Bluffton
Bonneau
Bowman
Branchville
Brunson
Burnettown
Calhoun Falls
Camden
Cameron
Campobello
Carlisle
Central
Central Pacolet
Chappells
Cheraw
Chesnee
Chester
Chesterfield
City View
Clio
Clover
Cope
Cottageville
Coward
Cowpens
Cross Hill
Darlington
Denmark
Dillon
Donalds
Due West
Duncan
Eastover
Edgefield
Ehrhardt
Elko
Elloree
Estill
Eutawville
Fairfax
Fort Lawn
Fort Mill
Fountain Inn
Furman
Gaffney
Georgetown
Gifford
Gilbert
Govan
Great Falls
Greeleyville
Greenwood
Greer
Harleyville
Hartsville
Heath Springs
Hodges
Holly Hill
Hollywood
Inman
Iva
Jamestown

Johnston
Jonesville
Kershaw
Kingstree
Kline
Lake City
Lake View
Lamar
Lancaster
Landrum
Lane
Latta
Leesville
Liberty
Livingston
Lockhart
Lodge
Loris
Lowndesville
Lowrys
Luray
Lyman
Lynchburg
Manning
Marion
Mayesville
McBee
McColl
McConnells
McCormick
Megget
Monetta
Mount Carmel
Mount Croghan
Mullins
Neeses
Newberry
North
Norway
Olanta
Olar
Orangeburg
Pacolet Mills
Pageland
Pamplico
Patrick
Paxville
Peak
Perry
Pickens
Pinewood
Plum Branch
Pomaria
Ravenel
Ridge Spring
Ridgeland
Ridgeville
Rowesville
Salley
Saluda
Sellers
Snelling
Society Hill
Springfield
St. George
St. Matthews
St. Stephen
Starr
Summerton
Summit
Sumter
Swansea
Sycamore
Tatum
Timmonsville
Trenton
Troy
Ulmer
Union
Vance
Varnville
Wagener
Walhalla
Walterboro
Ward
Ware Shoals
West Union
Westminster
Whitmire
Williams
Windsor
Winnsboro
Woodford
Woodruff
Woodside
Yemassee
York

South Dakota

Aberdeen
Agar
Akaska
Alexandria
Alpena
Andover
Armour
Artas
Artesian
Ashton
Astoria
Avon
Baltic
Bancroft
Batesland
Belle Fourche
Belvidere
Blunt
Bonesteel
Bowdle
Bradley
Brandt
Brentford
Bridgewater
Bristol
Britton
Broadland
Brookings
Bryant
Buffalo
Buffalo Gap
Burke
Camp Crook
Canistota
Canova
Carthage
Castlewood
Centerville
Chamberlain
Claire City
Claremont
Clark
Clear Lake
Colome
Colton
Columbia
Conde
Corona
Custer
Dallas
Dante
Davis
De Smet
Deadwood
Delmont
Dolton
Draper
Dupree
Eagle Butte
Eden
Egan
Elkton
Emery
Erwin
Ethan
Eureka
Fairburn
Fairfax
Faith
Faulkton
Frankfort
Frederick
Garden City
Gary
Geddes
Gettysburg
Glenham
Goodwin
Gregory
Grenville
Hayti
Hazel
Hermosa
Herreid
Herrick
Hetland
Highmore
Hill City
Hitchcock
Hosmer
Hot Springs
Hoven
Howard
Hurley
Huron
Interior
Ipswich
Iroquois
Isabel
Java
Jefferson
Kimball
Kranzburg
Lake Andes
Lake Norden
Lake Preston
Lane
Langford
Lebanon
Lemmon
Leola
Lesterville
Letcher
Long Lake
Madison
Marion
Martin
Marvin
McIntosh
McLaughlin
Mellette
Menno
Midland
Miller
Mission
Mission Hill
Mobridge
Montrose
Morristown
Mount Vernon
Murdo
New Effington
New Underwood
New Witten
Newell
Nunda
Oacoma
Oldham
Olivet
Orient
Ortley
Parker
Parkston
Peever
Pierpont
Platte
Pollock
Presho
Pringle
Pukwana
Quinn
Ramona
Ravinia
Reliance
Revillo
Rockham
Roscoe
Scotland
Selby
Seneca
Sherman
Sisseton
South Shore
Spearfish
Spencer
Springfield
St. Francis
St. Lawrence
Stickney
Stockholm
Sturgis
Summit
Tabor
Timber Lake
Tolstoy
Toronto
Trent
Tripp
Turton
Twin Brooks
Tyndall
Utica
Veblen
Vermillion
Viborg
Vienna
Virgil
Volin
Wagner
Wakonda
Wall
Wallace
Ward
Warner
Wasta
Waubay
Wentworth
Wessington
Wessington Springs
Westport
White
White Lake
White River
Whitewood
Willow Lake
Wilmot
Winfred
Winner
Wolsey
Wood
Woonsocket
Worthing
Yale
Yankton

Tennessee

Adams
Adamsville
Alamo
Alcoa
Alexandria
Allardt
Altamont
Athens
Auburntown
Baileyton
Baxter
Beersheba Springs
Bell Buckle
Bells
Benton
Bethel Springs
Big Sandy
Bluff City
Bolivar
Brighton
Brownsville
Calhoun
Caryville
Centertown
Centerville
Charleston
Cleveland
Clifton
Coalmont
Copperhill
Cornersville
Cottage Grove
Covington
Cowan
Crab Orchard
Crossville
Cumberland City
Cumberland Gap
Dayton
Decherd
Denmark
Dickson
Dowelltown
Doyle
Dresden
Ducktown
Dyer
Dyersburg
Elizabethton
Elkton
Englewood
Enville
Erin
Erwin
Ethridge
Etowah
Fayetteville
Finger
Friendship
Friendsville
Gainesboro
Gallaway
Gates
Gibson
Gilt Edge
Gleason
Gordonsville
Grand Junction
Graysville
Greenback
Greenfield
Harriman
Hartsville
Henderson
Henning
Henry
Hickory Valley
Hollow Rock
Hornbeak
Hornsby
Huntland
Huntsville
Iron City
Jacksboro
Jackson
Jamestown
Jefferson City
Jellico
Jonesboro
Kenton
La Follette
La Grange
Lake City
Lebanon
Lenoir City
Lewisburg
Liberty
Livingston
Loudon
Luttrell
Lynnville
Madisonville
Martin
Maryville
Mason
Maury City
Maynardville
McKenzie
McMinnville
Middleton
Minor Hill
Mitchellville
Morrison
Morristown
Moscow
Mosheim
Mount Pleasant
Mountain City
New Market
New Tazewell
Newbern
Newport
Niota
Oakdale
Oakland
Orlinda
Palmer
Paris
Parkers' Cross Road
Parrottsville
Petersburg
Philadelphia
Pikeville
Pleasant Hill
Powells Crossroads
Pulaski
Puryear
Ramer
Red Boiling Springs
Richard City
Ridgely
Ripley
Rives
Rockwood
Rossville
Rutherford
Rutledge
Saltillo
Samburg
Sardis
Saulsbury
Scotts Hills
Sharon
Silerton
Slayden
Smithville
Sneedville
Somerville
South Fulton
South Pittsburg
Sparta
Spencer
Spring City
Spring Hill
Springfield
Stanton
Stantonville
Surgoinsville
Sweetwater
Tazewell
Tellico Plains
Tiptonville
Toone
Tracy City
Trenton
Trimble
Union
Viola
Vonore
Wartburg
Wartrace
Watauga
White Bluff
Whiteville
Whitwell
Williston
Yorkville

Texas

Abbott
Ackerly
Adrian
Alamo
Alba
Alpine
Alto
Alton
Amherst
Annona
Anthony
Arp
Asherton
Aubrey
Austwell
Avery
Bailey
Baird
Ballinger
Balmorhea
Bandera
Bangs
Bardwell
Bartlett
Bastrop
Bayview
Besley
Beckville
Beeville
Bellevue
Bellmead
Bells
Benavides
Benjamin
Bertram
Big Sandy
Big Wells
Blanket
Bloomburg
Blooming Grove
Blue Ridge
Blum
Boerne
Bonham
Booker
Brackettville
Brady
Breckenridge
Bremond
Brenham
Brookshire
Browndell
Brownwood
Bryson
Buckholts
Buffalo Gap
Burton
Byers
Bynum
Caddo Mills
Caldwell
Calvert
Cameron
Camp Wood
Campbell
Carbon
Carmine
Carrizo Springs
Castroville
Celeste
Celina
Center
Chandler
Channing
Charlotte
Chester
Childress
Chillicothe
Chireno
Christine
Cisco
Clarendon
Clarksville
Clint
Cockrell Hill
Coleman
Collinsville
Colmesneil
Colorado City
Comanche
Combes
Commerce
Cool
Coolidge
Cooper
Corrigan
Corsicana
Cotulla
Covington
Cransfills Gap
Crawford
Crockett
Crosbyton
Cross Plains
Crowell
Crystal City
Cuero
Cumby
Dalhart
Dawson
De Kalb
De Leon
Dean
Decatur
Del Rio
Deport
Detroit
Devine
Dickens
Dilley
Dodd City
Dodson
Domino
Donna
Douglasville
Driscoll
Dublin
Eagle Lake
Eagle Pass
Earth
Easton
Ector
Edcouch
Eden
Edgewood
Edmonson
Edna
Electra
Elkhart
Elmendorf
Elsa
Emhouse
Emory
Encinal
Ennis
Estelline
Evant
Fairfield
Falfurrias
Falls City
Fate
Fayetteville
Ferris
Flatonia
Florence
Floresville
Floydada
Franklin
Frankston
Fredericksburg
Frost
Gainesville
Ganado
Garrett
Garrison
Gatesville
Giddings
Goldsmith
Goldthwaite
Goliad
Gonzales
Goodlow
Goodrich
Goree
Gorman
Graford
Grand Saline
Grandview
Granger
Grapeland
Greenville
Gregory
Groesbeck
Groom
Groveton
Gustine
Hale Center
Hallettsville
Hallsburg
Hallsville
Hamilton
Hamlin
Happy
Hearne
Hedley
Hemphill
Hico
Hidalgo
Hillsboro
Holland
Hondo
Honey Grove
Hubbard
Hutto
Iredell
Italy
Itasca
Jacksonville
Jayton
Jefferson
Joaquin
Jourdanton
Junction
Karnes City
Kaufman
Kemp
Kendleton
Kenedy
Kennard
Kerens
Kingsville
Kirbyville
Kirvin
Knox City
Kosse
Kress
Kyle
La Coste
La Feria
La Grange
La Grulla
La Joya
La Villa
La Ward
Ladonia
Lakeview
Leakey
Leary
Leona
Leonard
Lexington
Linden
Lipan
Livingston
Lland
Lockhart
Lockney
Lometa
Lone Oak
Loraine
Lorena
Los Fresnos
Lott
Lueders
Luling
Lyford
Mabank
Malone
Manor
Marfa
Marion
Marlin
Marquez
Mart
Mason
Matador
Mathis
Maud
McCamey
McKinney
McLean
Meadow
Megargel
Melvin
Memphis
Menard
Mercedes
Meridian
Merkel
Mertens
Mertzon
Mexia
Miland
Miles
Milford
Mineral Wells
Mingus
Mission
Monahans
Montgomery
Moody
Moore Station
Moran
Morgan
Morton
Moulton
Mount Calm
Mount Enterprise
Mount Vernon
Mullin
Munday
Naples
Natalie
Navasota
Nazareth
Nesbitt
New Deal
New Summerfield
New Waverly
Newcastle
Neylandville
Nixon
Nocona
Nordheim
Normangee
North Cleveland
Novice
Oakhurst
Oakwood
Oglesby
Olton
Orange Grove
O'Donnell
Paducah
Paint Rock
Palmview
Paris
Pearsall
Pecan Gap
Pecos
Penelope
Petersburg
Pilot Point
Pineland
Point
Port Isabel
Post
Post Oak Bend City
Poteet
Powell
Premont
Presidio
Primera
Progreso Lakes
Putnam
Quanah
Quitaque
Ralls
Ranger
Raymondville
Refugio
Reklaw
Richland
Richland Springs
Rio Hondo
Rising Star
Roaring Springs
Robstown
Roby
Rochester
Rockport
Rocksprings
Rocky Mound
Rogers
Roma
Ropesville
Roscoe
Rosebud
Ross
Rotan
Round Top
Roxton
Royse City
Rule
Runge
Sabinal
San Augustine
San Diego
San Felipe
San Juan
San Marcos
San Patricio
San Perlita
San Saba
Sanger
Santa Anna
Santa Rosa
Schulenburg
Scottsville
Seven Oaks
Seymour
Shamrock
Shepherd
Shiner
Silsbee
Silverton
Sinton
Smiley
Smithville
Smyer
Somerville
Southmayd
Spofford
Springlake
Spur
St. Jo
Stamford
Stockdale
Strawn
Streetman
Sudan
Talco
Tatum
Taylor
Teague
Tehuacana
Tenaha
Terrell
Texhoma
Texline
Thorndale
Thornton
Thrall
Throckmorton
Timpson
Tioga
Tira
Toco
Tolar
Toyah
Trenton
Trinity
Troup
Tulia
Turkey
Tuscola
Uvalde
Valentine
Valley Mills
Van Alstyne
Van Horn
Venus
Vernon
Vinton
Waelder
Waller
Wallis
Waxahachie
Wellington
Wells
Weslaco
West Mountain
Westbrook
Westminster
Whitewright
Willis
Wills Point
Wilson
Windom
Winnsboro
Winona
Winters
Wolfe City
Woodsboro
Woodson
Wortham
Yantis
Yoakum
Yorktown
Zavalla

Utah

Alton
Antimony
Ballard
Beaver
Bicknell
Boulder
Cedar City
Centerfield
Circleville
Clawson
Cleveland
Cornish
Deweyville
Elsinore
Ephraim
Escalante
Eureka
Fayette
Fillmore
Garden City
Genola
Glenwood
Gunnison
Hatch
Hildale
Holden
Hurricane
Kanarraville
Kanosh
Kingston

Koosharem
Leeds
Levan
Logan
Lynndyl
Manti
Meadow
Milford
Minersville
Monroe
Moroni
Mount Pleasant
Myton
Newton
Oak City
Ophir
Parowan
Portage
Santa Clara
Santaquin
Scipio
Scofield
South Salt Lake
Spring City
Springville
St. George
Sterling
Stockton
Toquerville
Torrey
Trenton
Vernon
Virgin
Wales
Yost

Vermont

Albany
Alburg
Barre
Barton
Bellows Falls
Bradford
Bristol
Cabot
Cambridge
Derby Center
Enosburg Falls
Hardwick
Jacksonville
Jeffersonville
Johnson
Ludlow
Lyndonville
Marshfield
Milton
Montpelier
Morrisville
Newbury
Newport
North Troy
North Westminster
Northfield
Orleans
Perkinsville
Pittsford
Plainfield
Poultney
Proctorsville
Richford
Richmond
Rutland
St. Albans
Stowe
Swanton
Waterbury
Wells River
West Burke
Westminster
Winooski

Virginia

Abingdon
Accomac
Alberta
Appalachia
Appomattox
Bedford
Blackstone
Bloxom
Boone Mill
Boydton
Boykins
Branchville
Bristol
Brodnax
Brookneal
Buchanan
Burkeville
Cape Charles
Capron
Charlotte Court House
Chase City
Chatham
Cheriton
Chilhowie
Chincoteague
Christiansburg
Claremont
Clarksville
Cleveland
Clifton Forge
Clinchport
Clover
Colonial Beach
Columbia
Covington
Craigsville
Damascus
Dendron
Dillwyn
Drakes Branch
Dungannon
Edinburg
Emporia
Exmore
Farmville
Fries
Galax
Gate City
Glade Spring
Glen Lyn
Gordonsville
Goshen
Gretna
Halifax
Hallwood
Harrisonburg
Hayst
Hillsboro
Hillsville
Honaker
Iron Gate
Ivor
Keller
Kenbridge
La Crosse
Lawrenceville
Lexington
Luray
Martinsville
McKenney
Melfa
Middleburg
Mineral
Monterey
Mount Crawford
Mount Jackson
Nassawadox
New Castle
Newsoms
Nickelville
Norton
Onancock
Orange
Painter
Pamplin City
Parksley
Pennington Gap
Phenix
Pocahontas
Pulaski
Quantico
Richlands
Round Hill
Saltville
Saxis
Scottsburg
Scottsville
Shenandoah
St. Charles
Stanardsville
Stanley
Stony Creek
Strasburg
Suffolk
Tangier
The Plains
Toms Brook
Troutville
Virgilina
Wachapreague
Wakefield
Waverly
Woodstock

Washington

Asotin
Bingen
Black Diamond
Carnation
Cathlamet
Centralia
Chelan
Clarkston
Cle Elum
Colville
Conconully
Concrete
Coulee City
Cusick
Darrington
Dayton
Deer Park
Duvall
Ellensburg
Everson
Farmington
Ferndale
George
Gold Bar
Goldendale
Grand Coulee
Granger
Hamilton
Hartline
Ilwaco
Index
Ione
Kelso
Kettle Falls
Kittitas
Latah
Long Beach
Lyman
Mabton
Malden
Manafield
Mattawa
Metaline
Morton
Moses Lake
Mossyrock
Moxee City
Naches
Nespelem
Newport
North Bonneville
Northport
Oakville
Oroville
Prescott
Rainier
Raymond
Republic
Ridgefield
Riverside
Rock Island
Rockford
Roslyn
Roy
Sedro Woolley
Shelton
Skykomish
Soap Lake
South Prairie
Sprague
Springdale
Starbuck
Sultan
Sumas
Sumner
Tenino
Tieton
Toledo
Tonasket
Toppenish
Uniontown
Vader
Wapato
Washtucna
Wilkeson
Wilson Creek
Winlock
Winthrop
Yacolt
Yelm
Zillah

West Virginia

Addison
Albright
Alderson
Anawalt
Anmoore
Ansted
Auburn
Bath
Bayard
Beech Bottom
Belington
Benwood
Beverly
Blacksville
Bluefield
Bradshaw
Bramwell
Buckhannon
Buffalo
Burnsville
Camden-on-Gauley
Cameron
Capon Bridge
Cass
Cedar Grove
Ceredo
Chapmanville
Charles Town
Chester
Clarksburg
Clay
Clendenin
Cowen
Danville
Davis
Davy
Delbarton
Durbin
Elizabeth
Elk Garden
Elkins
Fairmont
Fairview
Falling Springs
Farmington
Fayetteville
Flatwoods
Flemington
Follansbee
Fort Gay
Friendly
Gassaway
Gauley Bridge
Gilbert
Glenville
Grafton
Grantsville
Granville
Hambleton
Handley
Harrisville
Hartford City
Hedgesville
Henderson
Hendricks
Hinton
Hundred
Iaeger
Junior
Kenova
Kermit
Keyser
Keystone
Kimball
Layopolis
Lester
Littleton
Logan
Lost Creek
Lumberport
Man
Mannington
Marlington
Martinsburg
Masontown
Matewan
Matoaka
McMechen
Meadow Bridge
Mill Creek
Milton
Monongah
Moorefield
Morgantown
Moundsville
Mount Hope
Mullens
New Cumberland
Newburg
Nutter Fort
Oakvale
Osage
Paden City
Parsons
Paw Paw
Pax
Pennsboro
Petersburg
Peterstown
Philippi
Piedmont
Pine Grove
Princeton
Pullman
Rainelle
Ransen
Reedsville
Reedy
Rhodell
Richwood
Ridgeley
Rivesville
Romney
Ronceverte
Rowlesburg
Salem
Sistersville
Smithfield
Sophia
Spencer
Star City
Sutton
Terra Alta
Thomas
Thurmond
Tunnelton
Union
War
Wardensville
Wayne
Welch
West Hamlin
West Liberty
West Union
Weston
Westover
Whitesville
Williamson
Womelsdorff
Worthington

Wisconsin

Algoma
Alma Center
Almond
Amherst Junction
Aniwa
Antigo
Arcadia
Ashland
Augusta
Avoca
Bagley
Barneveld
Bayfield
Bear Creek
Beaver Dam
Big Falls
Blanchardville
Bloomington
Blue River
Bowler
Boyceville
Butternut
Cable
Camp Douglas
Campbellsport
Cashton
Catawba
Cazenovia
Centuria
Chippewa Falls
Clayton
Clintonville
Conrath
Cornell
Couderay
Crandon
Curtiss
Dallas
Darlington
De Soto
Downing
Durand
Eagle River
Eastman
Elderon
Elroy
Ettrick
Fairchild
Fond du Lac
Frederic

Gays Mills
Gilman
Glenbeulah
Glenwood City
Granton
Gratiot
Hatley
Hayward
Hurley
Hustler
Ingram
Ironton
Kennan
Kewaunee
Kingston
La Farge
La Valle
Ladysmith
Linden
Lohrville
Lublin
Luck
Lyndon Station
Maiden Rock
Manitowoc
Marinette
Marquette
Mason
Mattoon
Mauston
Mellen
Melrose
Menomonie
Merrill
Merrillan
Merrimac
Milladore
Milltown
Mineral Point
Minong
Montello
Mount Hope
Necedah
Neillsville
Nelson
Nelsonville
Neshkoro
New Auburn
Nichols
Oconto
Oconto Falls
Ogdensburg
Ontario
Owen
Oxford
Phillips
Pittsville
Platteville
Portage
Pound
Prairie Farm
Prentice
Radisson
Readstown
Rewey
Rhinelander
Richland Center
Rio
Ripon
River Falls
Rock Springs
Rockland
Rosholt
Schofield
Siren
Soldiers Grove
South Wayne
Spooner
Stanley
Steuben
Stevens Point
Strum
Taylor
Tigerton
Tony
Turtle Lake
Viroqua
Walworth
Warrens
Wausaukee
Wautoma
Webster
Weyerhaeuser
Wheeler
White Lake
Whitehall
Whitewater
Wilton
Winter
Withee
Wonewoc

Wyoming

Albin
Big Piney
Clearmont
East Thermopolis
Fort Laramie
Frannie
Hulett
La Grange
Laramie
Lovell
Riverside
Rock River
Thayne

III. The following list contains the names of those small cities which meet the current minimum standards of physical and economic distress but which did not meet the standards as of the June 8, 1982 Notice.

Alabama

Addison
Ardmore
Auburn
Bay Minette
Belk
Bon Air
Brighton
Calera
Camden
Cardiff
Chickasaw
Childersburg
Cleveland
Colony
Coosada
County Line (Covington County)
Daphne
Elkmont
Excel
Fyffe
Gantts Quarry
Good Hope
Goshen
Gurley
Holly Pond
Jackson's Gap
Jasper
Kinsey
Lakeview
Level Plains
Needham
North Courtland
Odenville
Pollard
Providence
Ranburne
South Vinemont
Union Grove
Walnut Grove
Webb
Woodville

Alaska

Akutan
Atmautluak
Buckland
Clark's Point
Diomede
Eagle
Haines
Hughes
Huslia
Koyuk
Koyukuk
Nulato
Port Alexander
Port Lions
Russian Mission
St. Paul
Tanana
Unalakleet
Yakutat

Arizona

Florence
San Luis
Somerton
St. Johns

Arkansas

Almyra
Bald Knob
Batesville
Bauxite
Ben Lomond
Bentonville
Bigelow
Brookland
Carlisle
Cash
Concord
Crossett
Daisy
Danville
Delaplaine
Elkins
Elm Springs
Franklin
Grannis
Greenwood
Greers Ferry
Johnson
Judsonia
Keiser
Lepanto
Lonoke
Lonsdale
Magnolia
Marie
Marmaduke
McCrory
Minturn
Mulberry
Norphlet
Oak Grove Heights
Ogden
Ratcliff
Ravenden Springs
Rudy
Smackover
Summit
Thornton
Tollette
Ulm
Western Grove
Winchester
Wynne
Zinc

California

Arvin
Blue Lake
Corning
Cudahy
Fort Jones
Hollister
Huron
Irwindale
Live Oak
Lynwood
Marina
Maywood
Mendota
National City
Needles
Orland
Red Bluff
San Pablo
Sonora
Watsonville
Williams
Willits

Colorado

Brookside
Burlington
Calhan
Cedaredge
Evans
Frederick
Grover
Haswell
Iliff
Johnstown
Keenesburg
Kiowa
Milliken
Mountain View
Olathe
Orchard City
Peetz
Raymer
Sawpit
Silver Cliff
Superior
Telluride
Two Buttes
Ward
Westcliffe
Wiley
Yampa

Connecticut

Colchester
Naugatuck
Stafford Springs

Delaware

Blades
Clayton
Farmington
Odessa
Townsend
Woodside

Florida

Bay Lake
Center Hill
Cinco Bayou
Coleman
Fanning Spring
Hastings
Homestead
Interlachen
Lake Hamilton
Paxton
Polk City
Springfield
Wildwood

Georgia

Allenhurst
Allentown
Between
Bowersville
Brinson
Byron
Carl
Cecil
Centralhatchee
Climax
Dawsonville
Dearing
Doraville
East Point
Ellijay
Eton
Euharlee
Gumbranch City
Hamilton
Hilltonia
Homeland
Industrial City
Lula
Lyerly
North High Shoals
Preston
Resaca
Rest Haven
Riverside
Rutledge
Sunny Side
Walnut Grove
Woolsey

Idaho

Albion
Bancroft
Bellevue
Bliss
Caldwell
Clayton
Clifton
Downey
Dubois
East Hope
Eden
Elk River
Grangeville
Hauser Lake
Hollister
Jerome
Lapwai
Leadore
Marsing
Melba
Mud Lake
Newdale
Nezperce
Oakley
Oldtown
Onaway
Orofino
Preston
Rathdrum
Reubens
Rexburg
Rigby
St. Anthony
Stanley
Tensed
Wallace
Wardner
Weippe
Wendell

Illinois

Allerton
Alsey
Argenta
Armington
Avon
Baldwin
Bardolph
Bay View Gardens
Belleflower
Berlin
Blandinsville
Blue Island
Broadwell
Brownstown
Bulpitt
Calhoun
Camp Point
Caseyville
Cisne
Donnellson
Dorchester
Dover
Dupo
Durand
Eagarville
East Alton
East Carondelet
Eddyville
Elizabethtown
Fairmount
Fayetteville
Grandview
Hodgkins
Homer
Jeffersonville
Keensburg
Littleton
Loami
Loda
Ludlow
Makanda
Mapleton
McLeansboro
Montrose
Nason
Nauvoo
Niantic
Palmer
Pembroke
Prairie City
Ridgway
Rockbridge
Roxana
Sadorus

Sauget
Seaton
Secor
South Pekin
Stoy
Strawn
Valmeyer
Waggoner
Wenonah
West Brooklyn
Whiteash
Wyoming

Indiana

Alexandria
Alfordsville
Boston
Brooklyn
Bruceville
Bryant
Cannelton
Clarks Hill
Corunna
Darlington
Fowler
Fowlerton
Garrett
Hardinsburg
Hillsboro
Jeffersonville
Jonesville
Judson
Kennard
Losantville
Martinsville
Merom
Michigantown
Milford
Milltown
Milton
Modoc
Morocco
Mount Auburn
Napoleon
New Market
North Liberty
North Vernon
Paragon
Pendleton
Ravenswood
Roseland
Salamonia
Saratoga
Spiceland
Springport
Summitville
Switz City
Versailles
Walkerton
Wheatfield
Whitestown
Whitewater

Iowa

Ainsworth
Ayrshire
Baldwin
Boxholm
Bradgate
Callender
Central City
Coin
Columbus City
Colwell
Cotter
Cylinder
Dickens
Drakesville
Earlville
Ely
Farnhamville
Fenton
Fontanelle
Fraser
Gillett Grove
Grandview
Hanlontown
Havelock
Hayesville
Kiron
La Motte
Lamont
Letts
Madrid
Maquoketa
Marquette
Masonville
Maxwell
Maysville
McClelland
Melrose
Mondamin
Neola
New Liberty
New Market
New Virginia
North Washington
Norway
Numa
Orient
Ossian
Panama
Persia
Rhodes
Rinard
Ringsted
Riverside
Rock Falls
Rodney
Searsboro
Stockton
Strawberry Point
Tennant
Thompson
Thornburg
Vining
Washta
Webster
Wellsburg
Westphalia
Wheatland
Wiota

Kansas

Abbyville
Barnard
Bartlett
Bassett
Copeland
Denton
Dighton
Ford
Geuda Springs
Hamilton
Hazelton
Holcomb
Horace
Humboldt
Leona
Lincolnville
Mankato
McLouth
Minneola
Mound City
Muscotah
Niotaze
Norcatur
Oak Hill
Pawnee Rock
Penalosa
Richfield
Richmond
Severance
Stafford
Turon
Wakefield
Waldo

Bardstown
Barlow
Calhoun
Camargo
Carrollton
Clay City
Corbin
Danville
Eubank
Ferguson
Foster
Gratz
Hartford

Delta
Florien
Golden Meadow
Gretna
Kinder

Annapolis
Betterton
Brookeville
Brookview
Eagle Harbor

Addison
Alanson
Athens
Bancroft
Beaverton
Benzonia
Big Rapids
Bloomingdale
Breedsville
Buckley
Camden
Cedar Springs
Cement City
Central Lake
Clio
Coloma
Custer
Eagle
East Lake
Elberta
Emmett
Essexville
Fowler
Galesburg
Gladwin

Aldrich
Amboy
Arlington
Barnum
Beardsley
Belgrade
Bethel
Bigelow
Bluffton
Bock
Boy River
Braham
Brownsdale
Chandler
Clinton
Coates
Conger
Correll
Cosmos
Cromwell
Danvers
Wallace
Willard
Windom
Zenda

Kentucky

Hiseville
Jeffersonville
Manchester
McKee
Melbourne
Nicholasville
Oakland
Olive Hill
Salem
Sardis
Stamping Ground
Wayland
West Liberty

Louisiana

Leesville
Reeves
Richmond
South Mansfield
Turkey Creek

Maryland

East New Market
North Beach
North Brentwood
Sudlersville

Michigan

Gobles
Hanover
Hubbardston
Lake Odessa
Lakeview
Lakwood Club
Mackinaw City
Marshall
Martin
Melvin
Monroe
Morley
Mount Clemens
Mount Morris
Muir
Otisville
Owendale
Perrinton
Pewamo
Pinconning
Powers
Saranac
Suttons Bay
Vassar

Minnesota

Deer Creek
Deerwood
Dumont
Dunnell
Emily
Erskine
Evansville
Federal Dam
Fifty Lakes
Finlayson
Georgetown
Gilman
Glenwood
Hadley
Halma
Hammond
Hazel Run
Hill City
Hilltop
Hinckley
Humboldt
Ihlen
Jackson
Kennedy
Kenneth
Kimball
Lake Wilson
Littlefork
Long Beach
Longville
Lonsdale
Luverne
Madison Lake
Manhattan Beach
McGrath
McKinley
Meadowlands
Mendota
Murdock
New Germany
Nimrod
Ogilvie
Pemberton
Pequuot Lakes
Perley
Randolph
Ranier
Ronneby
Rose Creek
Royalton
Rushford Village City
Sedan
Shafer
Slayton
St. Hilaire
St. Vincent
Stewart
Taopi
Trimont
Trommald
Twin Lakes
Vernon Center
Wadena
Waubun
Whalan
Wilton
Wykoff

Mississippi

Bay St. Louis
Caledonia
Carrollton
Collins
Dumas
Ecru
Falkner
Flowood
Forest
Hatley
Lake Center
Potts Camp
Taylorsville

Missouri

Adrian
Arcola
Arrow Rock
Benton
Benton City
Bourbon
Brashear
Burgess
Carytown
Centertown
Chilhowee
Clark
Cosby
Duenweg
East Kansas City
Fair Grove
Fairview Acres
Flordell Hills
Gasconade
Greentop
Iron Gates
Jonesburg
Kingsville
La Russell
Lambert
Leasburg
Leslie
Luray
Midway
Neck City
Normandy
North Wardell
Northmoor
Paynesville
Pine Lawn
Revere
Ritchey
Revierview
St. John
Stewartsville
Stotesbury
Van Buren
Waco
Wakenda
Worthington

Montana

Alberton
Big Sandy
Bozeman
Broadview
Cascade
Choteau
Darby
Deer Lodge
Denton
Dutton
Hardin
Hingham
Hobson
Melstone
Missoula
Rexford
Ryegate
Sunburst
West Yellowstone

Nebraska

Alvo
Ansley
Bennington
Bladen
Brewster
Brownville
Bushnell
Chappell
Clay Center
Clearwater
Ericson
Firth
Garland
Grafton
Grant
Hardy
Hastings
Hershey
Humphrey
Huntley
Imperial
Ithaca
Jackson
Kimball
Lorton
Lousiville

Lushton
Madrid
Martinsburg
Memphis
Mullen
Nenzel
Norman
Palisade
Palmer
Palmyra
Ragan
Rosalie
Royal
Springfield
Staplehurst
Stapleton
Stockville
Strang
Thurston
Wakefield
Wauneta
Whitney

Nevada

Caliente
Carlin
Fallon

New Jersey

Audubon
Brooklawn
Chesilhurst
Clementon
Dover
Egg Harbor City
Fieldsboro
Glassboro
Island Heights
Keyport
National Park
Pine Hill
Pitman
Seaside Heights
South Toms River
Sussex
Westville
Woodbury

New Mexico

Elida
Grady
Grenville
Hatch
Hurley
San Jon
Socorro
Virden

New York

Alexander
Angelica
Barker
Bath
Bloomingburgh
Bridgewater
Brockport
Castorland
Chaumont
Cherry Creek
Cleveland
Coxsackie
Dundee
Fillmore
Fort Edward
Geneseo
Haverstraw
Herrings
Holley
Hunter
Interlaken
Kiryas Joel
Lacona
Little Valley
Marathon
Marcellus
Meridian
Monticello
Mooers
Nassau
Oriskany
Parish
Perrysburg
Port Byron
Red Creek
Richburg
Richfield Springs
Rushville
Sackets Harbor
Savona
Sharon Springs
Silver Springs
Sylvan Beach
Tannersville
Trumansburg
Victory
Walden
Wampsville
Waterville
West Winfield
Whitesboro
Wilson
Windsor

North Carolina

Andrews
Bakersville
Brunswick
Carrboro
Casar
Dover
Elizabethtown
Eureka
Falkland
Garysburg
Granite Falls
Hillsborough
Love Valley
McAdenville
Micro
Nashville
New London
Newton
Old Fort
Pembroke
Rocky Mount
Saluda
Staley
Stoneville
Valdese
Wade
Winterville
Zebulon

North Dakota

Alamo
Alexander
Almont
Amidon
Barton
Bowdon
Buxton
Dawson
Dazey
Drayton
Ellendale
Fairdale
Forest River
Granora
Hamberg
Harvey
Hoople
Inkster
Landa
Leonard
Makoti
Mantador
Manvel
Minto
Montpelier
Mooreton
Neche
New Town
Souris
Starkweather
Taylor City
Turtle Lake
Wishek

Ohio

Amelia

Amesville
Arcadia
Athalia
Bairdstown
Beach City
Bellefontaine
Bergholz
Blakeslee
Bloomdale
Brady Lake
Broughton
Burgoon
Caldwell
Camden
Castine
Cherry Fork
Congress
Continental
Coolville
Deersville
Fairborn
Fairport Harbor
Felicity
Fostoria
Franklin
Georgetown
Graysville
Hamersville
Harbor View
Harrisburg
Harrod
Haviland
Kelleys Island
Kipton
Lakemore
Latty
Linndale
Lockbourne
Lowellville
Mantua
Marengo
Marseilles
McClure
McGuffey
Mifflin
Millersburg
Nashville
Neville
Newtown
North Fairfield
Oakwood
Orangeville
Pleasant Plain
Plymouth
Potsdam
Put-in-Bay
Republic
Russellville
Sabina
Scott
Shelby
Shreve
Smithfield
Spring Valley
St. Bernard
Sycamore
Tiro
Uniopolis
Valley Hi
Verona
West Farmington
West Millgrove

Oklahoma

Ada
Agra
Alderson
Arapaho
Bearden
Billings
Burlington
Cameron
Carney
Cheyenne
Cole
Dill City
Foss
Hollister
Kemp
Manchester
McBride
Mill Creek
Nicoma Park
Ochelata
Oktaha
Perry
Quay
Rattan
Ripley
Sharon
Smith Village
St. Louis
Stidham
Stringtown
Thackerville
Wainwright
Washington
Waurika
Wellston

Oregon

Carlton
Cove
Creswell
Dallas
Drain
Echo
Elgin
Fossil
Halsey
Hammond
Klamath Falls
La Grande
Lebanon
Maupin
Mt. Vernon
Myrtle Point
Phoenix
Port Orford
Prescott
Redmond
Siletz
St. Helens
Tillamook
Union
Wasco
Wheeler

Pennsylvania

Albion
Atwood
Avonmore
Beallsville
Bernville
Briar Creek
Casselman
Chest Springs
Chester Hill
Clarendon
Clifton Heights
Cochranton
Cranesville
Delta
Edinboro
Ehrenfeld
Elco
Emlenton
Flemington
Fredonia
Freeburg
Freedom
Hanover
Harveys Lake
Heidelberg
Herndon
Highspire
Hollidaysburg
Hydetown
Ingram
Jefferson
Koppel
Ligonier
Loruin
Lyons
Meshoppen
Milford
Millbourne
Norrisville
New Albany
New Alexandria
New Hope
Newburg
Nicholson
Parryville
Platea
Port Royal
Portland
Prospect Park
Roseville
Saltillo
Slattington
Stoystown
Sykesville
Sylvania
Ulysses
Valencia
Vintondale
Volant
Wall
Wattsburg
Wellersburg
West Conshohocken
West Fairview
West Homestead
West Pittston
Yeadon
York Haven
Youngstown

South Carolina

Central
Chappells
Fairfax
Govan
Holly Hill
Hollywood
Johnston
Kershaw
Liberty
Luray
McBee
Mount Croghan
Pamplico
Peak
Perry
Starr
Wagener
Woodside

South Dakota

Akaska
Baltic
Belle Fourche
Broadland
Castlewood
Clear Lake
Ethan
Fairburn
Glenham
Hayti
Hazel
Interior
Iroquois
Jefferson
Kranzburg
Letcher
Mission Hill
New Effington
New Witten
Oacoma
Oldham
Reliance
Sturgis
Tabor
Trent
Utica
Wakonda
Wall
Warner
Wentworth
Whitewood
Yale

Tennessee

Bell Buckle
Benton
Calhoun
Crab Orchard
Cumberland Gap
Friendship
Gallaway
Gordonsville
Grand Junction
Hartsville
Jonesboro
Maryville
Minor Hill
Moscow
Parkers' Cross Roads
Parrottsville
Richard City
Scotts Hills
Smithville
Sneedville
Toone
Wartburg
Watauga
White Bluff

Texas

Adrian
Alton
Aubrey
Beasley
Beckville
Booker
Caldwell
Celina
Childress
Cool
Dalhart
Dean
Dickens
Earth
Edgewood
Edmonson
Evant
Fairfield
Falls City
Fredericksburg
Gainesville
Ganado
Goldsmith
Hallsville
Happy
Kirvin
Leona
Lexington
Mabank
Megargel
Mertens
Mertzon
Monahans
Moore Station
Nesbitt
North Cleveland
Palmview
Post Oak Bend City
Powell
Presidio
Progreso Lakes
Reklaw
Ross
Round Top
San Marcos
Sanger
Shamrock
Silsbee
Smyer
Southmayd
Teague
Texhoma
Texline
Thorndale
Throckmorton
Tira
Toco
Tolar
Tuscola
Valley Mills
Vinton
Waller
West Mountain
Winona
Yantis

Utah

Alton
Ballard
Bicknell
Cedar City
Clawson
Cornish
Elsinore
Escalante
Garden City
Genola
Glenwood
Hatch
Hildale
Hurricane
Kanarraville
Kingston
Koosharem
Leeds
Minersville
Monore
Oak City
Parowan
Santa Clara
Santaquin
Scipio
Scofield
Springville
St. George
Sterling
Torrey
Vernon

Vermont

Bradford
Bristol
Cabot
Jacksonville
Johnson
Milton
North Westminster
Perkinsville
Plainfield
Richmond
Stowe

Virginia

Appomattox
Bonne Mill
Boykins
Branchville
Brookneal
Capron
Christiansburg
Dendron
Fries
Goshen
Gretna
Halifax
Harrisonburg
Hillsville
Ivor
Kenbridge
Monterey
Mount Jackson
New Castle
Norton
Richlands
Shenandoah
Standardsville
Waverly

Washington

Carnation
Centralia
Chelan
Colville
Duvall
Farmington
Ferndale
George
Gold Bar
Goldendale
Hamilton
Ilwaco
Kettle Falls
Long Beach
Mansfield
Mattawa
Moses Lake
Oakville
Rainier
Republic
Rock Island
Rockford
Roy
Sedro Woolley
Shelton
South Prairie
Sumner
Tieton
Yacolt

West Virginia

Beech Bottom
Blacksville
Ceredo
Chester
Cowen
Danville
Fairview
Friendly
Gauley Bridge
Grantsville
Handley
Harrisville
Milton
Pine Grove
Ransen
Reedsville
Spencer
Star City
West Liberty

Wisconsin

Barneveld
Bloomington
Boyceville
Clayton
Dallas
De Soto
Downing
Eastman
Frederic
Granton
Ironton
Kewaunee
Kingston
Luck
Manitowoc
Marquette
Mason
Merrimac
Montello
Nelson
Nelsonville
Neshkoro
Nichols
Ogdensburg
River Falls
Rockland
Schofield
Strum
Tony
Walworth
Warrens
Wheeler

Wyoming

Big Piney
Clermont
Frannie
Laramie
Lovell
Rock River
Thayne

IV. The following list contains the names of those small cities which met the minimum standards of physical and economic distress as of the June 8, 1982 Notice but which do not meet the current minimum standards. The final date for submission of an application by the cities listed below is August 31, 1983.

Alabama

Adamsville
Aliceville
Atmore
Avon
Beaverton
Berry
Branchville
Brewton
Chatom
Clayhatchee
County Line (Blount and Jefferson Counties)
Cowarts
Eutaw
Eva
Gaylesville
Geiger
Gilbertown
Grimes
Grove Hill
Guntersville
Hackleburg
Harpersville
Leesburg
Lineville
Loachapoka
Loxely
Lynn
Malvern
Monroeville
Myrtlewood
New Brockton
New Site
Newton
Notasulga
Owens Cross Roads
Petrey
Powells Crossroads
Russellville
Shilo
Steele
Sylacauga
Thomasville
Valley City
Whitehall
Wilmer
Woodland

Alaska

Akiachak
Aleknagik
Ambler
Aniak
Hoonah
Hooper Bay
Hydaburg
Kake
Kiana
Klawock
Kotlik
Mountain Village
Nome
Ouzinkie
Pelican
Platinum
Port Heiden
Ruby
St. Mary's
Wainwright

Arizona

Fredonia
Hayden
Prescott
Tolleson

Arkansas

Alexander
Austin
Banks
Beebe
Belefonte
Bethel Heights
Caldwell
Caulksville
Centerton
Central City
Corning
Dover
Dyess
Fisher
Flippin
Greenland
Griffithville
Guy
Hartman
Hickory Ridge
Higden
Highfill
Hoxie
Kensett
Kibler
Kingsland
Lafe
Lakeview
Little Flock
Louann
Lowell
Manila
McCaskill
Mineral Springs
O'Kean
Pangburn
Patmos
Perry
Perryville
Pleasants Plains
Salem
Sedgwick
Siloam Springs
Stuttgart
Subiaco
Tinsman
Tontitown
Trumann
Tuckerman
Valley Springs
Weiner
Weldon West Fork
Whelen Springs
Wiederkehr
Williasville
Wilmar
Wooster

California

Artesia
Avenal
Blythe
Calistoga
Coachella
Colfax
Dunsmuir
Ferndale
Gardena
Healdsburg
Loyalton
Montrovia
Newman
Orange Cove
Pacific Grove
Portola
Rio Dell
Soledad
Westmorland

Colorado

Akron
Black Hawk
Brush
Canon City
Crawford
Creede
Crook
De Beque
Deer Trail
Durango
Eads
Eagle
Eaton
Erie
Fairplay
Fleming
Fort Morgan
Fruita
Genoa
Grand Junction
Haxtun
Hillrose
Jamestown
Leadville
Lyons
Manitou Springs
Merino
Montrose
New Castle
Norwood
Nucla
Paonia
Prospect Heights
Ridgway
Rye
Salida
Severance
Silver Plume
Stratton
Vona
Wray

Connecticut

Derby
Stonington

Delaware

Dagsboro
Felton
Newport
Ocean View
Selbyville
Smyrna
Viola

Florida

Belle Glade
Dade City
De Funiak Springs
Dunnellon
Everglades
Frostproof
Grand Ridge
Green Cove Springs
Greenwood
Haines City
Jay
McIntosh
Minneola
Newberry
Ocean Breeze Park
Oviedo
Pahokee
Palm Shores
Penney Farms
Pomona Park
Raiford
Shalimar
Sneads
South Miami
St. Cloud
St. Lucie
Umatilla
Weeki Wachee Springs

Georgia

Adel
Alston
Arnoldsville
Bellville
Bethlehem
Blythe
Bogart
Camak
Chickamauga
Cleveland
Commerce
Corinth
Culloden
Demorest
Dillard
Douglas
Dublin
Edge Hill
Funston
Gainesville
Good Hope
Gray
Hapeville
Haralson
Hiawassee
Hoschton
Jakin
Jefferson
Jesup
Louisville
Maysville
Milan
Moreland
Morgan
Mount Airy
Mount Zion
Mountain City
Nicholson
Nunez
Orchard Hill
Pendergrass
Pine Mountain
Ray City
Roopville
Shady Dale
Sharpsburg
Soperton
Sparks
Statesboro
Swainsboro
Tallulah Falls
Thunderbolt
Trenton
Tunnel Hill
Turin
Twin City
Valdosta
Van Wert
Watkinsville
West Point
White
Young Harris
Zebulon

Idaho

Arimo
Basalt
Cambridge
Council
Culdesac
Dietrich
Ferdinand
Filer
Franklin
Georgetown
Hamer
Harrison
Hazelton
Idaho City
Juliaetta
Kimberly
Malad City
Murtaugh
New Meadows
Paris
Parker
Paul
Peck
Richfield
Riggins
St. Charles
State Line
Swan Valley
Winchester

Illinois

Addieville
Adeline
Albion
Allenville
Altamont
Amboy
Anchor
Anna
Arenzville
Arlington
Arthur
Ashmore
Athens
Atkinson
Banner
Basco
Beardstown
Beckemeyer
Bellmont
Biggsville
Bradford
Browns
Bryant
Buckley
Butler
Campbell Hill
Canton
Cantrall
Carterville
Carthage
Casey
Centralia
Chaplin
Chebanse
Cherry
Chesterfield
Cissna Park
Coal City
Compton
Coulterville
Crainville
Creston
Cullom
Dahlgren
Dallas City
De Land
De Witt
Depue
Divernon
Dixon
Donovan
Du Quoin
Dunfermline
Earlville
East Cape Girardeau
East Dubuque
Elizabeth
Elk Hart City
Ellisville
Ellsworth
Elvaston
Emden
Erie
Evansville
Farina
Farmersville
Ferris
Findlay
Fithian
Flanagan
Foosland
Franklin Grove
Fults
Galena
Gays
Gillespie
Gladstone
Golden Gate
Good Hope
Granite City
Grantfork
Grayville
Greenup
Greenville
Hammond
Hartford
Herrin
Hettick
Hillsboro
Hindsboro
Hollowayville
Hutsonville
Illiopolis
Ina
Industry
Ipava
Jacksonville
Jerseyville
Jewett
Johnsonville
Jonesboro
Kangley
Kansas
Kaskaskia
Kempton
Kenney
Keyesport
Kincaid
Kirkwood
La Fayette
Lakemoor
Lanark
Lebanon
Lewistown
Lima
Lincoln
Little York
Livingston
Lockport
Lomax
Lostant
Louisville
Lyndon
Malta
Marshall
Martinsville
Martinton
Mason City
Mattoon
McCook
Medora
Mill Creek
Milledgeville
Morrisonville
Mount Auburn
Mount Carroll
Mount Pulaski
Mount Vernon
Naplate
Naples
Neoga
Neponset
New Baden
New Bedford
New Berlin
Newman
Newton
Nilwood
Nokomis
Nora
Oakford
Odell
Odin
Ogden
Oglesby
Old Mill Creek
Old Ripley
Olney
Oregon
Palestine
Parkersburg
Patoka
Paxton
Pearl City
Pecatonica
Perry
Peru
Petersburg
Pierron
Pinckneyville
Pingree Grove
Pittsfield
Pontoosuc
Prairie du Rocher
Radom
Raleigh
Raritan
Raymond
Richmond
Ridge Farm
Rock Falls
Rockdale
Rushville
Salem
Saunemin
Schram City
Sesser
Shawneetown
Shelbyville
Sheridan
Smithfield
Sparland
Spring Bay
St. Francisville
St. Jacob
St. Peter
Staunton
Ste Marie
Sterling
Stockton
Stonington
Strasburg
Streator
Sublette
Sumner
Symerton
Tamaroa
Tamms
Taylor Springs
Taylorville
Thomson
Tilden
Toledo
Tonica
Tovey
Union Hill
Urbain
Valier
Vandalia
Venedy
Vergennes
Viola
Walnut Hill
Walshville
Waltonville
Washburn
Waterman
Waverly
Wayne City
Weldon
Wellington
Westfield
White City
Windsor
Winslow
Wood River
Woodhull
Woodland
Yale

Indiana

Akron
Argos
Attica
Battle Ground
Bloomingdale
Boonville
Boswell
Bunker Hill
Burnettsville
Burns Harbor
Cedar Grove
Clay City
Dayton
Dillsboro
Dunreith
Eaton
Elberfeld
Elizabeth
Farmersburg
Farmland
Fort Branch
Fremont
Greensfork
Hagerstown
Hamlet
Hartsville
Hazleton
Hymera
Ingalls
Jamestown
Kempton
Kewanna
Kingman
Kingsbury
La Paz
Lakeville
Lanesville
Larwill
Leesburg
Livonia
Mackey
Macy
Marshall
Mauckport
Mentone
Millhousen
Mitchell
Monterey
Montezuma
Mount Ayr
Mount Summit
Mount Vernon
New Harmony
North Salem
North Webster
Owensville
Oxford
Patoka
Perrysville
Petersburg
Pine Village
Poneto
Poseyville
Princeton
Reynolds
Rising Sun
Rochester
Rome City
Russellville
Salem
Sandborn
Shamrock Lakes
Somerville
Spurgeon
St. Joe
St. Paul
Staunton
Stilesville
Sullivan
Sulphur Springs
Sunman
Tell City
Trafalgar
Utica
Veedersburg
Vera Cruz
Westport
Williamsport
Winamac
Windfall City
Wolcottville

Iowa

Ackworth
Adair
Albia
Algona
Alta
Alta Vista
Alton
Andover
Anita
Aplington

Archer
Armstrong
Arnolds Park
Arthur
Aspinwall
Audubon
Avoca
Bassett
Battle Creek
Beacon
Beaman
Beaver
Bennett
Benton
Bertram
Bevington
Birmingham
Blairsburg
Blanchard
Bloomfield
Bouton
Braddyville
Brayton
Breda
Bristow
Buffalo
Bussey
Calmar
Calumet
Cascade
Chariton
Cherokee
Chester
Churdan
Clarion
Clarksville
Clinton
Clio
Coon Rapids
Coppock
Coulter
Cresco
Creston
Cushing
Dana
Dedham
Defiance
Delmar
Dexter
Doon
Dow City
Dunkerton
Eddyville
Edgewood
Eldora
Elgin
Elk Horn
Elkader
Elkport
Emerson
Essex
Fairfield
Farley
Farmersburg
Farmington
Fertile
Floyd
Fort Dodge
Fremont
Garber
Garnavillo
Garwin
Gibson
Glidden
Goose Lake
Gowrie
Grand Mound
Granville
Greenfield
Guernsey
Guttenberg
Hamburg
Hancock
Hansell
Harcourt
Harper
Hartley
Hartwick
Hawarden
Hazleton
Hedrick
Henderson
Hepburn
Holland
Holy Cross
Hospers
Hubbard
Humboldt
Hurstville
Ionia
Irwin
Jamaica
Jewell Junction
Kanawha
Keosauqua
Keswick
Kimballton
Kingsley
Kinross
Kirkman
Ladora
Lake City
Lake View
Lakota
Larrabee
Latimer
Laurens
Ledyard
Lehigh
Leighton
Lenox
Lester
Lewis
Lidderdale
Lockridge
Lowden
Luana
Luther
Lynnville
Malcom
Mallard
Maloy
Malvern
Manilla
Manly
Manning
Manson
Marengo
Matlock
Maynard
Melvin
Meriden
Merrill
Meservey
Miles
Milford
Millersburg
Millville
Minburn
Minden
Mingo
Mitchell
Moneta
Monticello
Montour
Moorhead
Moorland
Mount Auburn
Nashua
New Hampton
New Hartford
New Vienna
Newell
Newton
Nodaway
Nora Springs
North Buena Vista
North English
Odebolt
Ogden
Olds
Olin
Oneida
Orchard
Osage
Osceola
Osterdock
Ottosen
Owasa
Oxford
Packwood
Palmer
Parkersburg
Patterson
Paullina
Plan
Pleasantville
Prescott
Preston
Quasqueton
Radcliffe
Rake
Ralston
Randalia
Randall
Red Oak
Redfield
Remsen
Riceville
Rickardsville
Ridgeway
Rippey
Rock Valley
Rockwell
Rockwell City
Rodman
Roland
Rolfe
Rossie
Rowan
Royal Rutland
Sac
Salix
Sanborn
Sandyville
Schaller
Shambaugh
Sheffield
Shelby
Shenandoah
Sherrill
Silver City
Sioux Rapids
Soldier
South English
Spring Hill
St. Charles
St. Marys
Stanley
Stanton
Stockport
Stuart
Sully
Sumner
Superior
Swea City
Templeton
Terril
Thornton
Titonka
Toledo
Truesdale
Truro
Turin
Union
University Park
Van Horne
Varina
Vinton
Wallingford
Wapello
Webb
Webster City
West Bend
Westgate
Westside
Winfield
Woodbine
Woolstock
Worthington
Wyoming
Yale
Yorktown
Zearing

Kansas

Admire
Agra
Alma
Alta Vista
Altamont
Alton
Arkansas City
Ashland
Atlanta
Belle Plaine
Belleville
Belvue
Benton
Beverly
Bird City
Bogue
Bunker Hill
Burden
Burdett
Burlingame
Burlington
Burrton
Bushton
Canton
Cedar Vale
Chanute
Chase
Cimarron
Claflin
Clayton
Coats
Coldwater
Conway Springs
Cullison
Cunningham
Danville
Deerfield
Delia
Dexter
Douglass
Edmond
Effingham
El Dorado
Ellsworth
Esbon
Eskridge
Fowler
Frankfort
Frontenac
Galatia
Garden Plain
Garfield
Garnett
Gas
Gem
Girard
Glen Elder
Goessel
Grainfield
Greeley
Greensburg
Grinnell
Gypsum
Hanston
Harris
Hartford
Harveyville
Havana
Havensville
Hiawatha
Hollenberg
Holton
Hope
Hunnewell
Hutchinson
Independence
Iola
Jetmore
Kanopolis
Kensington
La Cygne
Lancaster
Lebo
Lecompton
Leon
Liberty
Lindsborg
Linwood
Little River
Long Island
Longton
Madison
Manter
Marion
Matfield Green
Mayetta
McFarland
Moran
Mount Hope
Nashville
Neodesha
Neosho Rapids
Ness City
New Albany
Nortonville
Ogden
Oketo
Olivet
Osage
Osawatomie
Oskaloosa
Overbrook
Oxford
Palco
Pomona
Potwin
Pretty Prairie
Quinter
Ransom
Reading
Riley
Rozel
Satanta
Sedan
Seneca
Simpson
Smolan
Speed
St. George
St. Marys
St. Paul
Stockton
Syracuse
Timken
Toronto
Tribune
Uniontown
Vermillion
Victoria
Viola
Wakeeney
Washington
Waterville
Webber
Westphalia
Willis
Wilmore
Winfield
Woodbine
Yates Center

Kentucky

Allen
Allensville
Bremen
Burnside
Caseyville
Centertown
Dycusburg
Eddyville
Fairview
Glasgow
Hanson
Hardin
Hollyvilla
Hyden
Jackson
Jenkins
Kenton Vale
Leitchfield
Mackville
Mentor
Morganfield
Powderly
Rochester
Russell Springs
Sebree
Slaughterville
Strathmoor Manor
Strathmoor Village
Sturgis
Uniontown
Washington
Waverly
Whitesville
Williamstown
Wilmore
Wingo

Louisiana

Addis
Anacoco
Athens
Atlanta
Benton
Breaux Bridge
Brusly Landing
Cankton
Cotton Valley
Covington
De Ridder
Delcambre
Dixie Inn
Downsville
Duson
Eunice
Fenton
Franklin
French Settlement
Grambling
Grand Cane
Greensburg
Hammond
Hessmer
Ida
Jennings
Kilbourne
Killian
Many
Marion
McNary
Mermentau
Minden
Mooringsport
Morganza
Natchitoches
Noble
Norwood
Plaucheville
Port Allen
Port Barre
Sarepta
St. Martinville
Stanley
Vinton
Welsh
West Monroe

Maine

Bath
Ellsworth
Saco

Maryland

Accident
Barclay
Burkittsville
Centreville
Chesapeake Beach
Church Hill
Clear Spring
Eldorado
Frostburg
Galestown
Glen Echo
Goldsboro
Hebron
Hillsboro
Keedysville
Luke
Millington
Myersville
New Market
Oxford
Pittsville
Preston
Seat Pleasant
Sharpsburg
Sharptown
Westernport
Woodsboro

Massachusetts

Melrose
Newburyport
Peabody

Michigan

Allegan
Ashley
Augusta
Bad Axe
Bear Lake
Boyne City
Brooklyn
Brown City
Byron
Carson City
Charlevoix
Chatham
Chesaning
Coldwater
Corunna
Dryden
East Tawas
Farwell
Free Soil
Freeport
Grand Haven
Ishpeming
Kaleva
Kent City
Kingston
Lake Angelus
Lake Ann
Lake City
Lincoln
Litchfield
Luna Pier
Maple Rapids
Marlette
Maybee
Mayville
Middleville
Millington
Minden City
Montgomery
Negaunee
New Buffalo
North Branch
Northport
Onekama
Paw Paw
Peck
Pellston
Pentwater
Petersburg
Pigeon
Reading
Richland
Rogers City
Scottville
Sheridan
South Rockwood
Tawas City
Traverse
Tustin
Vermontville
Waldron
Yale
Zeeland

Minnesota

Adams
Albert Lea
Alden
Alvarado
Appleton
Ashby
Atwater
Aububon
Austin
Balaton
Barnesville
Barrett
Battle Lake
Beaver Bay
Beaver Creek
Benson
Bird Island
Biwabik
Blooming Prairie
Bowlus
Brookston
Brownsville
Brownton
Buhl
Burtrum
Butterfield
Caledonia
Calumet
Campbell
Chisholm
Chokio
Clarkfield
Clearwater
Cokato
Comstock
Cook
Dakota
Darwin
Dassel
Dawson
Detroit Lakes
Dexter
Dilworth
Donnelly
Doran
Dover
Dovray
East Gull Lake
Easton
Eitzen
Elba
Elgin
Elizabeth
Ellsworth
Elysian
Fountain
Foxhome
Franklin
Frazee
Freeborn
Garrison
Geneva
Gibbon
Glenville
Gonvick
Graceville
Granada
Greenbush
Greenwald
Halstad
Hancock
Hartland
Hendrum
Holdingford
Iona
Isle
Ivanhoe
Kasota
Kiester
Kinbrae
Kinney
Lafayette
Lake Henry
Lake Park
Lake Shore
Le Sueur
Leonidas
Lester Prairie
Lindstrom
Long Prairie
Lyle
Madelia
Manchester
Mantorville
Mazeppa
Medicine Lake
Melrose
Miesville
Milaca
Milroy
Montgomery
Monticello
Morristown
Morton
Myrtle
Nevis
New Market
Nielsville
North Redwood
Ormsby
Paynesville
Pease
Pennock
Pine Island
Plummer
Preston
Princeton
Regal
Renville
Rock Creek
Roosevelt
Round Lake
Rush City
Rushmore
Russell
Silver Lake
Sleepy Eye
South Haven
South International Falls
Spring Valley
Squaw Lake
St. Charles
St. Joseph
Stephen
Storden
Sturgeon Lake
Taconite
Taylors Falls
Thomson
Tintah
Trosky
Twin Valley
Two Harbors
Urbank
Utica
Viking
Virginia
Wahkon
Warroad
Welcome
Wendell
Wilder
Willernie
Winnebago
Winton
Wolverton
Wood Lake
Woodstock
Wright

Mississippi

Beauregard
Booneville
Calhoun City
Cleveland
Hattiesburg
Leakesville
Learned
Liberty
Louisville
Morton
Newhebron
Oxford
Satartia
Sebastopol
Silver Creek
Slate Spring
Sylarena
Tillatoba
Walthall

Missouri

Advance
Alma
Annada
Arbela
Augusta
Aullville
Auxvasse
Baker
Bertrand
Bethel
Blackburn
Blairstown
Bloomsdale
Bonne Terre
Bosworth
Brookfield
Brooklyn Heights
Cairo
Cameron
Center
Centralia
Clarkdale
Clearmont
Clifton Hill
Concordia
Corder
Cottleville
Cowgill
Crystal City
De Kalb
Dearborn
Deerfield
Drexel
Dudley
Edgar Springs
Ellington
Elmira
Farmington
Flinthill
Ford City
Forest City
Freeman
Gibbs
Gunn City
Halisville
Halltown
Hartwell
Harwood
Herculaneum
Hermann
High Hill
Iatan
Jamestown
Jasper
Kidder
Kimmswick
Laclede
Lamar Heights
Latour
Leonard
Levasy
Lincoln
Mackenzie
Macon
Maitland
Marceline
Marshall
Mendon
Merwin
Milo
Mokane
Monett
Monroe City
Monticello
Mooresville
Morrisville
Napoleon
New Franklin
New London
Northwye
Novelty
Oregon
Orrick
Parksdale
Parkville
Passaic
Perryville
Phelps City
Pleasant Hill
Pleasant Hope
Polo
Portage Des Sioux
Prathersville
Renick
Rhineland
Richmond
Rock Port
Rosebud
Rothville
Rushville
Salisbury
Savannah
Scott City
Sedgewickville
St. Cloud
Ste Genevieve
Sturgeon
Sunrise Beach
Taos
Tarsney Lakes
Theodosia Hills
Tina
Tindall
Tipton
Tracy
Troy
Turney
Tuscumbia
Urich
Vandalia
Vanduser
Vienna
Wayland
Weatherby
Wellington
Wentworth
Westboro
Weston
Wheeling
Whitewater
Windsor
Winston
Wittenberg
Wyatt

Montana

Big Timber
Boulder
Conrad
Culbertson
Cut Bank
Dodson
Fairfield
Fairview
Fort Benton
Froid
Glasgow
Kalispell
Livingston
Malta
Moore
Nashua
Opheim
Sheridan
Valier
Virginia City
Walkerville

Nebraska

Allen
Anselmo
Atkinson
Avoca
Axtell
Barada
Bartley
Bassett
Battle Creek
Bee
Beemer
Bellwood
Bennet
Bloomfield
Bridgeport
Broken Bow
Bruning
Bruno
Byron
Cairo
Cambridge
Carroll
Center
Chapman
Chester
Clarkson
Clatonia
Colon
Cook
Cordova
Cotesfield
Creston

Crofton
Dalton
Danbury
Davenport
David City
Daykin
De Witt
Deshler
Dodge
Douglas
Duncan
Edison
Elba
Elm Creek
Elmwood
Elyria
Emerson
Endicott
Exeter
Fairfield
Fairmont
Fort Calhoun
Franklin
Friend
Fullerton
Gibbon
Giltner
Gothenburg
Gross
Gurley
Hamlet
Hampton
Hartington
Hayes Center
Hemingford
Henry
Hoskins
Inglewood
Jansen
Kearney
Kenesaw
Kennard
Kilgore
Leigh
Lindsay
Lodgepole
Loomis
Lyons
Magnet
Marquette
Maxwell
Maywood
McGrew
Meadow Grove
Merna
Melford
Milligan
Mitchell
Monroe
Moorefield
Morse Bluff
Murray
Naper
Neligh
Nora
North Bend
Obert
Orchard
Ord
Oshkosh
O'Neill
Petersburg
Pickrell
Pierce
Pleasant Dale
Pleasanton
Roca
Rogers
Ruskin
Saronville
Shelton
Shickley
Sholes
Shubert
Sidney
Smithfield
South Bend
Spencer
Springview
St. Helena
Stamford
Stanton
Steele City
Stella
Stromsburg
Sutherland
Sutton
Swanton
Talmage
Tamora
Taylor
Trenton
Trumbull
Uehling
Utica
Valparaiso
Verdon
Virginia
Wahoo
Wallace
Weeping Water
Wellfleet
West Point
Wilber
Wilcox
Winslow
Wisner
Wood Lake
Wymore

Nevada

Gabbs
Lovelock

New Jersey

Alpha
Branchville
Carteret
Clayton
Corbin City
Farmingdale
Princeton
Red Bank
Rockleigh
Roosevelt
South Belmar
South River
Woodbine

New Mexico

Dora
Espanola
Hope
Loving
Moriarty
Texico
Williamsburg

New York

Alden
Aurora
Bemus Point
Blasdell
Bloomingdale
Brocton
Caledonia
Cambridge
Cato
Cayuga
Cazenovia
Clinton
Constableville
Cooperstown
Copenhagen
Corfu
Corning
Delevan
Dering Harbor
East Bloomfield
Elba
Elmsford
Evans Mills
Fair Haven
Farmingdale
Fredonia
Gilbertsville
Grand View-On-Hudson
Hillburn
Kenmore
Liverpool
Lynbrook
Madison
Mayville
Mexico
Middleport
Millbrook
Montour Falls
Mount Kisco
Nelsonville
Newark Valley
Nyack
Oneida Castle
Otego
Phelps
Port Dickinson
Prospect
Sag Harbor
Sandy Creek
Schaghticoke
Scotia
Sherrill
Sidney
Sinclairville
Sloatsburg
Solvay
South Corning
Tonawanda
Tuckahoe
Turin
Unadilla
Union Springs
Westhampton Beach

North Carolina

Albemarle
Autryville
Bayboro
Beargrass
Brevard
Canton
Carthage
Catawba
Cherryville
Columbus
Creedmoor
Crossnore
Earl
East Bend
Everetts
Falcon
Franklin
Fuquay-Varina
Goldston
Granite Quarry
Grifton
Harmony
Harrellsville
Highlands
Hookerton
Huntersville
Indian Beach
Lake Lure
Mesic
Mount Pleasant
Newton Grove
Oakboro
Oriental
Pantego
Pine Level
Pinebluff
Pinetops
Ramseur
Rolesville
Rose Hill
Seaboard
Seagrove
Siler City
Sims
Southern Pines
Southport
Stanley
Stem
Swansboro
Sylva
Walstonburg
Waxhaw
Webster
Wilkesboro
Woodland
Yadkinville

North Dakota

Alsen
Antler
Ardoch
Ayr
Balfour
Bantry
Belfield City
Benedict
Berwick
Bisbee
Brocket
Bucyrus
Calvin
Canton City
Carrington
Cayuga
Christine
Cleveland
Coleharbor
Conway
Davenport
Devils Lake
Dunn Center City
Dwight
Egeland
Enderlin
Epping
Fairmount
Fingal
Gackle
Galesburg
Gardner
Glen Ullin
Golden Valley City
Halliday City
Hamilton
Hannaford
Hove Mobile Park
Jamestown
Killdeer City
Knox
La Moure
Lankin
Lansford
Larson
Leal
Lisbon
Litchville
Luverne
Maddock
Mapleton
Marion
Mercer
Merricourt
Milnor
Minnewaukan
Mountain
Mylo
Nekoma
New Rockford
New Salem
Niagara
Northwood
Osnabrock
Page
Palermo
Pillsbury
Reeder
Rhame
Richardson City
Rocklake
Rugby
Sawyer
Sentinel Butte
Sharon
Sherwood
South Heart City
Stanley
Tower City
Valley Township
Ventura
Walcott
Wales
Warwick
Wildrose
Wolford
Woodworth
Wyndmere
Zap City

Ohio

Aberdeen
Adamsville
Andover
Antioch
Aquilla
Arlington
Attica
Baltic
Beaverdam
Bellevue
Bellville
Belmont
Benton Ridge
Bettsville
Blanchester
Bolivar
Bowerston
Bremen
Brice
Buckland
Burkettsville
Butlerville
Byesville
Carroll
Castalia
Cheshire
Chesterhill
Chillicothe
Chippewa-on-the-Lake
Clay Center
Clayton
College Corner
Convoy
Coshocton
Covington
Cygnet
De Graff
Deer Park
Dellroy
Donnelsville
Dresden
East Palestine
East Sparta
Edison
Fairfax
Flushing
Fort Jennings
Fort Recovery
Frazeysburg
Galena
Gilboa
Glenmont
Gnadenhutten
Gordon
Grand River
Granville
Gratis
Green Camp
Hopedale
Huntsville
Ithaca
Jacksonville
Jenera
Jeromesville
Jerusalem
Johnstown
Kenton
Kettlersville
Killbuck
Kingston
Kirkersville
Lafayette
Lancaster
Leesburg
Leesville
Lindsey
Lithopolis
Logan
London
Lore City
Malvern
Marblehead
Martins Ferry
Martinsburg
Metamora
Midvale
Miller City
Millersport
Mineral City
Monroeville
Montpelier
Moscow
Mount Blanchard
Mutual
Navarre
Nellie
New Albany
New Bavaria
New Knoxville
New Rome
New Vienna
New Washington
New Weston
Newtonsville
Ney
North Bend
North Hampton
Octa
Ottoville
Parral
Patterson
Paulding
Pleasantville
Polk
Port Clinton
Port Washington
Powhatan Point
Prospect
Rawson
Rayland
Richwood
Rio Grande
Rising Sun
Rushsylvania

Sinking Spring
South Webster
South Zanesville
Spencer
St. Martin
Stratton
Summitville
Thurston
Van Wert
Venedocia
Washingtonville
Waynesfield
Wellington
West Manchester
Wilmington
Woodlawn
Wren
Yellow Springs
Yorkville
Zaleski

Oklahoma

Addington
Alex
Alva
Ames
Amorita
Ardmore
Arkoma
Arnett
Bernice
Bessie
Blanchard
Bluejacket
Bray
Buffalo
Calumet
Canton
Canute
Cherokee
Chickasha
Claremore
Colony
Crescent
Crowder
Cushing
Dickson
Dover
El Reno
Elk City
Fallis
Foraker
Gage
Goltry
Hickory
Hinton
Hitchcock
Hunter
Kiefer
Leedey
Loveland
Loyal
Maysville
Medford
Millerton
Mounds
Mutual
Nardin
Okarche
Orlando
Perkins
Putnam
Renfrow
Reydon
Ringwood
Rocky
Roland
Shady Grove
Shady Point
Silo Town
South Coffeyville
Sterling
Stratford
Strong City
Tecumseh
Thomas
Tonkawa
Tribbey
Vici
Warner
West Siloam Springs
Westport
Woodville
Wynona

Oregon

Adrian
Atelope
Ashland
Astoria
Athena
Baker
Barlow
City of The Dalles
Dayton
Donald
Elkton
Hood River
Hubbard
Ione
Lostine
Manzanita
Merrill
Prairie City
Ranier
Seneca
Silverton
Spray
Summerville
Sumpter
Waterloo
Weston
Willamina
Yachats
Yamhill

Pennsylvania

Adamsburg
Adamstown
Applewold
Avalon
Barnesboro
Beaver Meadows
Beavertown
Bedford
Bendersville
Berlin
Bessemer
Biglerville
Birmingham
Blairsville
Blawnox
Braddock Hills
Bridgewater
Brisbin
Broad Top City
Brockway
Bruin
Burlington
Butler
Callery
Cambridge Springs
Canonsburg
Carmichaels
Central City
Centre Hall
Centreville
Chalfant
Chambersburg
Charleroi
Cherry Tree
Cherry Valley
Claysville
Clintonville
Cokeburg
Collegeville
Connoquenessing
Conway
Coraopolis
Corsica
Crafton
Creekside
Dallas
Darlington
Derry
Dormont
Dravosburg
Driftwood
Du Bois
Duncannon
Dunlay
Dunmore
Dupont
Duryea
Eagles Mere
East Berlin
East Side
Eddystone
Elgin
Elizabeth
Ellport
Ernest
Evans City
Export
Fairview
Fallston
Fayette City
Foxburg
Franklin
Franklin City
Freeport
Glassport
Glen Hope
Glenolden
Goldsboro
Gratz
Greenville
Grove City
Hallam
Haysville
Homer City
Homewood
Houston
Houtzdale
Hunker
Hyde Park
Jackson Center
Jacksonville
Jeddo
Jefferson
Jessup
Jonestown
Juniata Terrace
Karns City
Kenhorst
Laporte
Larksville
Lincoln
Little Meadows
Manor
Manorville
Marietta
Marion Heights
McEwensville
McKean
Mechanicsville
Midway
Mifflintown
Monessen
Mount Penn
Mount Pleasant
Nesquehoning
New Baltimore
New Centerville
New Eagle
New Washington
Newburg
Newry
North Apollo
North Belle Vernon
North Charleroi
North East
North York
Oil City
Oklahoma
Orrstown
Palmerton
Pen Argyl
Pennsburg
Perkasie
Petrolia
Pine Grove
Pitcairn
Port Carbon
Rainsburg
Rimersburg
Rochester
Roscoe
Royersford
Salladasburg
Sandy Lake
Sankertown
Scottdale
Seven Valleys
Sewickley
Sharpsville
Sheakleyville
Sligo
Slippery Rock
Smicksburg
Smithton
Snydertown
South Bethlehem
South Greensburg
South Philipsburg
South Williamsport
Southwest Greensburg
Springdale
St. Marys
Steelton
Sugar Grove
Sugar Notch
Sugarcreek
Summerhill
Summit Hill
Tionesta
Townville
Trafford
Trainer
Troy
Tunnelhill
Turtle Creek
Ursina
Utica
Vandling
Verona
Versailles
Waterford
Waymart
Waynesboro
West Alexander
West Mayfield
West Sunbury
West Wyoming
Wheatland
Whitaker
Williamstown
Wilson
Woodbury
Wrightsville
Yorkana
Zelienople

South Carolina

Andrews
Beaufort
Chapin
Clinton
Conway
Cordova
Easley
Hemingway
Honea Path
Jefferson
Laurens
Nichols
Pacolet
Parksville
Prosperity
Reevesville
Richburg
Ridgeway
Salem
Santee
Scotia
Smyrna
Stuckey
Waterloo
West Columbia

South Dakota

Arlington
Aurora
Beresford
Big Stone City
Bison
Bruce
Bushnell
Cavour
Central City
Chancellor
Colman
Corsica
Cottonwood
Cresbard
Dell Rapids
Dimock
Doland
Elk Point
Estelline
Fairview
Farmer
Flandreau
Florence
Gayville
Hartford
Hecla
Henry
Hudson
Humboldt
Irene
Kadoka
Kennebec
La Bolt
Lead
Lennox
Lily
Loyalton
Milbank
Mitchell
Monroe
Mound City
Northville
Onaka
Onida
Ree Heights
Rosholt
Roswell
Salem
Sinai
Stratford
Tulare
Vilas
Volga
White Rock

Tennessee

Arlington
Blaine
Braden
Burlison
Cedar Hill
Celina
Dover
Franklin
Gadsden
Halls
Lakeland
Lexington
Linden
Lynchbug
McLemoresville
Medina
Medon
Michie
Milledgeville
Monterey
Normandy
Obion
Oliver Springs
Oneida
Piperton
Pittman Center
Rockford
Savannah
Selmer
Sevierville
Soddy-Daisy
South Carthage
Townsend
Troy
Watertown
Woodland Mills

Texas

Alice
Alvarado
Alvord
Ames
Anahuac
Anton
Aquilla
Athens
Avinger
Parry
Barstow
Bayside
Blackwell
Blanco
Bonney
Bowie
Boyd
Broaddus
Bronson
Bronte
Brownsboro
Buda
Centerville
Chico
China
Cibolo
Clarksville City
Cleveland
Coahoma
Coffee City
Coldspring
Crandall
Dell City
Dorchester
Eastland
Edom
Elderado
Eustace
Farmersville
Follett
Forsan
Fisco
Gallatirn
Gary

George West
Gholson
Gilmer
Godley
Golinda
Gordon
Grandfalls
Grayburg
Gunter
Hart
Haslet
Henrietta
Huntington
Jasper
Jewett
Johnson City
Joshua
Krum
Lake Worth
Lamesa
Lampasas
Latexo
Lavon
Lawn
Lincoln Park
Lorenzo
Lovelady
Lowery Crossing
Malakoff
Marietta
Millsap
Mustang
Nome
Odem
Onalaska
O'Brien
Pattison
Pittsburg
Pleasanton
Plum Grove
Point Blank
Ponder
Poth
Pottsboro
Poynor
Quinlan
Quintana
Rice
Riesel
Rio Vista
Riverside
Rose City
Rusk
Sadler
Sansom Park Village
Savoy
Seagraves
Sealy
Slaton
Somerset
Stratford
Surfside Beach
Sweetwater
Taft
Tahoka
Three Rivers
Tom Bean
Trent
Trinidad
Walnut Springs
Weatherford
Weimar
Weinert
West
Wharton
Winfield
Woodville

Utah

Altamont
Amalga
Bear River City
Cannonville
Clarkston
Delta
Enterprise
Fairview
Fountain Green
Garland
Helper
Henefer
Henrieville
Hinckley
Honeyville
Joseph
Junction
Kamas
Leamington
Lewiston
Lindon
Loa
Manila
Marysvale
Mayfield
Millville
Nephi
Orderville
Paragonah
Perry
Plymouth
Redmond
Richfield
Springdale

Vermont

Derby Line
Hyde Park
Newfane
Readsboro
Saxtons River

Virginia

Belle Haven
Berryville
Big Stone Gap
Boyce
Clintwood
Coeburn
Eastville
Elkton
Fincastle
Floyd
Grundy
Madison
Marion
Narrows
New Market
Occoquan
Pembroke
Purcellville
Rich Creek
Rural Retreat
St. Paul
South Boston
Staunton
Stephens City
Stuart
Surry
Victoria
Warrenton
Washington

Washington

Aberdeen
Almira
Buckley
Carbonado
Chewelah
Eatonville
Endicott
Granite Falls
Harrah
Hoquiam
Kahlotus
Krupp
La Conner
La Crosse
Lamont
Langley
Leavenworth
Marcus
Millwood
Oakesdale
Okanogan
Omak
Orting
Pe Ell
Pomeroy
Ritzville
Rosalia
Ruston
Snoqualmie
South Bend
St. John
Twisp
Waitsburg
Waterville
Wilbur

West Virginia

Belle
Bolivar
Bruceton Mills
Chesapeake
Eleanor
Ellenboro
Gary
Hamlin
Harpers Ferry
Hillsboro
Jane Lew
Leon
Marmet
Mason
Middlebourne
Montgomery
Montrose
Nitro
Northfork
Oak Hill
Pineville
Point Pleasant
Quinwood
Shepherdstown
Smithers
St. Marys
Stonewood
Valley Grove
Wellsburg
West Logan
West Milford
White Sulphur Springs
Winfield

Wisconsin

Adams
Alma
Arena
Argyle
Arpin
Auburndale
Barron
Benton
Birnamwood
Black Earth
Blair
Bloomer
Boscobel
Boyd
Brandon
Bruce
Buffalo
Cadott
Cambria
Cassville
Cecil
Chaseburg
Chetek
Chilton
Clear Lake
Clyman
Cobb
Coleman
Colfax
Dane
Dorchester
Doylestown
Dresser
Eden
Egg Harbor
Eland
Eleva
Elk Mound
Elmwood
Fairwater
Fennimore
Ferryville
Fontana-on-Geneva Lake
Forestville
Fountain City
Friendship
Friesland
Genoa
Gillett
Glen Flora
Greenwood
Highland
Hillsboro
Hixton
Hustisford
Iola
Johnson Creek
Juneau
Kaukauna
Kekoskee
Kendall
Knapp
Lake Nebagamon
Lone Rock
Loyal
Lynxville
Mazomanie
Menasha
Mondovi
Montfort
Mount Calvary
Mount Sterling
Muscoda
New Lisbon
Niagara
Norwalk
Oconomowoc Lake
Oliver
Osseo
Park Falls
Pepin
Peshtigo
Pigeon Falls
Plainfield
Plum City
Poplar
Port Washigton
Prairie Du Chien
Pulaski
Redgranite
Rib Lake
Rice Lake
Rockdale
Rudolph
Scandinavia
Sheldon
Shell Lake
Shiocton
Shullsburg
Sister Bay
Solon Springs
Spring Valley
St. Naziaz
Stetsonville
Stockbridge
Sullivan
Superior
Two Rivers
Union Center
Unity
Vesper
Viola
Waldo
Waupaca
Wauzeka
Westby
Westfield
Weyauwega
Williams Bay
Woodville
Wrightstown
Wyeville
Wyocena
Yuba

Wyoming

Byron
Cokeville
Cowley
Dixon
Granger
Kaycee
La Barge
Meeteetse
Midwest
Sundance
Yoder

V. The following list contains the name of towns and townships which meet the minimum standards for physical and economic distress and which are in States where towns and townships may have powers comparable to the powers of municipalities. Each town and township is not listed with places in Section II because their eligibility as cities has not been determined under the criterion of 24 CFR 570.3(e), which requires that they (1) have powers and perform functions comparable to municipalities, (2) are closely settled and (3) have corporation agreements with all incorporated places within their boundaries. Requests for waivers of the closely settled requirement from towns and townships which meet all other requirements may be waived by the Secretary on a case by case basis.

Connecticut

Inc. Putnam Town, Windham County
Sterling Town, Windham County
Winchester Town, Litchfield County
Inc. Windham Town, Windham County

Maine

Abbot Town, Piscataquis County
Addison Town, Washington County
Albion Town, Kennebec County
Alexander Town, Washington County
Allagash Town, Aroostook County
Alna Town, Lincoln County
Amity Town, Aroostook County
Andover Town, Oxford County
Anson Town, Somerset County
Appleton Town, Knox County
Ashland Town, Aroostook County
Athens Town, Somerset County
Aurora Town, Hancock County
Avon Town, Franklin County
Baileyville Town, Washington County
Baldwin Town, Cumberland County
Bancroft Town, Aroostook County
Beals Town, Washington County
Beddington Town, Washington County
Belmont Town, Waldo County
Bethel Town, Oxford County
Bingham Town, Somerset County

Blaine Town, Aroostook County
Blanchard Plantation, Piscataquis County
Blue Hill Town, Hancock County
Boothbay Harbor Town, Lincoln County
Boothbay Town, Lincoln County
Bowdoin Town, Sagadahoc County
Bradford Town, Penobscot County
Bremen Town, Lincoln County
Bridgewater Town, Aroostook County
Brighton Plantation, Somerset County
Bristol Town, Lincoln County
Brooklin Town, Hancock County
Brooks Town, Waldo County
Brooksville Town, Hancock County
Brownville Town, Piscataquis County
Buckfield Town, Oxford County
Bucksport Town, Hancock County
Burlington Town, Penobscot County
Burnham Town, Waldo County
Cambridge Town, Somerset County
Canaan Town, Somerset County
Canton Town, Oxford County
Caratunk Plantation, Somerset County
Carmel Town, Penobscot County
Carroll Plantation, Penobscot County
Carthage Town, Franklin County
Cary Plantation, Aroostook County
Castle Hill Town, Aroostook County
Caswell Plantation, Aroostook County
Charleston Town, Penobscot County
Charlotte Town, Washington County
Chelsea Town, Kennebec County
Cherryfield Town, Washington County
Chester Town, Penobscot County
Chesterville Town, Franklin County
Clifton Town, Penobscot County
Clinton Town, Kennebec County
Columbia Falls Town, Washington County
Columbia Town, Washington County
Corinna Town, Penobscot County
Corinth Town, Penobscot County
Cornish Town, York County
Cornville Town, Somerset County
Crystal Town, Aroostook County
Cutler Town, Washington County
Cyr Plantation, Aroostook County
Damariscotta Town, Lincoln County
Danforth Town, Washington County
Deer Isle Town, Hancock County
Dennysville Town, Washington County
Detroit Town, Somerset County
Dexter Town, Penobscot County
Dixmont Town, Penobscot County
Dover Foxcroft Town, Piscataquis County
Dresden Town, Lincoln County
Drew Plantation, Penobscot County
Durham Town, Androscoggin County
Dyer Brook Town, Aroostook County
East Machias Town, Washington County
Easton Town, Aroostook County
Edgecomb Town, Lincoln County
Etna Town, Penobscot County
Eustis Town, Franklin County
Exeter Town, Penobscot County
Fairfield Town, Somerset County
Farmington Town, Franklin County
Fort Fairfield Town, Aroostook County
Fort Kent Town, Aroostook County
Frankfort Town, Waldo County
Franklin Town, Hancock County
Freedom Town, Waldo County
Garland Town, Penobscot County
Gilead Town, Oxford County
Gouldsboro Town, Hancock County
Grand Isle Town, Aroostook County
Grand Lake Stream Planta, Washington County
Greenfield Town, Penobscot County
Greenville Town, Piscataquis County
Hamlin Town, Aroostook County
Hancock Town, Hancock County
Harmony Town, Somerset County
Harrington Town, Washington County
Harrison Town, Cumberland County
Hartford Town, Oxford County
Hartland Town, Somerset County
Haynesville Town, Aroostook County
Hebron Town, Oxford County
Hersey Town, Aroostook County
Highland Plantation, Somerset County
Hiram Town, Oxford County
Hodgdon Town, Aroostook County
Hollis Town, York County
Hope Town, Knox County
Houlton Town, Aroostook County
Howland Town, Penobscot County
Industry Town, Franklin County
Island Falls Town, Aroostook County
Isle Au Haut Town, Knox County
Islesboro Town, Waldo County
Jackman Town, Somerset County
Jackson Town, Waldo County
Jefferson Town, Lincoln County
Jonesboro Town, Washington County
Jonesport Town, Washington County
Kenduskeag Town, Penobscot County
Kingfield Town, Franklin County
Knox Town, Waldo County
Lagrange Town, Penobscot County
Lebanon Town, York County
Lee Town, Penobscot County
Leeds Town, Androscoggin County
Levant Town, Penobscot County
Liberty Town, Waldo County
Limington Town, York County
Lincoln Town, Penobscot County
Lincolnville Town, Waldo County
Linneus Town, Aroostook County
Lisbon Town, Androscoggin County
Littleton Town, Aroostook County
Long Island Plantation, Hancock County
Lubec Town, Washington County
Ludlow Town, Aroostook County
Machias Town, Washington County
Machiasport Town, Washington County
Macwahoc Plantation, Aroostook County
Madawaska Town, Aroostook County
Madison Town, Somerset County
Madrid Town, Franklin County
Mapleton Town, Aroostook County
Mariaville Town, Hancock County
Mars Hill Town, Aroostook County
Masardis Town, Aroostook County
Meedybemps Town, Washington County
Medford Town, Piscataquis County
Merrill Town, Aroostook County
Mexico Town, Oxford County
Milbridge Town, Washington County
Monhegan Plantation, Lincoln County
Monroe Town, Waldo County
Monson Town, Pistacaquis County
Monticello Town, Aroostook County
Montville Town, Waldo County
Moose River Town, Somerset County
Moro Plantation, Aroostook County
Moscow Town, Somerset County
Mount Chase Plantation, Penobscot County
Mount Vernon Town, Kennebec County
Naples Town, Cumberland County
New Canada Plantation, Aroostook County
New Limerick Town, Aroostook County
New Portland Town, Somerset County
New Sweden Town, Aroostook County
New Vineyard Town, Franklin County
Newcastle Town, Lincoln County
Newfield Town, York County
Newport Town, Penobscot County
Nobleborough Town, Lincoln County
Northfield Town, Washington County
Northport Town, Waldo County
Oakland Town, Kennebec County
Old Orchard Beach Town, York County
Orland Town, Hancock County
Osborn Plantation, Hancock County
Otis Town, Hancock County
Otisfield Town, Oxford County
Owls Head Town, Knox County
Oxbow Plantation, Aroostook County
Oxford Town, Oxford County
Palermo Town, Waldo County
Palmyra Town, Somerset County
Paris Town, Oxford County
Parkman Town, Piscataquis County
Parsonfield Town, York County
Patten Town, Penobscot County
Pembroke Town, Washington County
Penobscot Town, Hancock County
Perham Town, Aroostook County
Perry Town, Washington County
Phillips Town, Franklin County
Phippsburg Town, Sagadahoc County
Pittsfield Town, Somerset County
Pittston Town, Kennebec County
Pleasant Ridge Plantation, Somerset County
Plymouth Town, Penobscot County
Portage Lake Town, Aroostook County
Porter Town, Oxford County
Prentiss Plantation, Penobscot County
Princeton Town, Washington County
Prospect Town, Waldo County
Rangeley Town, Franklin County
Reed Plantation, Aroostook County
Richmond Town, Sagadahoc County
Ripley Town, Somerset County
Robbinston Town, Washington County
Rome Town, Kennebec County
Roque Bluffs Town, Washington County
Rumford Town, Oxford County
Sabattus Town, Androscoggin County
Sandy River Plantation, Franklin County
Sanford Town, York County
Sangerville Town, Piscataquis County
Searsmont Town, Waldo County
Searsport Town, Waldo County
Sebec Town, Piscataquis County
Sedgwick Town, Hancock County
Sherman Town, Aroostook County
Skowhegan Town, Somerset County
Smithfield Town, Somerset County
Smyrna Town, Aroostook County
Solon Town, Somerset County
Somerville Town, Lincoln County
South Bristol Town, Lincoln County
Southport Town, Lincoln County
Springfield Town, Penobscot County
St. Agatha Town, Aroostook County
St. Albans Town, Somerset County
St. Francis Town, Aroostook County
St. John Plantation, Aroostook County
Stacyville Town, Penobscot County
Starks Town, Somerset County
Stetson Town, Penobscot County
Steuben Town, Washington County
Stockholm Town, Aroostook County
Stockton Springs Town, Waldo County
Stoneham Town, Oxford County
Stonington Town, Hancock County
Strong Town, Franklin County

Sullivan Town, Hancock County
Sumner Town, Oxford County
Surry Town, Hancock County
Swans Island Town, Hancock County
Swanville Town, Waldo County
Talmadge Town, Washington County
Temple Town, Franklin County
The Forks Plantation, Somerset County
Thorndike Town, Waldo County
Tremont Town, Hancock County
Troy Town, Waldo County
Turner Town, Androscoggin County
Union Town, Knox County
Unity Town, Waldo County
Upton Town, Oxford County
Van Buren Town, Aroostook County
Vanceboro Town, Washington County
Vienna Town, Kennebec County
Vinalhaven Town, Knox County
Wade Town, Aroostook County
Waldo Town, Waldo County
Waldoboro Town, Lincoln County
Wales Town, Androscoggin County
Waltham Town, Hancock County
Warren Town, Knox County
Washburn Town, Aroostook County
Washington Town, Knox County
Waterford Town, Oxford County
Webster Plantation, Penobscot County
Weld Town, Franklin County
Wellington Town, Piscataquis County
Wesley Town, Washington County
West Forks Plantation, Somerset County
West Paris Town, Oxford County
Westfield Town, Aroostook County
Weston Town, Aroostook County
Westport Town, Lincoln County
Whitefield Town, Lincoln County
Whiting Town, Washington County
Whitneyville Town, Washington County
Willmantic Town, Piscataquis County
Windsor Town, Kennebec County
Winn Town, Penobscot County
Winter Harbor Town, Hancock County
Winterport Town, Waldo County
Winterville Plantation, Aroostook County
Wiscasset Town, Lincoln County
Woodland Town, Aroostook County
Woodstock Town, Oxford County

Massachusetts

Adams Town, Berkshire County
Amherst Town, Hampshire County
Athol Town, Worcester County
Ayer Town, Middlesex County
Blackstone Town, Worcester County
Brookfield Town, Worcester County
Buckland Town, Franklin County
Charlemont Town, Franklin County
Clinton Town, Worcester County
Cummington Town, Hampshire County
Fairhaven Town, Bristol County
Gay Head Town, Dukes County
Goshen Town, Hampshire County
Great Barrington Town, Berkshire County
Hancock Town, Berkshire County
Hardwick Town, Worcester County
Heath Town, Franklin County
Hull Town, Plymouth County
Huntington Town, Hampshire County
Millbury Town, Worcester County
Millville Town, Worcester County
Monroe Town, Franklin County
Montague Town, Franklin County
New Braintree Town, Worcester County
Northfield Town, Franklin County
Plainfield Town, Hampshire County
Plymouth Town, Plymouth County
Provincetown Town, Barnstable County
Rockland Town, Plymouth County
Salisbury Town, Essex County
Sandisfield Town, Berkshire County
Southbridge Town, Worcester County
Sunderland Town, Franklin County
Webster Town, Worcester County
Wendell Town, Franklin County
West Springfield Town, Hampden County
Williamsburg Town, Hampshire County

Michigan

Adams Township, Arenac County
Inc. Adams Township, Houghton County
Inc. Aetna Township, Mecosta County
Aetna Township, Missaukee County
Inc. Akron Township, Tuscola County
Albion Township, Calhoun County
Inc. Allen Township, Hillsdale County
Allendale Township, Ottawa County
Allis Township, Presque Isle County
Inc. Allouez Township, Keweenaw County
Amber Township, Mason County
Amboy Township, Hillsdale County
Antioch Township, Wexford County
Arcada Township, Gratiot County
Arcadia Township, Manistee County
Arlington Township, Van Buren County
Arthur Township, Clare County
Arvon Township, Baraga County
Au Gres Township, Arenac County
Au Sable Township, Roscommon County
Au Train Township, Alger County
Austin Township, Mecosta County
Austin Township, Sanilac County
Bainbridge Township, Berrien County
Bangor Township, Van Buren County
Bark River Township, Delta County
Barton Township, Newaygo County
Bay Mills Township, Chippewa County
Beaver Township, Newaygo County
Belvidere Township, Montcalm County
Benton Township, Berrien County
Bergland Township, Ontonagon County
Bessemer Township, Gogebic County
Bethany Township, Gratiot County
Bismarck Township, Presque Isle County
Bliss Township, Emmet County
Bloomer Township, Montcalm County
Bloomfield Township, Huron County
Bloomfield Township, Missaukee County
Inc. Bloomingdale Township, Van Buren County
Blue Lake Township, Kalkaska County
Blue Lake Township, Muskegon County
Bois Blanc Township, Mackinac County
Inc. Boon Township, Wexford County
Breen Township, Dickinson County
Brevort Township, Mackinac County
Inc. Bridgehampton Township, Sanilac County
Briley Township, Montmorency County
Inc. Brookfield Township, Huron County
Broomfield Township, Isabella County
Brown Township, Manistee County
Bruce Township, Chippewa County
Buckeye Township, Gladwin County
Buena Vista Township, Saginaw County
Burleigh Township, Iosco County
Inc. Burlington Township, Lapeer County
Burnside Township, Lapeer County
Burt Township, Alger County
Burt Township, Cheboygan County
Butler Township, Branch County
Butman Township, Gladwin County
Butterfield Township, Missaukee County
Caldwell Township, Missaukee County
California Township, Branch County
Inc. Calumet Township, Houghton County
Inc. Camden Township, Hillsdale County
Carp Lake Township, Emmet County
Inc. Case Township, Presque Isle County
Inc. Casnovia Township, Muskegon County
Cedarville Township, Menominee County
Centerville Township, Leelanau County
Inc. Central Lake Township, Antrim County
Champion Township, Marquette County
Chandler Township, Huron County
Chapin Township, Saginaw County
Chase Township, Lake County
Cherry Valley Township, Lake County
Chippewa Township, Chippewa County
Chippewa Township, Mecosta County
Churchill Township, Ogemaw County
Clam Union Township, Missaukee County
Clarendon Township, Calhoun County
Clayton Township, Arenac County
Clearwater Township, Kalkaska County
Inc. Cleon Township, Manistee County
Cleveland Township, Leelanau County
Clinton Township, Oscoda County
Clyde Township, Allegan County
Coldwater Township, Isabella County
Inc. Colfax Township, Benzie County
Colfax Township, Oceana County
Coloma Township, Berrien County
Inc. Colon Township, St. Joseph County
Inc. Columbia Township, Tuscola County
Inc. Columbia Township, Van Buren County
Columbus Township, Luce County
Inc. Constantine Township, St. Joseph County
Covert Township, Van Buren County
Covington Township, Baraga County
Cross Village Township, Emmet County
Crystal Township, Oceana County
Cumming Township, Ogemaw County
Inc. Custer Township, Mason County
Dafter Township, Chippewa County
Inc. Daggett Township, Menominee County
Inc. Day Township, Montcalm County
Inc. Decatur Township, Van Buren County
Inc. Deep River Township, Arenac County
Inc. Deerfield Township, Mecosta County
Inc. Delaware Township, Sanilac County
Denver Township, Isabella County
Inc. Denver Township, Newaygo County
Dickson Township, Manistee County
Duncan Township, Houghton County
Echo Township, Antrim County
Eckford Township, Calhoun County
Eden Township, Mason County
Inc. Elba Township, Gratiot County
Elbridge Township, Oceana County
Inc. Elk Township, Sanilac County
Inc. Ellsworth Township, Lake County
Inc. Elmwood Township, Tuscola County
Emerson Township, Gratiot County
Inc. Emmett Township, St. Clair County
Ensign Township, Delta County
Enterprise Township, Missaukee County
Erwin Township, Gogebic County
Evart Township, Osceola County
Everett Township, Newaygo County
Evergreen Township, Sanilac County
Ewing Township, Marquette County
Fairfield Township, Lenawee County
Fairfield Township, Shiawassee County
Fairhaven Township, Huron County
Ferris Township, Montcalm County

Ferry Township, Oceana County
Inc. Fife Lake Township, Grand Traverse County
Flowerfield Township, St. Joseph County
Flynn Township, Sanilac County
Inc. Fork Township, Mecosta County
Franklin Township, Clare County
Franklin Township, Houghton County
Fremont Township, Isabella County
Inc. Fremont Township, Tuscola County
Friendship Township, Emmet County
Frost Township, Clare County
Ganges Township, Allegan County
Inc. Garden Township, Delta County
Garfield Township, Kalkaska County
Garfield Township, Mackinac County
Geneva Township, Midland County
Geneva Township, Van Buren County
Germfask Township, Schoolcraft County
Gibson Township, Bay County
Inc. Gilmore Township, Benzie County
Gladwin Township, Gladwin County
Golden Township, Oceana County
Goodwell Township, Newaygo County
Gore Township, Huron County
Grant Township, Cheboygan County
Grant Township, Grand Traverse County
Grant Township, Mason County
Grant Township, Mecosta County
Grant Township, Newaygo County
Greendale Township, Midland County
Greenland Township, Ontonagon County
Greenleaf Township, Sanilac County
Greenwood Township, Wexford County
Inc. Gustin Township, Alcona County
Haight Township, Ontonagon County
Hamilton Township, Van Buren County
Hancock Township, Houghton County
Inc. Hanover Township, Wexford County
Harris Township, Menominee County
Hart Township, Oceana County
Hartford Township, Van Buren County
Hartwick Township, Osceola County
Haynes Township, Alcona County
Hebron Township, Cheboygan County
Hematite Township, Iron County
Hendricks Township, Mackinac County
Inc. Hersey Township, Osceola County
Highland Township, Osceola County
Hinton Township, Mecosta County
Holland Township, Missaukee County
Holmes Township, Menominee County
Holton Township, Muskegon County
Home Township, Newaygo County
Inc. Homestead Township, Benzie County
Horton Township, Ogemaw County
Hudson Township, Mackinac County
Hulbert Township, Chippewa County
Huron Township, Huron County
Inc. Indianfields Township, Tuscola County
Inland Township, Benzie County
Interior Township, Ontonagon County
Inwood Township, Schoolcraft County
Inc. Iron River Township, Iron County
Jasper Township, Midland County
Jefferson Township, Hillsdale County
Jordan Township, Antrim County
Joyfield Township, Benzie County
Kasson Township, Leelaunau County
Keeler Township, Van Buren County
Klacking Township, Ogemaw County
Inc. La Grange Township, Cass County
LaFayette Township, Gratiot County
Lake Township, Menominee County
Lakefield Township, Luce County
Lamotte Township, Sanilac County
Inc. Lawrence Township, Van Buren County
Inc. Leavitt Township, Oceana County
Inc. Lebanon Township, Clinton County
Lee Township, Allegan County
Leonidas Township, St. Joseph County
Limestone Township, Alger County
Lincoln Township, Arenac County
Lincoln Township, Isabella County
Lincoln Township, Newaygo County
Litchfield Township, Hillsdale County
Logan Township, Mason County
Logan Township, Ogemaw County
Long Rapids Township, Alpena County
Inc. Mackinaw Township, Cheboygan County
Inc. Mancelona Township, Antrim County
Manlius Township, Allegan County
Mansfield Township, Iron County
Maple Forest Township, Crawford County
Inc. Maple Grove Township, Manistee County
Maple Ridge Township, Delta County
Maple Valley Township, Sanilac County
Marengo Township, Calhoun County
Inc. Marion Township, Osceola County
Marion Township, Saginaw County
Inc. Marion Township, Sanilac County
Marquette Township, Mackinac County
Martiny Township, Mecosta County
Inc. Mason Township, Arenac County
Inc. Mastodon Township, Iron County
Matchwood Township, Ontonagon County
Mathias Township, Alger County
Mayfield Township, Grand Traverse County
Inc. McMillan Township, Luce County
McMillan Township, Ontonagon County
Inc. Meade Township, Huron County
Inc. Mecosta Township, Mecosta County
Medina Township, Lenawee County
Melrose Township, Charlevoix County
Mentor Township, Oscoda County
Merrill Township, Newaygo County
Metz Township, Presque Isle County
Meyer Township, Menominee County
Michigamme Township, Marquette County
Middle Branch Township, Osceola County
Millbrook Township, Mecosta County
Inc. Minden Township, Sanilac County
Moffatt Township, Arenac County
Moltke Township, Presque Isle County
Montmorency Township, Montmorency County
Moorland Township, Muskegon County
Mount Forest Township, Bay County
Mueller Township, Schoolcraft County
Munro Township, Cheboygan County
Inc. Mussey Township, St. Clair County
Inc. Nadeau Township, Menominee County
Nahma Township, Delta County
Nester Township, Roscommon County
Newberg Township, Cass County
Inc. Newfield Township, Oceana County
Inc. Newkirk Township, Lake County
Noble Township, Branch County
North Shade Township, Gratiot County
Norwich Township, Missaukee County
Norwich Township, Newaygo County
Nottawa Township, Isabella County
Inc. Nottawa Township, St. Joseph County
Novesta Township, Tuscola County
Inc. Nunda Township, Cheboygan County
Inc. Oliver Township, Huron County
Inc. Ontonagon Township, Ontonagon County
Orient Township, Osceola County
Inc. Oronko Township, Berrien County
Osceola Township, Houghton County
Osceola Township, Osceola County
Oscoda Township, Iosco County
Ossineke Township, Alpena County
Otto Township, Oeana County
Inc. Paradise Township, Grand Traverse County
Paris Township, Huron County
Inc. Penn Township, Cass County
Pentland Township, Luce County
Pickford Township, Chippewa County
Pine Township, Montcalm County
Pinora Township, Lake County
Pioneer Township, Missaukee County
Inc. Pipestone Township, Berrien County
Pittsford Township, Hillsdale County
Pleasant View Township, Emmet County
Pleasanton Township, Manistee County
Inc. Port Austin Township, Huron County
Portage Township, Houghton County
Portage Township, Mackinac County
Porter Township, Midland County
Inc. Posen Township, Presque Isle County
Prairieville Township, Barry County
Pulawski Township, Presque Isle County
Quincy Township, Houghton County
Reading Township, Hillsdale County
Readmond Township, Emmet County
Redding Township, Clare County
Reeder Township, Missaukee County
Reno Township, Iosco County
Inc. Reynolds Township, Montcalm County
Inc. Richland Township, Ogemaw County
Richmond Township, Marquette County
Richmond Township, Osceola County
Inc. Ridgeway Township, Lenawee County
Riga Township, Lenawee County
Rolland Township, Isabella County
Ronald Township, Ionia County
Rose Lake Township, Osceola County
Royal Oak Township, Oakland County
Inc. Rubicon Township, Huron County
Rudyard Township, Chippewa County
Rust Township, Montmorency County
Sand Beach Township, Huron County
Sauble Township, Lake County
Inc. Schoolcraft Township, Houghton County
Seney Township, Schoolcraft County
Seville Township, Gratiot County
Inc. Shelby Township, Oceana County
Sheridan Township, Clare County
Sheridan Township, Huron County
Sheridan Township, Mason County
Sheridan Township, Mecosta County
Sheridan Township, Newaygo County
Sherman Township, Huron County
Sherman Township, Keweenaw County
Inc. Sherman Township, Mason County
Sherman Township, Osceola County
Inc. Sherwood Township, Branch County
Sigel Township, Huron County
Sodus Township, Berrien County
South Arm Township, Charlevoix County
Inc. Speaker Township, Sanilac County
Springfield Township, Kalkaska, County
Inc. Springville Township, Wexford County
St. James Township, Charlevoix County
Standish Township, Arenac County
Stannard Township, Ontonagon County
Star Township, Artrim County
Stephenson Township, Menominee County
Sugar Island Township, Chippewa County
Summit Township, Mason County
Superior Township, Chippewa County
Sweetwater Township, Lake County
Sylvan Township, Osceola County

Inc. Tekonsha Township, Calhoun County
Thompson Township, Schoolcraft County
Torch Lake Township, Houghton County
Trout Lake Township, Chippewa County
Tory Township, Newaygo County
Turin Township, Marquette County
Inc. Turner Township, Arenac County
Inc. Tyrone Township, Kent County
Inc. Union Township, Branch County
Volinia Township, Cass County
Watersmeet Township, Gogebic County
Waverly Township, Cheboygan County
Inc. Webber Township, Lake County
Weesaw Township, Berrien County
Inc. Weldon Township, Benzie County
Wellington Township, Alpena County
Wexford Township, Wexford County
Wheatland Township, Mecosta County
Wheatland Township, Sanilac County
Whitefish Township, Chippewa County
Whitney Township, Arenac County
Wilcox Township, Newaygo County
Wilson Township, Alpena County
Wilson Township, Charlevoix County
Winfield Township, Montcalm County
Inc. Winsor Township, Huron County
Winterfield Township, Clare County
Wise Township, Isabella County
Wisner Township, Tuscola County
Wright Township, Ottawa County
Yates Township, Lake County

New Hampshire

Acworth Town, Sullivan County
Albany Town, Carroll County
Alexandria Town, Grafton County
Alstead Town, Cheshire County
Ashland Town, Grafton County
Bartlett Town, Carroll County
Bath Town, Grafton County
Bradford Town, Merrimack County
Bridgewater Town, Grafton County
Campton Town, Grafton County
Canaan Town, Grafton County
Center Conway Town, Carroll County
Center Harbor Town, Belknap County
Chatham Town, Carroll County
Columbia Town, Coos County
Croydon Town, Sullivan County
Dalton Town, Coos County
Deering Town, Hillsborough County
Dorchester Town, Grafton County
Dummer Town, Coos County
Durham Town, Strafford County
Eaton Town, Carroll County
Effingham Town, Carroll County
Farmington Town, Strafford County
Franconia Town, Grafton County
Grafton Town, Grafton County
Greenfield Town, Hillsborough County
Hill Town, Merrimack County
Holderness Town, Grafton County
Lancaster Town, Coos County
Landaff Town, Grafton County
Lempster Town, Sullivan County
Lincoln Town, Grafton County
Lisbon Town, Grafton County
Littleton Town, Grafton County
Lyman Town, Grafton County
Middleton Town, Strafford Town,
Nelson Town, Cheshire County
New Hampton Town, Belknap County
Northumberland Town, Coos County
Piermont Town, Grafton County
Plymouth Town, Grafton County
Springfield Town, Sullivan County
Stark Town, Coos County
Stewartstown Town, Coos County
Stratford Town, Coos County
Troy Town, Cheshire County
Wakefield Town, Carroll County
Warner Town, Merrimack County
Warren Town, Grafton County
Wentworth Town, Grafton County
Whitefield Town, Coos County
Winchester Town, Cheshire County
Woodstock Town, Grafton County

New Jersey

Belleville Township, Essex County
Commercial Township, Cumberland County
Deerfield Township, Cumberland County
Downe Township, Cumberland County
Fairfield Township, Cumberland County
Galloway Township, Atlantic County
Greenwich Township, Cumberland County
Hillside Township, Union County
Lawrence Township, Cumberland County
Lower Alloways Creek Township, Salem County
Mannington Township, Salem County
Montclair Township, Essex County
Mount Holly Township, Burlington County
Mullica Township, Atlantic County
Neptune Township, Monmouth County
North Bergen Township, Hudson County
Oldmans Township, Salem County
Oxford Township, Warren County
Pennsauken Township, Camden County
Pittsgrove Township, Salem County
Plumsted Township, Ocean County
Pohatcong Township, Warren County
Riverside Township, Burlington County
Shrewsbury Township, Monmouth County
Washington Township, Burlington County
Weehawken Township, Hudson County
Woolwich Township, Gloucester County

New York

Inc. Adams Town, Jefferson County
Inc. Addison, Steuben County
Inc. Albion Town, Orleans County
Inc. Albion Town, Oswego County
Inc. Alexander Town, Genesee County
Inc. Alexandria Town, Jefferson County
Allen Town, Allegany County
Alma Town, Allegany County
Inc. Altamont Town, Franklin County
Altona Town, Clinton County
Amboy Town, Oswego County
Amenia Town, Dutchess County
Inc. Amsterdam Town, Montgomery County
Ancram Town, Columbia County
Inc. Andes Town, Delaware County
Inc. Andover Town, Allegany County
Inc. Angelica Town, Allegany County
Annsville Town, Oneida County
Inc. Antwerp Town, Jefferson County
Inc. Arcadia Town, Wayne County
Argyle Town, Washington County
Arietta Town, Hamilton County
Ashland Town, Greene County
Inc. Athens Town, Greene County
Attica Town, Wyoming County
Inc. Au Sable, Clinton County
Inc. Augusta Town, Oneida County
Ana Town, Oneida County
Inc. Avoca Town, Steuben County
Inc. Avon Town, Livingston County
Inc. Bainbridge Town, Chenango County
Baldwin Town, Chemung County
Bangor Town, Franklin County
Barrington Town, Yates County
Inc. Barton Town, Tidga County
Bath Town, Steuben County
Beekmantown Town, Clinton County
Belfast Town, Allegany County
Bellmont Town, Franklin County
Inc. Benton Town, Yates County
Berlin Town, Rensselaer County
Bethany Town, Genesee County
Bethel Town, Sullivan County
Birdsall Town, Allegany County
Blenheim Town, Schoharie County
Inc. Bolivar Town, Allegany County
Bolton Town, Warren County
Bombay Town, Franklin County
Inc. Boonville Town, Oneida County
Bovina Town, Delaware County
Boylston Town, Oswego County
Bradford Town, Steuben County
Brandon Town, Franklin County
Inc. Brant Town, Erie County
Brasher Town, St. Lawrence County
Inc. Bridgewater Town, Oneida County
Brookfield Town, Madison County
Inc. Burke Town, Franklin County
Burlington Town, Otsego County
Inc. Burns Town, Allegany County
Inc. Butler Town, Wayne County
Cairo Town, Greene County
Inc. Cambridge Town, Washington County
Inc. Camden Town, Oneida County
Cameron Town, Steuben County
Inc. Canajoharie Town, Montgomery County
Inc. Candor Town, Tidga County
Caneadea Town, Allegany County
Inc. Canisted Town, Steuben County
Inc. Canton Town, St. Lawrence County
Carlton Town, Orleans County
Caroga Town, Fulton County
Caroline Town, Tompkins County
Inc. Carrollton Town, Cattaraugus County
In. Castile Town, Wyoming County
Inc. Centerville Town, Allegany County
Inc. Champion Town, Jefferson County
Inc. Chateaugay Town, Franklin County
Inc. Chautauqua Town, Chautauqua County
Chemung Town, Chemung County
Inc. Cherry Creek Town, Chautauqua County
Inc. Cherry Valley Town, Otsego County
Chester Town, Warren County
Inc. Chesterfield Town, Essex County
Cincinnatus Town, Cortland County
Claire Town, St. Lawrence County
Inc. Clayton Town, Jefferson County
Clifton Town, St. Lawrence County
Clinton Town, Clinton County
Clymer Town,Chautauqua County
Colchester Town, Delaware County
Cold Spring Township, Cattaraugus County
Inc. Collins Town, Erie County
Columbia Town, Herkimer County
Columbus Town, Chenango County
Conesville Town, Schoharie County
Inc. Conewango Town, Cattaraugus County
Conquest Town, Cayuga County
Constable Town, Franklin County
Copake Town, Columbia County
Inc. CorinthTown, Saratoga County
Inc. Covert Town, Seneca County
Inc. Coxsackie Town, Greene County
Inc. Croghan Town, Lewis County
Crown Point Town, Essex County
Cuyler Town, Cortland County
Dansville Town, Steuben County
Danube Town, Herkimer County

Day Town, Saratoga County
Inc. Dayton Town, Cattaraugus County
Inc. De Kalb Town, St. Lawrence County
De Peyster Town, St. Lawrence County
Inc. De Ruyter Town, Madison County
Deatur Town, Otsego County
Deerpark Town, Orange County
Delaware Town, Sullivan County
Inc. Denmark Town, Lewis County
Denning Town, Ulster County
Inc. Diana Town, Lewis County
Dickinson Town, Franklin County
Inc. Dix Town, Schuyler County
Dresden Town, Washington County
Dunkirk Town, Chautauqua County
Durham Town, Greene County
Eagle Town, Wyoming County
East Otto Town, Cattaraugus County
Inc. Easton Town, Washington County
Edmeston Town, Otsego County
Inc. Edwards Town, St. Lawrence County
Elizabethtown Town, Essex County
Ellenburg Town, Clinton County
Inc. Ellicottville Town, Cattaraugus County
Ellington Town, Chautauqua County
Inc. Ellisburg Town, Jefferson County
Enfield Town, Tompkins County
Ephratah Town, Fulton County
Erin Town, Chemung County
Esopus Town, Ulster County
Essex Town, Essex County
Exeter Town, Otsego County
Inc. Fairfield Town, Herkimer County
Inc. Fallsburg Town, Sullivan County
Farmersville Town, Cattaraugus County
Fenner Town, Madison County
Fine Town, St. Lawrence County
Florence Town, Oneida County
Fort Covington Town, Franklin County
Inc. Fort Edward Town, Washington County
Fowler Town, St. Lawrence County
Inc. Frankfort Town, Herkimer County
Inc. Franklin Town, Delaware County
Franklin Town, Franklin County
Inc. Franklinville Town, Cattaraugus County
Freetown Town, Cortland County
Fremont Town, Steuben County
Fremont Town, Sullivan County
French Creek Town, Chautauqua County
Friendship Town, Allegany County
Fulton Town, Schoharie County
Inc. Gainesville Town, Wyoming County
Inc. Galen Town, Wayne County
Genesee Falls Town, Wyoming County
Genesee Town, Allegany County
Genoa Town, Cayuga County
Georgetown Town, Madison County
Inc. German Flatts Town, Herkimer County
German Town, Chenango County
Gilboa Town, Schoharie County
Inc. Gouverneur Town, St. Lawrence County
Granger Town, Allegany County
Inc. Granville Town, Washington County
Inc. Green Island Town, Albany County
Greenfield Town, Saratoga County
Inc. Greenwich Town, Washington County
Greenwood Town, Steuben County
Greig Town, Lewis County
Grove Town, Allegany County
Groveland Town, Livingston County
Guilford Town, Chenango County
Hadley Town, Saratoga County
Hague Town, Warren County
Halcott Town, Greene County
Hamden Town, Delaware County
Inc. Hamilton Town, Madison County
Inc. Hammond Town, St. Lawrence County
Inc. Hancock Town, Delaware County
Inc. Hannibal Town, Oswego County
Inc. Hanover Town, Chautauqua County
Hardenbergh Town, Ulster County
Harford Town, Cortland County
Inc. Harmony Town, Chautauqua County
Inc. Harpersfield Town, Delaware County
Inc. Harrietstown Town, Franklin County
Harrisburg Town, Lewis County
Hartford Town, Washington County
Inc. Hartland Town, Niagara County
Hartsville Town, Steuben County
Hartwick Town, Otsego County
Hebron Town, Washington County
Henderson Town, Jefferson County
Inc. Herkimer Town, Herkimer County
Inc. Hermon Town, St. Lawrence County
Highland Town, Sullivan County
Hinsdale Town, Cattaraugus County
Hopkinton Town, St. Lawrence County
Horicon Town, Warren County
Hornby Town, Steuben County
Inc. Horseheads Town, Chemung County
Inc. Hounsfield Town, Jefferson County
Howard Town, Steuben County
Inc. Hume Town, Allegany County
Humphrey Town, Cattarugus County
Inc. Hunter Town, Greene County
Independence Town, Allegany County
Ischua Town, Cattaraugus County
Italy Town, Yates County
Jasper Town, Steuben County
Jay Town, Essex County
Jefferson Town, Schoharie County
Inc. Jerusalem Town, Yates County
Johnsburg Town, Warren County
Junius Town, Seneca County
Inc. Kingsbury Town, Washington County
Kortright Town, Delaware County
Inc. Lake George Town, Warren County
Lake Luzerne Town, Warren County
Inc. Lake Pleasant Town, Hamilton County
Lawrence Town, St. Lawrence County
Inc. Le Roy Town, Genesee County
Lebanon Town, Madison, County
Inc. Lenox Town, Madison County
Leon Town, Cattaraugus County
Lewis Town, Essex County
Lewis Town, County
Inc. Leyden Town, Lewis County
Inc. Liberty Town, Sullivan County
Lincklaen Town, Chenango County
Lisbon Town, St. Lawrence County
Inc. Lisle Town, Broome County
Little Falls Town, Herkimer County
Inc. Little Valley Town, Cattaraugus County
Inc. Lodi Town, Seneca County
Long Lake Town, Hamilton County
Lorraine Town, Jefferson County
Inc. Lowville Town, Lewis County
Inc. Lyme Town, Jefferson County
Lyndon Town, Cattaraugus County
Inc. Lyons Town, Wayne County
Macomb Town, St. Lawrence County
Inc. Madison Town, Madison County
Madrid Town, St. Lawrence County
Inc. Malone Town, Franklin County
Inc. Mamakating Town, Sullivan County
Inc. Manheim Town, Herkimer County
Mansfield Town, Cattaraugus County
Inc. Marshall Town, Oneida County
Martinsburg Town, Lewis County
Inc. Maryland Town, Otsego County
Masonville Town, Delaware County
Inc. Massena Town, St. Lawrence County
McDonough Town, Chenango County
Inc. Mentz Town, Cayuga County
Meredith Town, Delaware County
Inc. Mexico Town, Oswego County
Inc. Middletown Town, Delaware County
Milan Town, Dutchess County
Inc. Milo Town, Yates County
Inc. Minden Town, Montgomery County
Minerva Town, Essex County
Inc. Mohawk Town, Montgomery County
Inc. Moira Town, Franklin County
Montague Town, Lewis County
Montezuma Town, Cayuga County
Inc. Mooers Town, Clinton County
Inc. Moravia Town, Cayuga County
Inc. Moriah Town, Essex County
Inc. Morristown Town, St. Lawrence County
Inc. Mount Morris Town, Livingston County
Napoli Town, Cattaraugus County
Inc. New Berlin Town, Chenango County
Inc. New Brehem Town, Lewis County
New Lisbon Town, Otsego County
Inc. New Paltz Town, Ulster County
Inc. Norfolk Town, St. Lawrence County
Inc. North Collins Town, Erie County
Inc. North Dansville Town, Livingston County
North Harmony Town, Chautauqua County
North Hudson Town, Essex County
Inc. Northampton Town, Fulton County
Norway Town, Herkimer County
Inc. Oakfield Town, Genesee County
Ohio Town, Herkimer County
Olean Town, Cattaraugus County
Inc. Oppenheim Town, Fulton County
Orange Town, Schuyler County
Orleans Town, Jefferson County
Orwell Town, Oswego County
Inc. Oswegatchie Town, St. Lawrence County
Otselic Town, Chenango County
Inc. Ovid Town, Seneca County
Inc. Paris Town, Oneida County
Parishville Town, St. Lawrence County
Inc. Perry Town, Wyoming County
Inc. Perrysburg Town, Cattaraugus County
Inc. Persia Town, Cattaraugus County
Inc. Philadelphia Town, Jefferson County
Piercefield Town, St. Lawrence County
Pierrepont Town, St. Lawrence County
Inc. Pike Town, Wyoming County
Pinckney Town, Lewis County
Pitcairn Town, St. Lawrence County
Pitcher Town, Chenango County
Pittsfield Town, Otsego County
Plainfield Town, Otsego County
Plymouth Town, Chenango County
Inc. Portland Town, Chautauqua County
Inc. Potsdam Town, St. Lawrence County
Inc. Potter Town, Yates County
Prattsburg Town, Steuben County
Prattsville Town, Greene County
Preston Town, Chenango County
Providence Town, Saratoga County
Pulteney Town, Steuben County
Putnam Town, Washington County
Inc. Randolph Town, Cattaraugus County
Rathbone Town, Steuben County
Red House Town, Cattaraugus County
Redfield Town, Oswego County
Inc. Remsen Town, Oneida County
Rensselaerville Town, Albany County
Inc. Richfield Town, Otsego County
Richford Town, Tioga County
Inc. Richland Town, Oswego County
Inc. Richmondville Town, Schoharie County
Inc. Ridgeway Town, Orleans County

Rochester Town, Ulster County
Rockland Town, Sullivan County
Rodman Town, Jefferson County
Rose Town, Wayne County
Roseboom Town, Otsego County
Rossie Town, St. Lawrence County
Roxbury Town, Delaware County
Rushford Town, Allegany County
Russell Town, St. Lawrence County
Inc. Russia Town, Herkimer County
Inc. Salem Town, Washington County
Salisbury Town, Herkimer County
Inc. Sandy Creek Town, Oswego County
Inc. Sangerfield Town, Oneida County
Savannah Town, Wayne County
Inc. Schoharie Town, Schoharie County
Schroon Town, Essex County
Schuyler Falls Town, Clinton County
Sempronius Town, Cayuga County
Inc. Seneca Falls Town, Seneca County
Seneca Town, Ontario County
Sennett Town, Cayuga County
Seward Town, Schoharie County
Inc. Shandaken Town, Ulster County
Inc. Sharon Town, Schoharie County
Shawangunk Town, Ulster County
Inc. Shelby Town, Orleans County
Inc. Sherburne Town, Chenango County
Inc. Sherman Town, Chautauqua County
Inc. Sidney Town, Delaware County
Smithfield Town, Madison County
Inc. Smyrna Town, Chenango County
Inc. Sodus Town, Wayne County
Solon Town, Cortland County
Southport Town, Chemung County
Inc. Spencer Town, Tioga County
Springfield Town, Otsego County
St. Johnsville Town, Montgomery County
Inc. Stamford Town, Delaware County
Stark Town, Herkimer County
Stephentown Town, Rensselaer County
Inc. Sterling Town, Cayuga County
Steuben Town, Oneida County
Inc. Stockbridge Town, Madison County
Inc. Stockton Town, Chautauqua County
Stony Creek Town, Warren County
Stratford Town, Fulton County
Summerhill Town, Cayuga County
Summit Town, Schoharie County
Inc. Sweden Town, Monroe County
Taghkanic Town, Columbia County
Taylor Town, Cortland County
Inc. Theresa Town, Jefferson County
Inc. Thompson Town, Sullivan County
Thurman Town, Warren County
Inc. Ticonderoga Town, Essex County
Inc. Trenton Town, Oneida County
Troupsburg Town, Steuben County
Truxton Town, Cortland County
Inc. Turin Town, Lewis County
Tuscarora Town, Steuben County
Tyrone Town, Schuyler County
Inc. Van Etten Town, Chemung County
Venice Town, Cayuga County
Victory Town, Cayuga County
Inc. Vienna Town, Oneida County
Virgil Town, Cortland County
Inc. Waddington Town, St. Lawrence County
Inc. Walton Town, Delaware County
Warren Town, Herkimer County
Warrensburg Town, Warren County
Inc. Waterloo Town, Seneca County
Watertown Town, Jefferson County
Waverly Town, Franklin County
Inc. Wawarsing Town, Ulster County
Wayne Town, Steuben County
Wells Town, Hamilton County
Inc. Wellsville Town, Allegany County
West Almond Town, Allegany County
West Sparta Town, Livingston County
Inc. West Turin Town, Lewis County
West Union Town, Steuben County
Western Town, Oneida County
Inc. Westfield Town, Chautauqua County
Westford Town, Otsego County
Inc. Westport Town, Essex County
Westville Town, Franklin County
Wethersfield Town, Wyoming County
Wheeler Town, Steuben County
Inc. Whitehall Town, Washington County
Willet Town, Cortland County
Williamstown Town, Oswego County
Willing Town, Allegany County
Inc. Wilna Town, Jefferson County
Inc. Wirt Town, Allegany County
Inc. Wolcott Town, Wayne County
Inc. Woodhull Town, Steuben County
Worcester Town, Otsego County
Worth Town, Jefferson County

Pennsylvania

Abbott Township, Potter County
Addison Township, Somerset County
Albany Township, Bradford County
Aleppo Township, Greene County
Allegheny Township, Potter County
Allegheny Township, Butler County
Allegheny Township, Cambria County
Allegheny Township, Somerset County
Allegheny Township, Venango County
Annin Township, McKean County
Anthony Township, Lycoming County
Apolacon Township, Susquehanna County
Ararat Township, Susquehanna County
Armagh Township, Mifflin County
Armstrong Township, Lycoming County
Athens Township, Crawford County
Auburn Township, Susquehanna County
Banks Township, Carbon County
Banks Township, Indiana County
Barnett Township, Forest County
Barnett Township, Jefferson County
Barr Township, Cambria County
Bart Township, Lancaster County
Bastress Township, Lycoming County
Beaver Township, Clarion County
Beaver Township, Crawford County
Beaver Township, Jefferson County
Beaver Township, Synder County
Beccaria Township, Clearfield County
Bedford Township, Bedford County
Belfast Township, Fulton County
Benezette Township, Elk County
Benton Township, Columbia County
Berlin Township, Wayne County
Bethel Township, Fulton County
Bigler Township, Clearfield County
Bingham Township, Potter County
Black Township, Somerset County
Blaine Township, Washington County
Boggs Township, Clearfield County
Brady Township, Clearfield County
Brady Township, Huntingdon County
Bradys Bend Township, Armstrong County
Bratton Township, Mifflin County
Brecknock Township, Lancaster County
Broad Top Township, Bedford County
Brookfield Township, Tioga County
Brooklyn Township, Susquehanna County
Brush Creek Township, Fulton County
Buckingham Township, Wayne County
Buffington Township, Indiana County
Burlington Township, Bradford County
Burrell Township, Armstrong County
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Butler Township, Luzrne County
Cambridge Township, Crawford County
Canaan Township, Wayne County
Canoe Township, Indiana County
Canton Township, Bradford County
Carbon Township, Huntingdon County
Casade Township, Lycoming County
Cass Township, Huntingdon County
Cass Township, Schuylkill County
Castanea Township, Clinton County
Center Township, Greene County
Center Township, Synder County
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Chapman Township, Synder County
Chatham Township, Tioga County
Cherryhill Township, Indiana County
Clay Township, Huntingdon County
Clearfield Township, Cambria County
Clinton Township, Wyoming County
Clover Township, Jefferson County
Clymer Township, Tioga County
Coal Township, Northumberland County
Cogan House Township, Lycoming County
Colebrook Township, Clinton County
Colerain Township, Lancaster County
Colley Township, Sullivan County
Columbia Township, Bradford County
Conyngham Township, Luzerne County
Covington Township, Tioga County
Cowansshannock Township, Armstong County
Cromwell Township, Huntingdon County
Croyle Township, Cambria County
Cumberland Valley Township, Bedford County
Cummings Township, Lycoming County
Curtin Township, Centre County
Damascus Township, Wayne County
Davidson Township, Sullivan County
Dean Township, Cambria County
Deerfield Township, Tioga County
Delaware Township, Juniata County
Derry Township, Montour County
Dimock Township, Susquehanna County
Dreher Township, Wayne County
Dublin Township, Huntingdon County
Dunbar Township, Fayette County
Duncan Township, Tioga County
Dyberry Township, Wayne County
Earl Township, Lancaster County
East Bethlehem Township, Washington County
East Cameron Township, Northumberland County
East Fallowfield Township, Crawford County
East Finley Township, Washington County
East Mahoning Township, Indiana County
East Norwegian Township, Schuylkill County
East Nottingham Township, Chester County
East Providence Township, Bedford County
East St. Clair Township, Bedford County
East Taylor Township, Cambria County
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Elder Township, Cambria County
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Elk Creek Township, Erie County
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Elkland Township, Sullivan County
Elkland Township, Tioga County
Fairhope Township, Somerset County

Fairmont Township, Luzerne County
Falls Township, Wyoming County
Fannett Township, Franklin County
Farmington Township, Tioga County
Fawn Township, York County
Fishing Creek Township, Columbia County
Forks Township, Sullivan County
Foster Township, Schuylkill County
Franklin Township, Bradford County
Franklin Township, Columbia County
Franklin Township, Fayette County
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Freedom Township, Adams County
Freehold Township, Warren County
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Fulton Township, Lancaster County
Gaines Township, Tioga County
Gallitzin Township, Cambria County
Genesee Township, Potter County
Georges Township, Fayette County
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Gibson Township, Susquehanna County
Gilmore Township, Greene County
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Goshen Township, Clearfield County
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Gregg Township, Centre County
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Gulich Township, Clearfield County
Haines Township, Centre County
Hamilton Township, McKean County
Hamilton Township, Tioga County
Hamlin Township, McKean County
Harford Township, Susquehanna County
Harmony Township, Susquehanna County
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Hebron Township, Potter County
Hector Township, Potter County
Henderson Township, Jefferson County
Henry Clay Township, Fayette County
Herrick Township, Bradford County
Hickory Township, Forest County
Highland Township, Chester County
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Highland Township, Elk County
Hopewell Township, Bedford County
Hopewell Township, Cumberland County
Hopewell Township, Huntingdon County
Hubley Township, Schuylkill County
Huston Township, Blair County
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Jackson Township, Columbia County
Jackson Township, Greene County
Jackson Township, Perry County
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Jackson Township, Tioga County
Jackson Township, Venango County
Jefferson Township, Lackawanna County
Jenks Township, Forest County
Jordan Township, Clearfield County
Jordan Township, Lycoming County
Juniata Township, Bedford County
Juniata Township, Huntingdon County
Karthaus Township, Clearfield County
Kimmel Township, Bedford County
King Township, Bedford County
Kingsley Township, Forest County
Knox Township, Clearfield County
Lack Township, Juniata County
Lackawannock Township, Mercer County
Lake Township, Luzerne County
Lake Township, Mercer County
Lamar Township, Clinton County
Larimer Township, Somerset County
Lathrop Township, Susquehanna County
Lawrence Township, Tioga County
Le Boeuf Township, Erie County
Leacock Township, Lancaster County
Lebanon Township, Wayne County
Lehigh Township, Lackawanna County
Lehman Township, Luzerne County
Lemon Township, Wyoming County
Lenox Township, Susquehanna County
Leroy Township, Bradford County
Lewis Township, Lycoming County
Lewis Township, Union County
Liberty Township, Mckean County
Liberty Township, Susquehanna County
Liberty Township, Tioga County
Licking Creek Township, Fulton County
Licking Township, Clarion County
Limerick Township, Montgomery County
Limestone Township, Union County
Lincoln Township, Bedford County
Litchfield Township, Bradford County
Little Beaver Township, Lawrence County
Little Britain Township, Lancaster County
Logan Township, Huntingdon County
Londonderry Township, Bedford County
Lower Augusta Township, Northumberland County
Lower Chichester Township, Delaware County
Lower Turkeyfoot Township, Somerset County
Lower Yoder Township, Cambria County
Lumber Township, Cameron County
Luzerne Township, Fayette County
Madison Township, Clarion County
Madison Township, Lackawanna County
Mahandy Township, Schuylkill County
Mahoning Township, Lawrence County
Manchester Township, Wayne County
Mann Township, Bedford County
Marion Township, Butler County
Marion Township, Centre County
McCalmont Township, Jefferson County
McHenry Township, Lycoming County
McIntyre Township, Lycoming County
McNett Township, Lycoming County
Mehoopany Township, Wyoming County
Menallen Township, Fayette County
Menno Township, Mifflin County
Metal Township, Franklin County
Middlebury Township, Tioga County
Middletown Township, Susquehanna County
Miles Township, Centre County
Mill Creek Township, Mercer County
Mill Creek Township, Lebanon County
Miller Township, Perry County
Millstone Township, Elk County
Monongahela Township, Greene County
Monroe Township, Bedford County
Monroe Township, Bradford County
Monroe Township, Wyoming County
Montgomery Township, Indiana County
Morris Township, Greene County
Morris Township, Huntingdon County
Morris Township, Tioga County
Mount Carmel Township, Northumberland County
Mount Pleasant Township, Wayne County
Napier Township, Bedford County
Nelson Township, Tioga County
Nescopeck Township, Luzerne County
New Castle Township, Schuylkill County
Newport Township, Luzerne County
Nicholson Township, Fayette County
Nicholson Township, Wyoming County
North Mahoning Township, Indiana County
North Union Township, Schuylkill County
Northeast Madison Township, Perry County
Norwich Township, Mckean County
Oakland Township, Susquehanna County
Oliver Township, Mifflin County
Oregon Township, Wayne County
Orwell Township, Bradford County
Osceola Township, Tioga County
Oswayo Township, Potter County
Otto Township, McKean County
Overton Township, Bradford County
Paradise Township, Lancaster County
Penn Township, Huntingdon County
Perry Township, Clarion County
Perry Township, Snyder County
Piatt Township, Lycoming County
Pike Township, Bradford County
Pike Township, Potter County
Pine Township, Armstrong County
Pine Township, Columbia County
Pine Township, Indiana County
Pine Township, Lycoming County
Pittsfield Township, Warren County
Plains Township, Luzerne County
Pleasant Valley Township, Potter County
Plymouth Township, Luzerne County
Polk Township, Jefferson County
Porter Township, Jefferson County
Preston Township, Wayne County
Pulaski Township, Beaver County
Rayburn Township, Armstrong County
Putnam Township, Tioga County
Reade Township, Cambria County
Redbank Township, Armstrong County
Redstone Township, Fayette County
Reilly Township, Schuylkill County
Rice Township, Luzerne County
Richhill Township, Greene County
Richland Township, Clarion County
Richmond Township, Tioga County
Ridgebury Township, Bradford County
Rockdale Township, Crawford County
Rome Township, Bradford County
Rome Township, Crawford County
Ross Township, Luzerne County
Roulette Township, Potter County
Rush Township, Susquehanna County
Rutland Township, Tioga County
Sadsbury Township, Lancaster County
Salem Township, Clarion County
Salem Township, Wayne County
Salisbury Township, Lancaster County
Saltlick Township, Fayette County
Saville Township, Perry County
Schuylkill Township, Schuylkill County
Scott Township, Wayne County
Scrubgrass Township, Venango County
Shade Township, Somerset County
Shamokin Township, Northumberland County
Sharon Township, Potter County
Shippen Township, Tioga County
Shirley Township, Huntingdon County

Shrewsbury Township, Sullivan County
Smith Township, Washington County
Smithfield Township, Bradford County
Smithfield Township, Huntingdon County
South Creek Township, Bradford County
South Versailles Township, Allegheny County
South Woodbury Township, Bedford County
Southampton Township, Bedford County
Southampton Township, Somerset County
Southwest Township, Warren County
Sparta Township, Crawford County
Spring Township, Snyder County
Springfield Township, Bradford County
Springfield Township, Erie County
Springfield Township, Fayette County
Springhill Township, Fayette County
Springhill Township, Greene County
Springville Township, Susquehanna County
Spruce Hill Township, Juniata County
Standing Stone Township, Bradford County
Sterling Township, Wayne County
Steuben Township, Crawford County
Stevens Township, Bradford County
Stewart Township, Fayette County
Stonycreek Township, Somerset County
Stowe Township, Allegheny County
Sullivan Township, Tioga County
Summit Township, Somerset County
Susquehanna Township, Cambria County
Susquehanna Township, Juniata County
Sylvania Township, Potter County
Taylor Township, Fulton County
Tell Township, Huntingdon County
Terry Township, Bradford County
Thompson Township, Fulton County
Thompson Township, Susequehanna County
Tinicum Township, Delaware County
Tioga Township, Tioga County
Tionesta Township, Forest County
Toboyne Township, Perry County
Toby Township, Clarion County
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Todd Township, Fulton County
Towanda Township, Bradford County
Tremont Township, Schuylkill County
Troy Township, Bradford County
Turbett Township, Juniata County
Tuscarora Township, Bradford County
Tuscarora Township, Juniata County
Ulysses Township, Potter County
Union Township, Clearfield County
Union Township, Fulton County
Union Township, Mifflin County
Union Township, Snyder County
Union Township, Tioga County
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Upper Mahantonga Township, Schuylkill County
Upper Mifflin Township, Cumberland County
Upper Turkeyfoot Township, Somerset County
Upper Tyrone Township, Fayette County
Venango Township, Butler County
Walker Township, Juniata County
Warren Township, Bradford County
Warren Township, Franklin County
Washington Township, Clarion County
Washington Township, Greene County
Washington Township, Snyder County
Wayne Township, Armstrong County
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Wayne Township, Mifflin County
Wells Township, Bradford County
Wells Township, Fulton County
West Beaver Township, Snyder County
West Bethlehem Township, Washington County
West Buffalo Township, Union County
West Carroll Township, Cambria County
West Finley Township, Washington County
West Keating Township, Clinton County
West Lebanon Township, Lebanon County
West Mahandy Township, Schuylkill County
West Mahoning Township, Indiana County
West Perry Township, Snyder County
West Providence Township, Bedford County
West Taylor Township, Cambria County
Westfield Township, Tioga County
Wharton Township, Fayette County
Wharton Township, Potter County
White Township, Cambria County
Whiteley Township, Greene County
Wilmington Township, Mercer County
Wilmot Township, Bradford County
Windham Township, Bradford County
Windham Township, Wyoming County
Wood Township, Huntingdon County
Woodbury Township, Bedford County
Woodbury Township, Blair County
Wyalusing Township, Bradford County
Zerbe Township, Northumberland County

Rhode Island

New Shoreham Town, Washington County
Warren Town, Bristol County
West Warwick Town, Kent County

Vermont

Addison Town, Addison County
Inc. Albany Town, Orleans County
Inc. Alburg Town, Grand Isle County
Andover Town, Windsor County
Athens Town, Windham County
Bakersfield Town, Franklin County
Barnet Town, Caledonia County
Inc. Barton Town, Orleans County
Belvidere Town, Lamoille County
Benson Town, Rutland County
Berkshire Town, Franklin County
Bethel Town, Windsor County
Bloomfield Town, Essex County
Braintree Town, Orange County
Brattleboro Town, Windham County
Bridport Town, Addison County
Brighton Town, Essex County
Inc. Bristol Town, Addison County
Brownington Town, Orleans County
Inc. Burke Town, Caledonia County
Inc. Cabot Town, Washington County
Inc. Cambridge Town, Lamoille County
Canaan Town, Exxes County
Charleston Town, Orleans County
Chelsea Town, Orange County
Corinth Town, Orange County
Coventry Town, Orleans County
Craftsbury Town, Orleans County
Danby Town, Rutland County
Danville Town, Calendonia County
Inc. Derby Town, Orleans County
Duxbury Town, Washington County
East Haven Town, Essex County
Eden Town, Lamoille County
Inc. Enosburg Town, Franklin County
Fair Haven Town, Rutland County
Fairfield Town, Franklin County
Fairlee Town, Orange County
Fletcher Town, Franklin County
Franklin Town, Franklin County
Glover Town, Orleans County
Granby Town, Essex County
Greensboro Town, Orleans County
Groton Town, Caledonia County
Guildhall Town, Essex County
Halifax Town, Windham County
Inc. Hardwick Town, Caledonia County
Highgate Town, Franklin County
Holland Town, Orleans County
Hubbardton Town, Rutland County
Inc. Hyde Park Town, Lamoille County
Ira Town, Rutland County
Irasburg Town, Orleans County
Jamaica Town, Windham County
Inc. Johnson Town, Lamoille County
Leicester Town, Addison County
Lincoln Town, Addison County
Lowell Town, Orleans County
Inc. Ludlow Town, Windsor County
Lunenburg Town, Essex County
Inc. Lyndon Town, Caledonia County
Maidstone Town, Essex County
Inc. Marshfield Town, Washington County
Montgomery Town, Franklin County
Morgan Town, Orleans County
Inc. Morristown Town, Lamoille County
Newark Town, Caledonia County
Newport Town, Orleans County
Norton Town, Essex County
Orange Town, Orange County
Orwell Town, Addison County
Pawlet Town, Rutland County
Peacham Town, Caledonia County
Inc. Plainfield Town, Washington County
Plymouth Town, Windsor County
Inc. Poultney Town, Rutland County
Putney Town, Windham County
Reading Town, Windsor County
Inc. Richford Town, Franklin County
Rochester Town, Windsor County
Inc. Rockingham Town, Windham County
Roxbury Town, Washington County
Royalton Town, Windsor County
Ryegate Town, Caledonia County
Sharon Town, Windsor County
Sheffield Town, Caledonia County
Sheldon Town, Franklin County
St. Johnsbury Town, Caledonia County
Starksboro Town, Addison County
Inc. Stowe Town, Lamoille County
Strafford Town, Orange County
Sudbury Town, Rutland County
Sutton Town, Caledonia County
Inc. Swanton Town, Franklin County
Thetford Town, Orange County
Topsham Town, Orange County
Townshend Town, Windham County
Inc. Troy Town, Orleans County
Tunbridge Town, Orange County
Vershire Town, Orange County
Victory Town, Essex County
Walden Town, Caledonia County
Waltham Town, Addison County
Wardsboro Town, Windham County
Washington Town, Orange County
Inc. Waterbury Town, Washington County
Waterville Town, Lamoille County
Wells Town, Rutland County
West Fairlee Town, Orange County
West Rutland Town, Rutland County
Westfield Town, Orleans County
Inc. Westminister Town, Windham County
Westmore Town, Orleans County
Weybridge Town, Addison County
Wheelock Town, Caledonia County
Inc. Whitingham Town, Windham County
Williamstown Town, Orange County

Windsor Town, Windsor County
Wolcott Town, Lamoille County
Woodbury Town, Washington County
Woodford Town, Bennington County
Worcester, Washington County

Puerto Rico

Adjuntas Municipio
Aguada Municipio
Aguas Buenas Municipio
Aibonito Municipio
Anasco Municipio
Arroyo Municipio
Barceloneta Municipio
Barranquitas Municipio
Cabo Rojo Municipio
Camuy Municipio
Canovanas Municipio
Catano Municipio
Cayey Municipio
Ceiba Municipio
Ciales Municipio
Cidra Municipio
Coama Municipio
Comerio Municipio
Corozal Municipio
Culebra Municipio
Dorado Municipio
Fajardo Municipio
Florida Municipio
Guanica Municipio
Guayama Municipio
Guayanilla Municipio
Gurabo Municipio
Hatillo Municipio
Hormigueros Municipio
Humacao Municipio
Isabela Municipio
Jayuya Municipio
Juana Diaz Municipio
Juncos Municipio
Lajas Municipio
Lares Municipio
Las Marias Municipio
Las Piedras Municipio
Loiza Municipio
Luquillo Municipio
Manati Municipio
Maricao Municipio
Maunabo Municipio
Moca Municipio
Morovis Municipio
Naguabo Municipio
Naranjito Municipio
Orocovis Municipio
Patillas Municipio
Penuelas Municipio
Quebradillas Municipio
Rincon Municipio
Rio Grande Municipio
Sabana Grande Municipio
Salinas Municipio
San German Municipio
San Lorenzo Municipio
San Sebastian Municipio
Santa Isabel Municipio
Toa Alta Municipio
Utuado Municipio
Vega Alta Municipio
Vega Baja Municipio
Vieques Municipio
Villalba Municipio
Yabucoa Municipio
Yauco Municipio

Dated: February 23, 1983.

Stephen J. Bollinger,

Assistant Secretary for Community Planning and Development.

[FR Doc. 83-5613 Filed 2-28-83; 8:45 am]

BILLING CODE 4210-29-M

federal register

Tuesday
March 1, 1983

Part VI

Department of the Interior

Fish and Wildlife Service

Peregrine Falcons in North America; Proposed Reclassification; Proposed Rule

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Proposed Reclassification of the Peregrine Falcons in North America

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Service proposes to reclassify from Endangered to Threatened the Arctic peregrine falcon (*Falco Peregrinus tundrius*). The Service finds that sufficient evidence has been gathered over the past several years warranting a proposal to make these changes. The Service also proposes to clarify the status of the American peregrine falcon (*Falco peregrinus anatum*) in some areas of its range. Any other free-flying peregrine falcon within the coterminous 48 States would also be protected from illegal take under Similarity of Appearance provisions proposed here. The Service requests comments and other information upon this proposed rule. These rules are proposed under the Endangered Species Act of 1973, as amended, and are based upon the completion of a status review required by the Act every 5 years.

DATE: Comments must be submitted on or before May 31, 1983.

ADDRESSES: Comments and other information should be mailed to the Director (OES), U.S. Fish and Wildlife Service, Washington, DC 20240. Comments and supporting documents are available to the public for inspection during normal business hours by appointment in Suite 500, 1000 N. Glebe Rd., Arlington, Virginia (phone 703–235–1975). Individuals submitting comments and other information should refer to this specific proposed rule in all correspondence.

FOR FURTHER INFORMATION CONTACT: Mr. John L. Spinks, Jr., Chief, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, DC 20240 (703–235–2771).

SUPPLEMENTARY INFORMATION:

Background

The Service is required to conduct a status review of each species listed at 50 CFR 17.11 and 17.12 at least once every 5 years. This requirement stems from the amendments to Section 4 of the Endangered Species Act of 1973 signed into law on November 10, 1978. The rules at 50 CFR 424.20 implement this requirement of the amended Act. Subsequently, the Service published a Notice of Review for all species listed prior to 1975 in the **Federal Register** of May 21, 1979 (44 FR 29566–29577) that included the two subspecies of North American peregrine falcons—American and Arctic. This proposal is based upon data accumulated in the Service's Office of Endangered Species through June 1982.

The American peregrine falcon *(Falco peregrinus anatum)* and the Arctic peregrine falcon *(F. p. tundrius)* were added to the U.S. Department of the Interior's list of foreign Endangered species on June 2, 1970 (35 FR 8495) and to the native list on October 13, 1970 (35 FR 16047). The basis for adding two of the three North American subspecies to this list was the realization, in the late 1960's that DDT and its metabolites (hereafter referred to only as DDT) was having a direct negative impact on these falcons' survival: falcons no longer nested from Minnesota eastward to the Canadian Maritimes and south to Georgia, and those nesting in western Canada and United States and northward into the Arctic were heavily contaminated and likely to become extinct in the near future. Only the Peale's peregrine falcons *(F. p. pealei)* nesting from the Aleutian Islands east and south to Vancouver Island were found to be reproducing at near normal levels with only traces of DDT.

Materials and information recorded or otherwise preserved over the previous decades clearly showed the effects of this contamination immediately after World War II when DDT was first used extensively. Most of the falcons in eastern United States and southern Canada failed to produce young by the mid-1950's, although a few survived into the late 1960's. The total surviving population (excluding the Peale's peregrine falcons) was then estimated at no more than a few hundred pairs north of Mexico.

Following the 1960's came a period of intensive studies to develop possible management practices to save the remaining falcons and restore the extirpated populations. The Service estimates that about 10 million dollars were expended on peregrine falcons in North America during the 1970's by the U.S. and Canadian Federal governments, many States and Provinces, several conservation organizations, and countless private citizens and businesses. Associated with these recovery efforts were efforts by other environmental interests that resulted in the ban on most DDT uses in the United States in 1972.

Recent studies have focused on the breeding ecology of peregrines with specific investigations into organochlorine contamination levels of individual birds, their eggs, and prey species. Other studies have been aimed at finding the principal wintering grounds of these falcons (and their prey species) by banding. These and other studies have shown that DDT has been the main cause for decline of these falcons, although other causes have been known during this century. There have been only a few localized cases of habitat loss (i.e., nesting ledges) or chronic depredations for falconry purposes. Losses from accidents, shootings, and other similar causes do not appear to have significantly affected the whole population of peregrine falcons in North America. Only environmental contaminants have threatened their continued existence.

With the decline in DDT usage in North America the peregrine falcon populations of northern North America (e.g., Alaska, northern Canada, Greenland) are no longer threatened with extinction in the foreseeable future. The reproductive rate of these falcons has shown a gradual improvement in the Arctic over the past 5–6 years. Generally, rates in most sampled areas have gone from approximately 1.0 or less young produced per active pair to approximately 2.0 young per active pair. An apparent cline, increasing from west to east, has been observed: highest average productivity is usually observed in Greenland, the lowest in northern Alaska and northwestern Canada, with local variations (both lows and highs) seemingly the rule rather than the exception.

Although the use of DDT still continues where many of these birds apparently winter, the Service has recent samples showing less than 10% of the adult female falcons migrating into the Arctic each spring have levels of DDT contamination sufficient to reduce their natural reproductive potential. Based upon blood contaminant loads only, the other 90% should be capable of normal reproductive rates. The Service believes that the wintering and spring migration periods are when the female falcons obtain the bulk of the contamination that will affect their eggshell quality. That is, Arctic peregrine falcons return in May and almost immediately start nesting. Only the DDT acquired prior to egg formation can affect the eggs.

In mid-summer of 1981 eight nesting female American peregrine falcons were randomly selected and trapped in central Alaska by the Service. All showed some DDT contamination in their blood. Three had significant levels. Those three had a total of 11 young and one cracked egg in their nests. These samples were obtained while the females were hunting food for their

young. At this time the birds are under maximum stress and probably show their lowest body weights each year (highest would be expected on migration and a moderate weight would be expected in the winter) so measurement of any deposited or recently acquired DDT could be higher.

Previous nesting ground data on levels of contamination were based upon recovered unhatched eggs. Such eggs do not reflect the overall contamination level of the entire population, since they are not a random sample of all eggs being produced. There are some individual females that are very contaminated and rarely hatch a single egg each year.

Other biological data have been gathered for the western United States and Mexico. Some of these data indicate an increasing rate of productivity and recruitment. Particularly in Mexico and California, and possibly Arizona and New Mexico, populations are showing good productivity, although the number of pairs is still well below historic levels. Productivity in this region is now averaging about 1.6 young per nest attempt, while an average of 2.0 young per attempt has been recorded for Alaskan *anatum* in the past 4 years.

The productivity of the peregrine falcons from Oregon and Colorado east and north into central Canada is generally the lowest in North America and is probably not adequate to maintain that population at even the present very low numbers of pairs. From Colorado to southern Yukon Territory the natural productivity (some nests are augmented by biologists) averages about 1.0 young falcon produced per active attempt. Productivity from the few pairs thought or known to remain in eastern Canada below the tree line (northern Manitoba to Labrador) is largely unknown.

Another series of studies has concentrated upon migrating falcons, particularly along the Alantic and Gulf coasts. Comparisons based upon equal units of effort show there has been an increase in the numbers of falcons observed moving south each fall and north each spring over the past 5–6 years. For example, counts at Assateague Island, Maryland–Virginia, averaged 25 falcons per 100 hours of observation in the falls of 1970–1974. From 1975 to 1978 the average was 56 per 100 hours. From 1979 to 1981 the counting rates averaged 108 per 100 hours. The numbers of falcons counted in migration at this one site doubled each subsequent period.

The timing of this upward trend may be explained by facts concerning the age of maturation and probable peak productivity of female peregrine falcons. Normally, falcons start laying eggs in their third summer and probably average 3–4 more years of productivity. With the cessation of most DDT use in the U.S. in 1972, a few years would be needed for the falcon population to start to show any decrease in overall contamination levels. Productivity would be expected to start increasing as succeeding generations become less contaminated.

Based upon bandings and their recoveries, the Service estimates about 99% of the fall migrants on the Atlantic and Gulf of Mexico coasts originate in the Arctic and sub-Arctic regions from western Alaska to western Greenland. Reliable statistical estimates have been difficult to obtain, but the Service believes that a minimum of several thousand peregrine falcons are being produced each summer in the higher latitudes of North America (approximately north 60° N. Lat.). Estimates by some researchers have ranged to over 20,000 falcons being produced in some recent summers.

These estimates of the total production in northern North America are based upon a calculation known as the Lincoln Index. Several assumptions have to be made in order to utilize this method of estimating the production of young falcons each year. First, there are no significant differences in survivorship from July through October between banded and unbanded young. (That is, if 20 percent of the banded young die in that period, then the same percentage of unbanded yound die.) Second, the migration routes and behavior are the same for both banded and unbanded young. Third, the banded and unbanded migrant young are not trapped out of proportion to each other at various banding stations south of Canada. (That is, neither type is more easily trapped than the other, since neither have seen the trapping devices before.) Fourth, the numbers of young produced south of about 55° N. Latitude are very few and compose a small fraction of total production in North America (perhaps several hundred, at most). Fifth, the proportion of young falcons caught on their first migration that were already banded (i.e., Alaska, northern Canada, Greenland) to the total trapped is equal to the proportion of banded to unbanded young reaching 3–6 weeks of age in northern North America.

The Lincoln Index may be written as follows:

$$P = \frac{(n_1 + 1)\ (n_2 + 1)}{(R_2 + 1)} - 1$$

Where,

P = Total production estimate of young falcons reaching about 3–6 weeks of age in North America (north of 55° N. Lat., excluding Gulf of Alaska region) and Greenland

n_1 = Total yound wild peregrine falcons banded at about 3–6 weeks of age in above area

n_2 = Total falcons trapped south of Canada and east of 100° W. Long. in their first fall migration (September 15 to October 30)

R_2 = Number of falcons in n_2 which were banded as part of n_1

When more than one year is included, the *P* values can be averaged. The Service has compiled banding and trapping records for the period of 1976 through 1981. The most recent data may be slightly incomplete, since all records have not yet been completely entered into the banding files at the Bird Banding Laboratory, Laurel, Maryland. The few records that may be missing from this tabulation, will not dramatically change the estimate. We believe that all recaptures (R_2) have been reported by our cooperating banders by now. An increase in this last value would have a very measurable and negative effect upon the estimate.

Below is a tabulation of the data for the years 1976 through 1981 (P is rounded to nearest 50):

Year	n_1	n_2	R_2	P
1976	23	120	0	2,900
1977	86	218	1	9,750
1978	71	226	2	5,450
1979	148	434	2	21,600
1980	281	216	2	20,400
1981	314	267	3	21,100
Total	925	1481	10	

Using these data, the Lincoln Index equation yields an average of about 13,550 young falcons produced to near fledgling age in northern North America for the years 1976–1981, inclusive. Although several adjustments to these figures might be made, the Service simply wishes to indicate that there is a large number of *Falco peregrinus* being produced in this region in recent years: certainly more than several thousand and possibly as many as 22,000. The precise number is not germane beyond demonstrating that this bird is not now in danger of extinction.

Factors Affecting the Species

The Service proposes to reclassify the Arctic peregrine falcon (*Falco peregrinus tundrius*) from Endangered to Threatened. The Service's listing regulations (50 CFR Part 424) provide for a review of the five factors below when reclassifying (or listing or delisting) a species (§ 424.11):

(1) The present or threatened destruction, modification, or curtailment of its habitat or range;

(2) Utilization for commercial, sporting, scientific, or educational purposes at levels that detrimentally affect it;

(3) Disease or predation;

(4) Absence of regulatory mechanisms adequate to prevent the decline of a species or degradation of its habitat; and

(5) Other natural or manmade factors affecting its continued existence.

The Service has studied the relevant information available for *Falco peregrinus* in North America and summarizes this information for each of these five factors below:

(1) *Habitat.* Peregrine falcons prefer high cliffs or bluffs for nest sites. There are numerous records of pairs nesting in this century on manmade ledges (e.g., tall buildings, bridges, towers). The feeding requirements (small- to medium-sized birds) are general enough so that no specific prey species are needed by this falcon, only prey abundance. Prey species are usually common birds such as those frequently associated with water (e.g., marshes, lakes, rivers) such as colonial seabirds, smaller waterfowl, shorebirds (plovers, sandpipers, etc.), and small gulls. Other major groups include doves and pigeons, jays, flickers, and open ground-nesting songbirds (longspurs, sparrows, pipits, larks, etc.).

Losses of nest sites have not posed any overall problem to this falcon. Over the years a few sites have been lost directly or indirectly because of water, highway, energy, or other projects. Most of the abandoned nest sites still exist, and many are now occupied by other large birds (e.g., owls, hawks, ravens), which could possibly be evicted by any returning pair of peregrine falcons. Similarly, habitats for prey species have been altered to some degree in some areas. Most nest sites for the falcons still show an abundance of available prey, although the species composition may have changed. No significant losses of habitat have occurred within the range of the Arctic peregrine falcon.

(2) *Overutilization.* Presently, it is not legal in the United States to sell, buy, or barter peregrine falcons. Undocumented stories of high prices paid for some peregrine falcons in the past have misled many into thinking this species is an extrordinarily valuable commercial item in the world. The Service finds the world market value of peregrines has usually ranged from $150 to $2,500 per bird in the past decade, based usually upon degree of training, source of stock, and age and sex of the bird. This compares to the $5,000 to $20,000 paid for some other highly prized wildlife. Falconers in the Middle East (a group frequently mentioned to be needing peregrine falcons) generally prefer other species of large falcons for hunting purposes. Removal of young falcons from some specific nest sites has been of only local importance in the past in the possible reduction of peregrine falcon numbers.

Captive-produced peregrine falcons may meet much of the future demand for birds to be used in falconry when restoration efforts for extirpated and other populations have been largely satisfied. This will probably not be a major source for falconry purposes for some time, perhaps later in this decade. This rule will have no effect on the import or export for commercial purposes of peregrine falcons.

(3) *Disease or Predation.* Peregrine falcons suffer from natural diseases and predation as do most other forms of wildlife. No significant or serious disease or predation problems have been found in any populations of North American peregrine falcons, and no problems are anticipated.

(4) *Regulatory Mechanisms.* The present Federal falconry regulations (§§ 21.28 and 21.29) became effective January 1, 1978. These require the individual marking of captive raptors and have been shown to adequately provide for enforcement and possession of raptors for falconry. The Endangered Species Act of 1973, as amended, the regulations issued under the Migratory Bird Treaty Act, and the efforts of law enforcement agents have been effective in controlling the illegal take of falcons in the United States over the past decade. Similar protective measures are in effect in most of Canada. Such efforts are expected to continue at Federal and State levels.

All *Falco peregrinus* are covered under Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The Service has previously rejected a petition to move the Arctic peregrine falcon to Appendix II (see 47 FR 7190–7192; February 17, 1982). These proposed rules would not affect any *Falco peregrinus* under CITES.

Critical Habitat (50 CFR 17.95) was designated in 1977 at several nesting sites in California for American peregrine falcons that were in areas of potential energy development. Such sites are protected under the Critical Habitat provisions of Section 7 of the Endangered Species Act. Other nest sites and significant migration or wintering habitats, which are not designated at 50 CFR 17.95(b) as Critical Habitat, may be indirectly protected from adverse Federal actions affecting the falcons under the "jeopardy" provision of Section 7 of the Act. This provision requires all Federal agencies to insure that any action that they authorize, fund, or carry out, is not likely to jeopardize the continued existence of a listed species. Thus, Section 7 prohibits Federal agencies from adversely affecting American or Arctic peregrine falcon habitat which is not designated as Critical Habitat, if such action was considered likely to jeopardize the continued existence of either listed peregrine falcon.

Some of the peregrine falcon habitats that have been frequent subjects of consultations between the Service and other Federal agencies are coastal wetlands along the coasts of the Atlantic Ocean and Gulf of Mexico. Such habitats are well recognized as areas which attract large numbers of migrant, and sometimes wintering, falcons every year. Such areas will continue to receive such protection so long as any Endangered or Threatened peregrine falcons are expected to be found there on a regular basis.

(5) *Other Factors:* The major factor affecting the continued existence of most of the troubled populations of peregrine falcons in the world today is the use of various persistent chemical compounds, principally DDT. North American *Falco peregrinus* not exposed to significant amounts of DDT are not showing reproductive failures that could affect the population's continued existence. At DDT concentrations above 15–20 ppm wet weight in eggs, reproductive failures have been documented in peregrines. Thus far, the Peale's peregrine falcons of the Gulf of Alaska have not shown a significant contamination level or impaired reproduction.

The peregrines of the British Isles, like the Peale's falcons, are nonmigratory (although some of their prey are migratory). The British falcons were substantially reduced by the 1960's because of high chemical contamination. With the elimination of the contamination source in the United Kingdom, old nest sites have been reoccupied, and this population of falcons has now returned to levels that approach or may even exceed all previous censuses, including pre-World War II. This last case clearly shows the dramatic effects of certain chemical compounds of *Falco peregrinus.*

Fewer than 10% of the several hundred adult female falcons trapped on the Texas Gulf Coast (a major concentration area in the spring and fall) have shown a significant level of

DDT contamination. In fact, there has been a tendency for these falcons to show even lower levels of contamination with each successive spring. The Service is uncertain if this is a significant change or only a sampling bias and/or a temporary trend noted over a few years. As indicated above, the numbers of falcons counted in the fall migrations has increased substantially following these recent samples of lower contamination levels taken in the spring.

Samples of eggs from the Arctic (and elsewhere) have been biased in the past by the fact that mostly unhatched or nonviable eggs were obtained. Addled falcon eggs would be expected to contain higher average levels of DDT and other compounds than randomly taken, freshly laid eggs. Because addled eggs are not a random sample, they would not reflect the true frequency and level of contamination in the population as a whole. The samples of blood from randomly trapped falcons provide a far more accurate index of overall contamination levels and frequency in these falcons. The Service concludes that while some female falcons (about 10%) are still significantly contaminated prior to egg laying, the remainder of the northern birds should be producing reasonable numbers of young falcons in recent summers. This latter analysis is based upon 430 blood samples from peregrines trapped in spring and fall migrations in the past 4 years.

This level of contamination still poses a problem to the falcon population, but it does not pose a major threat which clearly could cause the extinction of the falcon in the foreseeable future. Because the possibility of this level of DDT contamination continuing or even increasing remains, the Service will not consider the complete delisting of the Arctic peregrine falcon at this time.

The numbers of birds counted and banded each fall along the main migration routes indicate to the Service that a significant number of young peregrine falcons are, in fact, being produced in the northern part of North America. Both fall observations and bandings indicate that at least half, and probably three-quarters, are birds hatched that year.

A few banded birds have been recovered during the winter months from the populations south of the Arctic. Alberta peregrine falcons have been recovered during the winter in Central America south to northern Venezuela and Colombia. Birds originating from further south (the Rocky Mountains of the United States) may winter only as far south as Mexico or rarely to Costa Rica, while some may winter at lower elevations in the American Southwest. Oregon and Washington birds are thought to winter near their nesting territories or south along the Pacific Coast into California. California birds seem to be largely nonmigratory, although some of the pairs nesting in the higher mountains probably winter in nearby lowlands. Falcons from Arizona, New Mexico, western Texas, and north central Mexico have not been banded in substantial numbers and recoveries during the winter period are nonexistent.

North American peregrine falcons, and many other avian species with similar distribution, show a "leap-frog" wintering pattern where the more northern nesting populations winter the furthest south and the further south nesting birds tend to move less and less. The southernmost birds (particularly if nesting south of about 40° N. Lat.) become largely sedentary, although young and adults may wander some distance during the winter. Thus, adults peregrine falcons from the southern Rocky Mountains and into Mexico may either wander into the lowlands or even coastal areas (Gulfs of California and Mexico) or remain within a hundred miles of their nest sites. Immatures from these probably nonmigratory populations (i.e., those largely south of Oregon, Nevada, Utah, and Colorado) may wander hundreds of miles during their first year before returning to the general vicinity of their natal areas.

Precisely where the various populations of falcons obtain their DDT is unclear. Part of this problem is related to the seasonal distribution and identity of their principal prey species. The prey composition seems to vary with season, locale, and individual falcon preferences. All populations of North American peregrine falcons show varying levels of contamination, with the Peale's falcon showing the least.

Summary of Status

The various populations *Falco peregrinus* found nesting in North America (including Mexico and western Greenland) are presently classified as three subspecies: (1) *F.p. pealei* (coastal British Columbia north and west through the Aleutian Islands, intergrades with *F.p. anatum* in western Washington and inland in the coastal ranges of British Columbia and southern Alaska westward to the vicinity of Bristol Bay; largely non-migratory, but some birds wander most winters as far south as the California coast), (2) *F. p. tundrius* (nests in Arctic North America: lands draining into the Arctic Ocean and north of the treeline from the Bering Straits east to the west coast of Greenland; intergrades to varying degrees with *F. p. anatum* from the upper Yukon River Valley eastward through the taiga region of boreal America to the Ungava Peninsula; winter from southern U.S. south throughout all of Central and South America to central Chile and Argentina), and *F. p. anatum* (nests from central Alaska, central Yukon Territory, northern Alberta and Saskatchewan east to the Maritimes and south [excluding coastal areas north of Columbia River] throughtout western Canada and United States to Baja California, Sonora, and the highlands of central Mexico; intergrades in the zones of contact with the other two subspecies, as indicated above; no nesting reported from Oklahoma and central Texas southward into eastern Mexico and east to northwestern Georgia and north along the coastal plain to the Chesapeake Bay; populations nesting in Mississippi River, Great Lakes, and Atlantic drainages south of the St. Lawrence River have been extirpated [ca.1960]; winters from southern United States south to about central South America, mostly in Mexico and Central America; eastern and southwestern United States and Mexico populations largely nonmigratory with some individuals wandering a few hundred miles from nesting sites).

The subspecies *pealei* has been largely unaffected by either DDT or other contaminants. Peale's peregrine falcon has never been considered for listing under the Endangered Species Act (or previous legislation) by the Service. No future change in its present status is foreseen, and the Service does not intend to propose any change for this subspecies.

The American peregrine falcon *F. p. anatum* now numbers a few hundred pairs, mostly in California and Mexico. Perhaps 125 pairs are in Alaska (mostly Yukon River drainage). More than a dozen are known (and probably many more exist) in the Yukon Territory. Less than a dozen active pairs are known from Alberta and adjacent areas of western Canada. Possibly another few dozens are spread over the rest of central and eastern Canada. Less than 100 active, known pairs remain in the coterminous United States outside of California. California had 39 known pairs in 1981, while another dozen or more may be present. Along the west coast of Baja California and in the Gulf of California area are perhaps 75 pairs of peregrine falcons. The highlands of Mexico are also thought to have about 100 pairs, although only about 20 pairs are known. The total number of *anatum*

(Canada, Alaska and coterminous United States, and Mexico) is estimated at 500–550 pairs.

Productivity in the United States (excluding Alaska, California, Arizona, and possibly New Mexico) and Canada has been marginal. This productivity level is barely capable, and may not be in some areas, of at least maintaining the present low population level and threatens the continued existence of the American peregrine falcon in these areas. From California and Arizona south into Mexico the falcons appear to be maintaining themselves with little or no significant overall increases in population numbers. This subspecies would remain Endangered under this proposed rule.

Because of the broad zones of intergradation between *anatum* and each of the other two North American races, the distributional limits of *anatum* need to be more clearly defined to insure appropriate protective measures under the Endangered Species Act. Subspecies by their very nature interbreed where they meet. Only rarely can they be clearly separated in all (even 90 percent) cases by experts in that group of animals. (Scientists generally apply a subspecific name when at least 70 or 75 percent of one geographic sample can be separated from 98 percent of all others of that species. In the case of *Falco peregrinus* it is frequently impossible to identify individual falcons to the subspecific level: plumage characters and sizes broadly overlap in North America, particularly in the zones of intergraduation outlined above. The use of *anatum* and *tundrius* will be clarified under this proposal in the use of some geographical limits and their nomenclature. The Service still follows the concept of three subspecies of *Falco peregrinus* in North America as defined by most avian taxonomists.

From all the studies made over the past several decades the Service concludes that the arctic peregrine falcon (*F.p. trundrius*) is not now threatened with extinction throughout a significant portion of its range. Nevertheless, so long as DDT and other compounds which affect peregrine falcons are being used in large quantities in various localities in the Western Hemisphere *and* so long as a significant number (more than 5 percent) of the females show significant amounts (more than 15 ppm DDT wet weight in eggs or comparable values in other tisses) of contamination, these Arctic falcons are still threatened with becoming endangered.

The definitions of Endangered and Threatened species at § 424.02 of this title are stated as follows:

"Endangered species" means a species which is in danger of extinction throughout all or a significant portion of its range.

"Threatened species" means any species which is likely to become an Endangered species within the foreseeable future throughout all or a significant portion of its range.

The term "species" as used under the Act includes subspecies and populations of vertebrates and does not necessarily refer to the biological "species" used by the scientific community.

As indicated previously, the Service believes that for the past several summers many thousands of Arctic peregrine falcons (plus some *anatum* and intergrades from the taiga and boreal regions of North America) fly south through the United States to winter as far as Argentina and Chile. The vast majority of these fall migrants intercept the coastlines of the Atlantic Ocean and Gulf of Mexico. Lesser numbers of falcons pass down the Pacific Coast as well as along the Rocky Mountains. Birds are largely scattered over their migration routes until they reach the coasts where several dozens a day may be counted at the correct time and place.

Similarity of Appearance

Since the mid-1970's approximately 1000 peregrine falcons have been released to the wild in Canada and the United States in an effort to restore extirpated populations and bolster remnant populations. These captive-produced falcons have originated from a variety of wild stocks, including both New and Old World populations. Some of the released falcons have been produced from stocks presently classified as Endangered together with the unlisted stocks. The released birds are readily identified as peregrine falcons, but they are not readily identifiable as to subspecies or genetic background. Crosses between the various stocks are made both in the propagation facilities and later when the released birds breed in the wild.

Pursuant to the "Similarity of Appearance" provisions of Section 4(e) of the act, species (or subspecies or other groups of wildlife) which are not considered to be Endangered or Threatened may nevertheless be treated as such for the purpose of providing protection to a species that is biologically Endangered or Threatened. Under this Similarity of Appearance provision (implemented by § 17.50) the Service must find: (a) that the species so closely resembles in appearance an Endangered or Threatened species that enforcement personnel would have substantial difficulty in identifying listed from unlisted species; (b) that the effect of this substantial difficulty is an additional threat to the Endangered or Threatened species; and (c) that such treatment of an unlisted species will substantially facilitate the enforcement and further the purposes of the Act.

The released stocks of peregrine falcons are almost inseparable from wild birds by nearly any generally accepted means. Even with the band numbers (all are marked prior to release) the managers of the production facilities cannot always determine the genetic stock used to produce a particular individual. (Several semen donors are sometimes used to artifically inseminate the female). A few of these released falcons as well as wild birds have been found shot or trapped by unauthorized individuals in the past few years. The Service has found it difficult to prosecute an individual for the take of a released peregrine falcon under the Endangered Species Act because of the status of some of these subspecies used for stocking purposes. In other cases, falcons are claimed to be the unlisted Peale's peregrine falcon when, in fact, they could be either of the listed subspecies but misidentified. It is clear that these falcons had been shot, trapped, or otherwise taken without any forehand knowledge that these were, in fact, unlisted or listed stocks.

Therefore, the Service, in order to further the purposes of the Act, finds the following: (1) Enforcement personnel, as well as nearly all other persons, would be unable to routinely separate the presently listed stocks (i.e., American or Arctic peregrine falcons) from the unlisted stocks; (2) also, enforcement personnel would not always be able to separate the Endangered American peregrine falcon from the Threatened Arctic peregrine falcon, if the latter becomes so classified; and (3) that the illegal take of any peregrine falcons in areas where listed populations occur would be without regard for, or forehand knowledge of, the status of that particular individual falcon, and thus poses direct and indirect threats to the wild native birds.

The Service proposes to list all free-flying *Falco peregrinus*, not otherwise identifiable as a listed subspecies, to be Endangered under the Similarity of Appearance provision in the 48 coterminous States. As an example, Arctic peregrine falcons found in the 48 coterminous States, but not positively identifiable as such, would be treated as Endangered.

References

There have been many scientific papers, books, administrative reports, recovery plans, letters, petitions, and other documents used in the preparation of this proposed rule. Some of these documents have been prepared for future publication in appropriate scientific journals. Others are still part of ongoing research or management projects and constitute only interim reports of data gathered to date. Some of the documentation goes back several decades while some has been obtained as recently as last summer. The Service is unable to provide a brief list of these hundreds of sources within this Federal Register document. Persons interested in examining these materials may see and copy them as they see fit at the Service's Office of Endangered Species by appointment during normal business hours (703–235–1975).

Five-Year Review

This proposal is a direct result of more than two years of intensive data gathering by the Service for the five-year review required under Section 4 of the Act. This review of the status of a listed species must be conducted at least once every five years (50 CFR 424.20), starting November 10, 1978. The final review of the large numbers of documents submitted in response to the Notice of Review (44 FR 29566–29577) was made in late 1981. The Service wishes to express its gratitude to the hundreds of persons; organizations; Federal, Provincial, and State agencies; and the Canadian Wildlife Service who all have contributed data, suggestions, and other information towards this review over the past three years.

Effects of This Proposed Rule if Finalized

This rule, if made final, would change the status at 50 CFR 17.11 of the Falcons now listed under "Arctic peregrine falcon, *Falco peregrinus tundrius*" from Endangered to Threatened. These rules would formally recognize the relative security of this population from being no longer in danger of extinction throughout a significant portion of its range.

If finalized as proposed, these rules would clarify the status of the subspecies *anatum* and *tundrius* and use some geographic limits for the Endangered *Falco peregrinus anatum* as well. One of the areas with persistent problems as to the identification (*ergo*, status) of some falcons has been the Olympic Peninsula of Washington. A few pairs of falcons nest there, and other falcons are seen in migration or during the winter. The Service believes that most of the nesting birds and some of the non-nesting birds are only an extension of the endangered populations to the east and south. The nesting pairs in this area have been identified as *pealei* by some authorities and *anatum* by others. The Service follows the view that this is an Endangered population and for the purposes of the Act should be so classified. Therefore, under this rule all peregrine falcons found nesting in Washington, not just those east of the Olympic Peninsula, would be recognized as American peregrine falcons and, therefore, treated as Endangered for the purposes of the Act.

The rules, if finalized, would also treat all peregrine falcons found in the wild in the coterminous 48 States and not otherwise determined to be either *anatum* or *tundrius* as Endangered under the Similarity of Appearance provisions (§ 17.50). Anyone taking, attempting to take, or otherwise possessing a *Falco peregrinus* in an illegal manner would be subject to penalty under Section 11 of the Act. For example, a peregrine is shot by a person, but the bird is subsequently determined to be a released bird of uncertain genetic origin. That person would be subject to these Federal regulations as if he had taken an Endangered species. There would be no difference in penalties for the illegal take of an Endangered versus Threatened species.

The taking of all peregrine falcons within the jurisdiction of the United States is subject to the Migratory Bird Treaty Act (16 U.S.C. 703–711), as amended. However, the Migratory Bird Treaty Act provides less protection and penalties than does the Endangered Species Act.

Public Comments Solicited

The Director intends that the rules finally adopted will be as accurate and effective as possible in the conservation of the North American peregrine falcons, Endangered or Threatened. Therefore, any comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, private interests, or any other interested party concerning any aspect of these proposals are hereby solicited. Comments from other affected countries and from all the States' (except Hawaii), Puerto Rico's and the Virgin Islands' conservation agencies are also being sought.

Specific information which is being requested includes, but is not limited to: (1) Biological or other relevant data concerning any threat (or lack thereof) to the peregrine falcons covered in this proposal; (2) information on environmental impacts that would result from the rule; and (3) possible alternatives to these proposed rules. The Service recommends that persons making a detailed review of this proposal also refer to other referenced sections and parts of 50 CFR.

National Environmental Policy Act

A draft Environmental Assessment has been prepared in conjunction with this proposed rule. This is on file in the Service's Office of Endangered Species (Mail: U.S. Fish and Wildlife Service (OES), Washington, DC 20240), 1000 N. Glebe Road, Arlington, VA. This document may be examined by appointment during regular business hours and copied, if desired, at no charge at this office. A determination will be made before the time of final rulemaking as to whether this is a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969 and 40 CFR Parts 1500–1508.

Primary Author

The primary author of this proposal is Jay M. Sheppard of the Service's Office of Endangered Species (703–235–1975, address above).

List of Subjects in 50 CFR Part 17

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture).

Proposed Regulatory Promulgation

PART 17—[AMENDED]

Accordingly, the Service proposes to amend Part 17 of Title 50 of the Code of Federal Regulations as follows:

1. The authority citation for Part 17 reads as follows:

Authority: Pub. L. 93–205, 87 Stat. 884; Pub. L. 95–632, 92 Stat. 3751; Pub. L. 96–159, 93 Stat. 1241; and Pub. L. 97–304, 96 Stat. 1411 (16 U.S.C. 1531, *et seq.*).

2. Amend the table at § 17.11(h) by revising the entries of the "Falcon, American peregrine" and "Falcon, Arctic peregrine" and adding the entry, Falcon, peregrine under "BIRDS" to read as follows:

§ 17.11 Endangered and threatened wildlife.

* * * * *

(h) * * *

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
*	*	*	*	*			
Falcon, American peregrine	*Falco peregrinus anatum*	Central Alaska, across north-central Canada to central Mexico, winters south to South America.	Entire, including all nesting peregrine falcons in Washington.	E	2, 3	17.95(b)	NA
Falcon, Arctic peregrine	*Falco peregrinus tundrius*	Alaska to Greenland, winters south to South America.	Entire	T	2,3	NA	NA
Falcon, peregrine	*Falco peregrinus* (when not identifiable as *anatum* or *tundrius*).	Worldwide, except Antarctica and most Pacific Islands.	Wherever found in the wild in the coterminous 48 States.	E(S/A)		NA	NA
*	*	*	*	*			

Dated: January 26, 1983.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 83-6031 Filed 2-28-83; 8:45 am]

BILLING CODE 4310-55-M

Reader Aids

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FEDERAL REGISTER PAGES AND DATES, MARCH

8425-8802 1

AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday). Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday. This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/FNS		DOT/COAST GUARD	USDA/FNS
DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
DOT/FHWA	USDA/SCS		DOT/FHWA	USDA/SCS
DOT/FRA	MSPB/OPM		DOT/FRA	MSPB/OPM
DOT/MA	LABOR		DOT/MA	LABOR
DOT/NHTSA	HHS/FDA		DOT/NHTSA	HHS/FDA
DOT/RSPA			DOT/RSPA	
DOT/SLSDC			DOT/SLSDC	
DOT/UMTA			DOT/UMTA	

TABLE OF EFFECTIVE DATES AND TIME PERIODS—MARCH 1983

This table is for determining dates in documents which give advance notice of compliance, impose time limits on public response, or announce meetings.

Agencies using this table in planning publication of their documents must allow sufficient time for printing production.

In computing these dates, the day after publication is counted as the first day.

When a date falls on a weekend or a holiday, the next Federal business day is used. (see 1 CFR 18.17)

A new table will be published in the first issue of each month.

Dates of FR publication	15 days after publication	30 days after publication	45 days after publication	60 days after publication	90 days after publication
March 1	March 16	March 31	April 15	May 2	May 31
March 2	March 17	April 1	April 18	May 2	May 31
March 3	March 18	April 4	April 18	May 2	June 1
March 4	March 21	April 4	April 18	May 3	June 2
March 7	March 22	April 6	April 21	May 6	June 6
March 8	March 23	April 7	April 22	May 9	June 6
March 9	March 24	April 8	April 25	May 9	June 7
March 10	March 25	April 11	April 25	May 9	June 8
March 11	March 28	April 11	April 25	May 10	June 9
March 14	March 29	April 13	April 28	May 13	June 13
March 15	March 30	April 14	April 29	May 16	June 13
March 16	March 31	April 15	May 2	May 16	June 14
March 17	April 1	April 18	May 2	May 16	June 15
March 18	April 4	April 18	May 2	May 17	June 16
March 21	April 5	April 20	May 5	May 20	June 19
March 22	April 6	April 21	May 6	May 23	June 20
March 23	April 7	April 22	May 9	May 23	June 21
March 24	April 8	April 25	May 9	May 23	June 22
March 25	April 11	April 25	May 9	May 24	June 23
March 28	April 12	April 27	May 12	May 27	June 27
March 29	April 13	April 28	May 13	May 31	June 27
March 30	April 14	April 29	May 16	May 31	June 28
March 31	April 15	May 2	May 16	May 31	June 29

CFR CHECKLIST; 1982/83 ISSUANCES

This checklist, prepared by the Office of the Federal Register, is published in the first issue of each month. It is arranged in the order of CFR titles, and shows the revision date and price of the volumes of the Code of Federal Regulations issued to date for 1982/83. New units issued during the month are announced on the back cover of the daily **Federal Register** as they become available.

For a checklist of current CFR volumes comprising a complete CFR set, see the latest issue of the LSA (List of CFR Sections Affected), which is revised monthly.

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CFR Unit (Rev. as of Jan. 1, 1983):

Title	Price
4	$7.50

CFR Unit (Rev. as of Apr. 1, 1982):

Title	Price
17 Parts:	
0-239	8.50
240-end	8.00
18 Parts:	
1-149	8.00
150-399	8.50
400-end	7.50
19	9.50
20 Parts:	
1-399	6.50
400-499	8.00
500-end	8.50
21 Parts:	
1-99	7.00
100-169	7.50
170-199	7.50
200-299	5.50
300-499	8.50
500-599	8.00
600-799	6.00
800-1299	7.00
1300-end	5.50
22	9.00
23	7.50
24 Parts:	
0-199	7.00
200-499	8.50
500-799	7.00
800-1699	7.50
1700-end	7.00
25	8.50
26 Parts:	
1 (§§ 1.0-1.169)	9.00
1 (§§ 1.170-1.300)	7.50
1 (§§ 1.301-1.400)	7.00
1 (§§ 1.401-1.500)	7.50
1 (§§ 1.501-1.640)	7.50
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1 (§§ 1.1201-end)	9.00
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30-39	7.00
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300-499	7.00
600-end	5.50
27 Parts:	
1-199	7.50
200-end	7.50

CFR Unit (Rev. as of July 1, 1982):

Title	Price
28	8.00
29 Parts:	
0-99	9.00
100-499	6.00
500-899	8.50
900-1899	6.50
1900-1910	9.00
1911-1919	6.00
1920-end	8.50
30 Parts	
0-199	8.00
200-end	10.00
31 Parts:	
0-199	7.00
200-end	9.00
32 Parts:	
1-39, Vol. I (rev. 9/1/82)	9.00
1-39, Vol. II (rev. 9/1/82)	11.00
1-39, Vol. III (rev. 9/1/82)	10.00
40-399	13.00
400-699	10.00
700-799	8.50
800-999	8.00
1000-end	7.00
33 Parts:	
1-199	9.00
200-end	8.00
34 Parts:	
1-399	13.00
400-end	8.50
35	6.50
36 Parts:	
1-199	7.00
200-end	7.50
37	7.00
38 Parts:	
0-17	8.00
18-end	7.00
39	7.00
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53-80	8.50
81-99	8.50
100-149	7.50
150-189	7.50
190-399	7.50
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19-100	8.00
101	9.00
102-end	7.00

CFR Unit (Rev. as of Oct. 1, 1982):

Title	Price
42 Parts:	
1-60	7.50
61-399	7.00
43 Parts:	
1-999	7.00
4000-end	7.00
45 Parts:	
1-199	7.00
200-499	6.00
500-1199	7.50
1200-end	7.50
46 Parts:	
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70-79	6.00
90-109	6.50
110-139	5.00
140-155	7.00
400-end	7.00
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Last Listing February 22, 1983





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