

Order

MONDAY, NOVEMBER 28, 1977



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Monday	Tuesday	Wednesday	Thursday	Friday
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Rules Going Into Effect Today

- EPA—Air quality implementation plans: California..... 55605; 10-27-77
- ICC—Terminal areas for express shipments by bus..... 51586; 9-29-77

List of Public Laws

This is a continuing listing of public bills that have become law, the text of which is not published in the FEDERAL REGISTER. Copies of the laws in individual pamphlet form (referred to as "slip laws") may be obtained from the U.S. Government Printing Office.

- H.R. 422.....Pub. L. 95-198
To amend the Tariff Schedules of the United States to provide duty-free treatment of any aircraft engine used as a temporary replacement for an aircraft engine being overhauled within the United States if duty was paid on such replacement engine during a previous

- importation. (Nov. 23, 1977; 91 Stat. 1422). Price: \$.50.
- H.R. 4049.....Pub. L. 95-199
To amend the Regional Rail Reorganization Act of 1973 to authorize additional appropriations for the United States Railway Association, and for other purposes. (Nov. 23, 1977; 91 Stat. 1423). Price: \$.50.
- H.R. 7074.....Pub. L. 95-200
To provide improved authority for the administration of certain National Forest System lands in Oregon. (Nov. 23, 1977; 91 Stat. 1425). Price: \$.50.
- H.R. 8175.....Pub. L. 95-201
"Veterans' Administration Physician and Dentist Pay Comparability Amendments of 1977". (Nov. 23, 1977; 91 Stat. 1429). Price: \$.50.
- H.R. 8701.....Pub. L. 95-202
"GI Bill Improvement Act of 1977". (Nov. 23, 1977; 91 Stat. 1433). Price: \$.90.
- S. 1750.....Pub. L. 95-203
"Saccharin Study and Labeling Act". (Nov. 23, 1977; 91 Stat. 1451). Price: \$.50.

presidential documents

[3195-01]

Title 3—The President

PROCLAMATION 4541

Wright Brothers Day, 1977

By the President of the United States of America

A Proclamation

The era of modern aviation began near Kitty Hawk, North Carolina, on December 17, 1903, when Wilbur and Orville Wright, bicycle makers and inventors, made the first successful flight in a heavier-than-air, powered aircraft.

The achievement of the two brothers, almost unnoticed at the time, has since been recognized as one of history's most significant accomplishments. Trips that once took months now take a few hours and all the peoples of the earth have become neighbors.

It is particularly appropriate to remember this first powered flight during 1977, the 50th anniversary of Charles A. Lindbergh's solo, nonstop trans-Atlantic flight on a plane, the "Spirit of St. Louis", which was powered by a Wright Whirlwind engine.

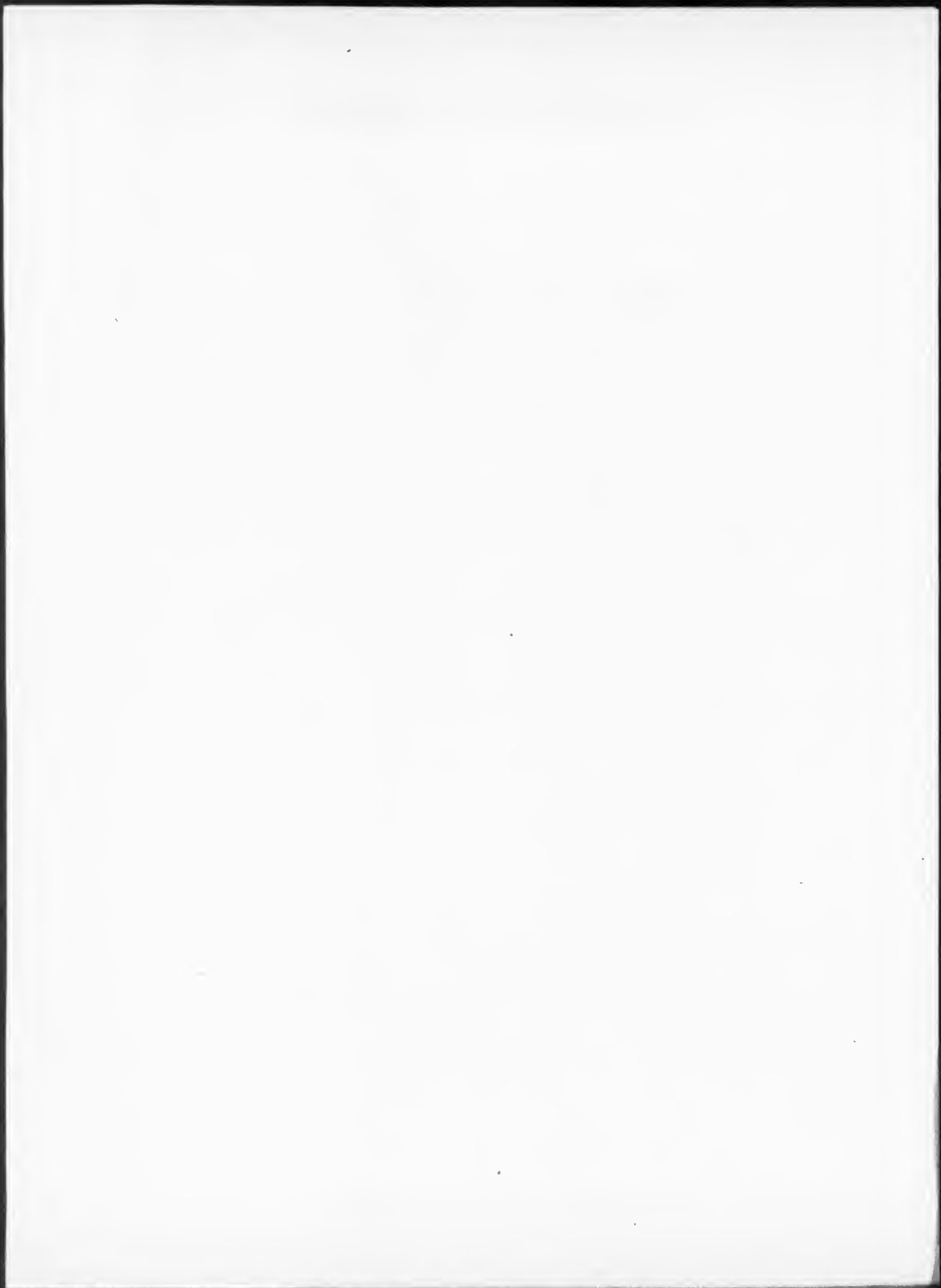
To commemorate the historic achievements of the Wright brothers, the Congress, by a joint resolution of December 17, 1963 (77 Stat. 402, 36 U.S.C. 169), designated the seventeenth day of December of each year as Wright Brothers Day and requested the President to issue annually a proclamation inviting people of the United States to observe that day with appropriate ceremonies and activities.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, do hereby call upon the people of this Nation, and their local and national government officials, to observe Wright Brothers Day, December 17, 1977, with appropriate ceremonies and activities, both to recall the accomplishments of the Wright brothers and to provide a stimulus to aviation in this country and throughout the world.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of November, in the year of our Lord nineteen hundred seventy-seven, and of the Independence of the United States of America the two hundred and second.



[FR Doc.77-34187 Filed 11-23-77;3:24 pm]



rules and regulations

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

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

[3410-02]

Title 7—Agriculture

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Expenses and Rate of Assessment

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation authorizes expenses and a rate of assessment for the 1977-78 crop year, to be collected from handlers to support activities of the Raisin Administrative Committee which locally administers the Federal marketing order covering California raisins.

EFFECTIVE DATES: August 1, 1977, through July 31, 1978.

FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, 202-447-6393.

SUPPLEMENTARY INFORMATION: On October 26, 1977, notice was published in the FEDERAL REGISTER (42 FR 56512) inviting written comments, not later than November 18, 1977, on proposed expenses and a rate of assessment under the marketing agreement, and Order No. 989, both as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

After consideration of all relevant matter presented, including the proposals in the notice, it is found that:

§ 989.328 Expenses of the Raisin Administrative Committee and rate of assessment for the 1977-78 crop year.

(a) Expenses (other than those specified in § 989.82) that are reasonable and likely to be incurred by the Raisin Administrative Committee during the period beginning August 1, 1977, through July 31, 1978, will amount to \$192,739.

(b) The rate of assessment for said period payable by each handler in accordance with § 989.80 is fixed at \$1.10 per ton for: (1) Free tonnage raisins acquired by the handler during the crop year, exclusive of such quantity thereof as represents the assessable portions of other handlers' raisins under paragraph (b) (3) of this section; (2) reserve tonnage raisins released or sold to the han-

dlers for use as free tonnage during that crop year; and (3) standard raisins (which he does not acquire) recovered by the handler by the reconditioning of off-grade raisins but only to the extent of the aggregate quantity of the free tonnage portions of these standard raisins that are acquired by other handlers during the crop year.

It is further found that good cause exists for not postponing the effective time until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553). The order requires that the rate of assessment for the marketing year shall apply to all assessable raisins from the beginning of the year.

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

D. S. KURYLOSKI,
Acting Deputy Director,
Fruit and Vegetable Division.

[FR Doc.77-34095 Filed 11-25-77; 8:45 am]

[6210-01]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Docket No. R-0131]

PART 265—RULES REGARDING DELEGATION OF AUTHORITY

Director, Division of Banking Supervision and Regulation

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Final rule.

SUMMARY: The Board of Governors has delegated the authority to approve a State member bank's proposed subordinated debt issue as an addition to the bank's capital. The Director of the Division of Banking Supervision and Regulation has been assigned responsibility for the performance of this function.

EFFECTIVE DATE: Immediately.

FOR FURTHER INFORMATION, CONTACT:

Jack M. Egertson, Assistant Director, Division of Banking Supervision and Regulation, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, 202-452-3408.

SUPPLEMENTARY INFORMATION: A proposed subordinated debt issue of a State member bank is exempt from the reserve requirements imposed by the Board's Regulation D and interest rate limitations imposed by Regulation Q when the debt issue satisfies certain requirements established by the Board's regulations and has been approved by the

Board as an addition to the capital structure of the issuing bank. In order to expedite and facilitate the performance of certain of the Board's supervisory and regulatory functions over State member banks, the Board has delegated the authority to approve a subordinated debt issue of a State member bank as an addition to its capital structure. The Director of the Division of Banking Supervision and Regulation has been assigned the responsibility for performance of this function. This authority may be exercised by the Director when (1) the terms of the proposed debt issue meet the requirements of Regulations D and Q and the Board's guideline criteria (1976 Bulletin 603, 604); (2) the appropriate Reserve Bank recommends approval; and (3) no significant policy issue is raised by the proposed issue as to which the Board has not expressed its view.

The provisions of section 553 of Title 5, United States Code, relating to notice and public participation and deferred effective date, are not followed in connection with the adoption of this amendment because the changes involved are procedural in nature and do not constitute substantive rules subject to the requirements of that section.

Pursuant to section 11(k) of the Federal Reserve Act (12 U.S.C. § 248(k)), paragraph (c) of § 265.2 of Part 265 is amended by adding subparagraph (25) as follows:

§ 265.2 Specific functions delegated to Board employees and to Federal Reserve Banks.

(c) The Director of the Division of Banking Supervision and Regulation (or in the Director's absence, the Acting Director) is authorized:

(25) To approve a State member bank's proposed subordinated debt issue as an addition to the bank's capital structure if all of the following conditions are met:

(i) The terms of the proposed debt issue satisfy the requirements of §§ 204.1(f)(3)(i) and 217.1(f)(3)(i) of this part (Regulations D and Q) and the Board's guideline criteria for approval of subordinated debt as an addition to capital.

(ii) The appropriate Reserve Bank recommends approval.

(iii) No significant policy issue is raised by the proposed issue as to which the Board has not expressed its view.

By order of the Board of Governors,
November 16, 1977.

THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.77-34098 Filed 11-25-77; 8:45 am]

[1505-01]

CHAPTER III—FEDERAL DEPOSIT
INSURANCE CORPORATIONSUBCHAPTER A—PROCEDURE AND RULES OF
PRACTICEPART 308—RULES OF PRACTICE AND
PROCEDURESProcedures and Standards Applicable to
Suspensions and Prohibitions Where
Felony Charged

Correction

In FR Doc. 77-33307, appearing at page 59491 in the issue for Friday, November 18, 1977, in § 308.56 on page 59493, in paragraph (b), in the 6th and 7th lines, delete the following: "decision. Provided, however, that". In place of the deleted phrase, insert the following: "decision, but".

[8025-01]

Title 13—Business Credit and Assistance

CHAPTER I—SMALL BUSINESS
ADMINISTRATIONPART 107—SMALL BUSINESS
INVESTMENT COMPANIESStatement of General Policy Concerning
Case-by-Case Exemptions to Permit Li-
censees to Specialize in the Financing
of Small Operative Homebuilders

AGENCY: Small Business Administra-
tion.

ACTION: Statement of general policy.

SUMMARY: SBA has adopted a general policy of granting exemptions, on a case-by-case basis, from its regulation for small business investment companies (SBIC's) to permit SBIC's to specialize in the financing of operative homebuilders. This policy will encourage much-needed financing in this vital segment of the national economy.

EFFECTIVE DATE: November 28, 1977.

FOR FURTHER INFORMATION CON-
TACT:

Peter F. McNeish, Deputy Associate
Administrator for Investment, Small
Business Administration, 1441 L Street
N.W., Washington, D.C. 20416, 202-
653-6584.

SUPPLEMENTARY INFORMATION:
Under § 107.101(c)(2), investments of a non-real estate specialist Licensee in (1) small concerns classified under Major Group 15 (Building Construction), including operative builders (Industry No. 1531), of the Standard Industrial Classification Manual prepared by the Office of Management and Budget, (2) eligible real estate concerns (subdividers and developers; title abstract companies; and agents, brokers, and managers) classified as Industry Nos. 6531, 6541, and 6552 under Major Group 65 (Real Estate) and/or (3) Major Group 70 (Hotels, Rooming Houses, Camps and other Lodging Places) may not exceed one-third of its portfolio in any one such Major Group nor two-thirds for any combination. SBA has adopted a general policy of granting ex-

emptions, on a case-by-case basis, from § 107.101(c)(2) to permit such Licensees to concentrate their investments in small operative builders to an extent greater than one-third of their respective portfolios. Each exemption will be accompanied by appropriate safeguards to assure SBA-approved investment standards and practices, and full compliance with all applicable regulations.

This Notice is published in accordance with Section 3 of the Administrative Procedure Act (5 U.S.C. 552(a)(1), (D)) requiring Federal agencies to publish in the FEDERAL REGISTER for the guidance of the public " * * * statements of general policy * * * formulated and adopted by the agency." As a statement of general policy, it is exempted by 5 U.S.C. 553(b), (A), and 5 U.S.C. 553(d)(2) from public participation-comment procedure and the 30-day postponed effective date requirements of 5 U.S.C. 553(c) and (d), respectively.

STATEMENT OF GENERAL POLICY

Case-by-Case Exemptions from § 107.101(c)(2) to Permit Licensee to Invest in Small Operative Homebuilders to Extent Greater Than One-Third of its Portfolio: Section 107.101(c) of the SBIC Regulation provides that a duly licensed small business investment company (Licensee) may not, unless specifically authorized in writing by SBA, maintain more than one-third of its portfolio in eligible real estate concerns (subdividers and developers; title abstract companies; and agents, brokers, and managers) classified under Major Group 65 of the Standard Industrial Classification Manual, prepared by the Office of Management and Budget. (If expressly authorized by SBA to exceed this one-third investment limit, the Licensee may operate as a real estate specialist.) If the Licensee operates as a non-real estate specialist, its investments in small concerns classified under Major Group 15 (Building Construction), including operative builders (Industry No. 1531), Major Group 65 (Real Estate), and/or Major Group 70 (Hotels, Rooming Houses, Camps and Other Lodging Places) may not exceed one-third of its portfolio in any one such Major Group nor two-thirds for any combination (§ 107.101(c)(2)).

In order to permit Licensees to specialize in the financing of small operative homebuilders, SBA has adopted a general policy of granting exemptions from § 107.101(c)(2), on a case-by-case basis, to permit them to concentrate their investments in such concerns to an extent greater than one-third of their respective portfolios. Each exemption will provide for safeguards to assure SBA-approved investment and profit-sharing standards and practices; preservation of the portfolio concern's freedom of action as an independent enterprise; pro-rata, non-preferential profit-sharing according to the degree of risk assumed; and full compliance with other applicable SBIC regulations, including those governing conflicts of interest, maximum cost of money, and reasonable management fees. Coupled with standards de-

signed to facilitate these objectives, the case-by-case authorizations will enable SBICs to concentrate their investments in small operative homebuilders and thus encourage much-needed financing in this vital segment of the national economy.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies.)

Dated: November 8, 1977.

A. VERNON WEAVER,
Administrator.

[FR Doc.77-34074 Filed 11-25-77;8:45 am]

[4910-13]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMIN-
ISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 77-SW-41]

PART 71—DESIGNATION OF FEDERAL
AIRWAYS, AREA LOW ROUTES, CONTROLLED
AIRSPACE, AND REPORTING
POINTS

Designation of Transition Area, Edna, Tex.

AGENCY: Federal Aviation Administra-
tion (FAA), DOT.

ACTION: Final rule.

SUMMARY: This designates a transition area at Edna, Tex., to provide controlled airspace for aircraft executing the newly established NDB instrument approach procedure to Jackson County Airport.

EFFECTIVE DATE: January 26, 1978.

FOR FURTHER INFORMATION CON-
TACT:

David Gonzalez, Airspace and Proce-
dures Branch (ASW-536), Air Traffic
Division, Southwest Region, Federal
Aviation Administration, P.O. Box
1689, Fort Worth, Tex. 76101; tele-
phone 817-624-4911, extension 302.

SUPPLEMENTARY INFORMATION:

HISTORY

On September 19, 1977, a notice of proposed rulemaking was published in the FEDERAL REGISTER (42 FR 46929) stating that the Federal Aviation Administration proposed to designate the Edna, Tex., transition area. Interested persons were invited to participate in this rule-making proceeding by submitting written comments on the proposal to the Federal Aviation Administration. Four comments were received without objections. Except for editorial changes this amendment is that proposed in the notice.

THE RULE

This amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) designates the Edna, Tex., transition area. This action provides controlled airspace from 700 feet above the ground for the protection of aircraft executing instrument approach procedures to the Jackson County Airport.

DRAFTING INFORMATION

The principal authors of this docu-
ment are David Gonzalez, Airspace and

Procedures Branch, and Robert C. Nelson, Office of the Regional Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (42 FR 440) is amended, effective 0901 G.m.t., January 26, 1978, as follows.

In Subpart G, § 71.181 (42 FR 440), the following transition area is added:

EDNA, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Jackson County Airport (latitude 29°00'03" N., longitude 96°34'55" W.) and within 3.5 miles either side of the 322° bearing from the NDB extending 6.5 miles from the 5-mile radius.

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

NOTE.—The FAA has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Fort Worth, Tex., on November 16, 1977.

PAUL J. BAKER,
Acting Director, Southwest Region.

[FR Doc.77-34031 Filed 11-25-77; 8:45 am]

[4910-13]

[Airspace Docket No. 77-SW-38]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This designates a transition area at Mexia, Tex., to provide controlled airspace for aircraft executing the newly established NDB instrument approach procedure to Mexia-Limestone County Airport.

EFFECTIVE DATE: January 26, 1978.

FOR FURTHER INFORMATION CONTACT:

David Gonzalez, Airspace and Procedures Branch (ASW-536), Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Tex. 76101; telephone 817-624-4911, extension 302.

SUPPLEMENTARY INFORMATION:

HISTORY

On September 15, 1977, a notice of proposed rulemaking was published in the FEDERAL REGISTER (42 FR 46338) stating that the Federal Aviation Administration proposed to designate the Mexia, Tex., transition area. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the Federal

Aviation Administration. Four comments were received without objections. Except for editorial changes this amendment is that proposed in the notice.

THE RULE

This amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) designates the Mexia, Tex., transition area. This action provides controlled airspace from 700 feet above the ground for the protection of aircraft executing instrument approach procedures to the Mexia-Limestone County Airport.

DRAFTING INFORMATION

The principal authors of this document are David Gonzalez, Airspace and Procedures Branch, and Robert C. Nelson, Office of the Regional Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (42 FR 440) is amended, effective 0901 G.m.t., January 26, 1978, as follows:

In Subpart G, § 71.181 (42 FR 440), the following transition area is added:

MEXIA, TEX.

That airspace extending from 700 feet above the surface within a 6.5-mile radius of Mexia-Limestone County Airport (latitude 31°38'20" N., longitude 96°30'52" W.) and within 3.5 miles each side of the 155° bearing from the NDB (latitude 31°38'16" N., longitude 96°30'43" W.) extending from the 6.5 radius area to a point 12 miles southeast of the NDB.

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

NOTE.—The FAA has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Fort Worth, Tex., on November 16, 1977.

PAUL J. BAKER,
Acting Director, Southwest Region.

[FR Doc.77-34032 Filed 11-25-77; 8:45 am]

[6750-01]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

SUBCHAPTER A—ORGANIZATION, PROCEDURES AND RULES OF PRACTICE

PART 1—GENERAL PROCEDURES

Subpart B—Rules and Rulemaking Under Sec. 18(a)(1)(B) of the FTC Act as Amended by Pub. L. 93-637

TRADE REGULATION RULEMAKING PROCEDURES

AGENCY: Federal Trade Commission.

ACTION: Final rule.

SUMMARY: The rule establishing procedures for handling communications by

persons not employed by the Commission to Commissioners or members of their personal staff with respect to trade regulation rulemaking proceedings is clarified to reflect that it does not change existing provisions which allow for communications to the Commission. The rules of practice are also being amended to specifically provide for oral presentations to the Commission under certain circumstances.

EFFECTIVE DATE: November 28, 1977.

FOR FURTHER INFORMATION CONTACT:

Thomas A. Sheehan, Attorney, Office of General Counsel, Federal Trade Commission, 6th St. & Pennsylvania Ave. NW., Washington, D.C. 20580, 202-523-3990.

SUPPLEMENTARY INFORMATION:

On September 1, 1977 (at 42 FR 43973) the Commission announced final rules concerning communications from persons not employed by the Commission to Commissioners or their personal staffs with respect to the merits of pending trade regulation rulemaking proceedings. Comments on this action were invited and fourteen individuals and organizations did comment. The Commission is clarifying the rule to reflect that certain communications to the Commission which are provided for in the rules of practice have not been affected. The Commission is also amending its rules of practice to provide that persons who have previously participated in a rulemaking proceeding may have an opportunity to make oral presentations to the Commission.

DISCUSSION OF MAJOR COMMENTS

A TOTAL PROHIBITION AGAINST OUTSIDER COMMUNICATIONS IS UNJUSTIFIED

A number of comments urge that the rule be rescinded or modified, arguing that a total ban on communications between persons not employed by the Commission and Commissioners (or their staffs) is not required by law, would unnecessarily formalize rulemaking proceedings, and serves to insulate Commissioners from information and opinions of outsiders. As an alternative to a total ban, one comment suggests banning contacts only after the post-hearing comment period provided for by Rule § 1.13(h), 16 CFR 1.13(h), has ended; several comments contend that a prohibition is not needed, that all that is required is to make communications public (e.g., recommending that the Commission adopt Recommendation 77-3 of the Administrative Conference of the United States, 42 FR 54253).

While the Commission indicated that it did not believe its action to be required by law, it believes that the rule is justified by policy reasons. Unlike rulemaking governed solely by 5 U.S.C. 553, the type of rulemaking to which the ACUS recommendation addressed itself, trade regulation rulemaking under the Magnuson-Moss Warranty — Federal Trade Commission Improvements Act, 15 U.S.C. 57a is required by statute to in-

clude an oral hearing with a limited opportunity for cross-examination. The Commission believes that trade regulation rulemaking is thus one of the "limited rulemaking categories" where restrictions on communications are appropriate (see ACUS Recommendations 77-3, Paragraph No. 5).

Despite the prohibition on communications to Commissioners or their staffs, interested persons have several opportunities to comment on the proposed rule. In addition to the opportunity to present written comments and to participate in the oral hearing noted above, an opportunity is presented under Rule § 1.13(h), 16 CFR 1.13(h), to offer concluding comments on the staff and presiding officer's reports. This post-hearing comment period allows persons to summarize their recommendations and to highlight those portions of the record that are, in their opinion, most significant.

The Commission adopted its prohibition against outside communications in order to insure that its extensive comment procedures would not become irrelevant and to prevent the appearance of special access to the ultimate decision-makers. The Commission was also concerned with the problem of allowing other interested persons to comment on communications to Commissioners, which would require continually reopening the record with resulting delays in reviewing the record and deciding whether to promulgate a rule. Although a cut-off period on communications could be established (e.g., after the post-hearing comment period closes), the appearance of preferential access would remain and the drain on Commissioners' time to allow any interested persons to communicate directly with them would be significant.

COMMUNICATIONS FROM THE STAFF SHOULD ALSO BE PROHIBITED

The second major category of comments suggested that the scope of the rule be expanded to prohibit Commission staff members who have participated in the rulemaking proceeding from communicating with Commissioners or their personal staffs. The rationale for the suggested change is that allowing staff communications would give an unfair advantage to advocates of the proposed rule. The analogy given is that the rule-making staff is comparable to complaint counsel in adjudications, who are prohibited from communicating on an ex parte basis with decisionmakers.

The comparison of rulemaking with adjudication is not appropriate. The distinction in staff roles between adjudication and rulemaking has long been recognized. The APA provisions on separation of functions, 5 U.S.C. 554(d), for example, applies only to adjudicatory proceedings. Similarly, the APA prohibitions of ex parte communications by interested persons outside the agency applies only to matters required by statute to be determined on the record after opportunity for an agency hearing, 5 U.S.C. (Supp. V) section 557(d), a category which does not include Magnuson-Moss

rulemaking. While the staff in an adjudication is engaged in a prosecutorial activity, rulemaking staff are responsible for assisting the Commission in its quasi-legislative role. The rulemaking staff the responsibility of seeing that a complete record is established.

In light of the above considerations, the Commission does not believe that staff communications should be banned. Staff communications serve a positive function, by allowing Commissioners, in reviewing what are often massive records that have not been shaped by a clear-cut adversarial process, to receive assistance from those persons in the Commission who are most familiar with the record. To seek assistance from staff members who have not participated in the rulemaking proceeding, as some comments suggest, would result in a misallocation of resources by ignoring the people best-suited to aid the Commission. Accordingly, the Commission has determined not to expand the scope of the rule.

ALLOW ORAL PRESENTATIONS TO COMMISSIONERS

Several comments suggest that the Commission establish some procedure for direct access to the Commission. The Commission concurs in this suggestion. Although such an oral presentation could now be held pursuant to rule 1.14(a), the Commission is adding § 1.13(i) to its rules of practice to clarify the role of oral presentations in trade regulation rulemaking. This new rule, 16 CFR 1.13(i) provides that during Commission review of the rulemaking record, interested persons may be allowed to make oral presentations to the Commission. The rule further provides that, with respect to a specific proceeding, the Commission may determine not to allow such presentations if it believes that oral presentations would not significantly assist it in its deliberations. As the Commission wishes to experiment with different formats for oral presentations in order to determine those formats that are of most assistance in its review of the record, the rule provides that the format for oral presentations will be announced for each proceeding where such presentations will be allowed. Interested persons may request an opportunity to participate in any oral presentations at the time post-record comments pursuant to § 1.13(h) are submitted. In addition, the Commission could vote to permit oral presentations at any time.

Because of the addition of Rule § 1.13(i), Rules §§ 1.14(a) and 1.18(a), 16 CFR §§ 1.14(a) and 1.18(a), are being amended. Rule § 1.14(a) is now concerned solely with promulgation of a rule, as references to review of the rule-making record have been transferred to Rule § 1.13(i). The definition of "rule-making record" in Rule § 1.18(a) is amended to include the verbatim transcripts of any oral presentations.

DISCUSSION OF MISCELLANEOUS COMMENTS

(1) Exempt rulemaking proceedings not involving disputed facts. One comment suggests that a ban on communi-

cations is appropriate only where there are disputed issues of material fact; where there are no disputed issues of material fact communications should be allowed and made public. The proposed distinction misconceives the purposes of the rule limiting off-the-record contacts. Furthermore, the distinction is deemed by the Commission to be impractical to implement.

(2) Extend rule to prohibit communications with Presiding Officers. A few comments suggest that the Presiding Officer be insulated from staff and outsider communications because of his fact-finding role. The Presiding Officer's chief function is to preside, not to decide, and he is thus unlike an administrative law judge in an adjudication who makes an initial decision which can become final without further action. The findings of the presiding officer are prepared merely to assist the Commission in its deliberations and in that sense he is part of the rulemaking staff to whom the Commission should have unrestricted access.

(3) Adopt a rule on communications for other forms of Commission rulemaking. One comment, noting that the rule applies only to trade regulation rulemaking pursuant to Section 18 of the FTC Act, suggests that a rule making communications public also be considered with respect to other forms of Commission rulemaking (see, 16 CFR 1.21-1.26). The Commission will give further consideration to this suggestion in the near future.

DISCUSSION OF OTHER REVISION

The rule is being clarified to address one issue that was not raised in the public comments. In promulgating the rule, the Commission did not intend to prevent the Commission from deciding to allow communications with the Commission as a body, as opposed to communications with individual Commissioners. Additionally, the change was not intended to affect certain provisions of the Rules of Practice that specifically provide for communications to the Commission during a rulemaking proceeding. One example is appeals from decisions of the Presiding Officer, 16 CFR 1.13(c)(2). The rule is being changed to clarify the Commission's original intention that communications provided for by other provisions of the rules of practice are not affected and that the Commission can vote to allow oral presentations at any time.

In consideration of the foregoing, 16 CFR Chapter I is amended as follows:

1. By adding § 1.13(i) to read as follows:

§ 1.13 Rulemaking proceeding.

(i) *Commission review of the rulemaking record.* The Commission shall review the rulemaking record to determine what form of rule, if any, it should promulgate. During this review process, the Commission may allow persons who have previously participated in the proceeding to make oral presentations to the Commission, unless it determines with

respect to that proceeding that such presentations would not significantly assist it in its deliberations. Presentations shall be confined to information already in the rulemaking record. Requests to participate in an oral presentation must be received by the Commission no later than the close of the comment period under § 1.13(h). The identity of the participants and the format of such presentations will be announced thereafter.

2. By amending § 1.14(a) to read as follows:

§ 1.14 Promulgation.

(a) The Commission, after review of the rulemaking record, may issue, modify, or decline to issue any rule. Where it believes that it should have further information or additional views of interested persons, it may withhold final action pending the receipt of such additional information or views. If it determines to issue a rule, it shall adopt a Statement of Basis and Purpose to accompany the rule. If it determines not to issue a rule, it may adopt and publish an explanation for not doing so. The Statement of Basis and Purpose to accompany a rule promulgated under this subpart shall include (1) a statement as to the prevalence of the acts or practices treated by the rule, (2) a statement as to the manner and context in which such acts or practices are unfair or deceptive, (3) a statement as to the economic effect of the rule, taking into account the effect on small businesses and consumers, and (4) a statement as to the effect of the rule on state and local laws.

3. By amending § 1.18 (a) and (c) to read as follows:

§ 1.18 Rulemaking record.

(a) *Definition.* For the purposes of these rules the term "rulemaking record" includes the rule, its Statement of Basis and Purpose, the verbatim transcript of the informal hearing, written submissions, the summary and findings of the presiding officer and the staff recommendations as well as any public comment thereon, verbatim transcripts of oral presentations to the Commission, if any, and any other information which the Commission considers relevant to the rule.

(c) *Communications to Commissioners and their attorney advisors.* Except as otherwise provided in this subpart or by the Commission, after commencement of a trade regulation rule proceeding, no person not employed by the Commission shall communicate, orally or in writing, with any Commissioner or any member of a Commissioner's personal staff, with respect to the merits of that proceeding. If a prohibited communication does occur, the communication will be placed on the public record on receipt. In the case of an oral communication, the Commissioner or staff member shall place on the public record a memorandum setting forth the contents of such

communication and the circumstances thereof. Such communications or memoranda will not be part of the rulemaking record.

(15 U.S.C. 46(g)).

By direction of the Commission dated October 26, 1977. Commissioner Dole dissented in part and concurred in part and submitted a separate statement.

CAROL M. THOMAS,
Secretary.

STATEMENT OF COMMISSIONER DOLE, DISSENTING IN PART AND CONCURRING IN PART

I adhere to my view that the majority has erred in establishing a rule flatly banning all private communications by outside parties to a Commissioner on the merits of a pending trade regulation rule. As I indicated in my dissent from the original promulgation of this rule, its purpose, which I fully support, would have been served by a less rigid and formalistic rule, requiring that all written communications and summaries of oral communications of substantive significance from members of the public to a Commissioner addressed to the merits of a proposed rule be placed on the public record.

The numerous public comments received in response to the Commission's adoption of the new ex parte rule lend strong support to my view that it erects an unnecessary barrier isolating the Commission from the public in legislative-type matters. As noted by the commenters, this rule is not required by statute or by prevailing judicial precedent, and is contrary to the recommendations of the Administrative Conference of the United States. The rule is a major step toward judicializing the rulemaking process—a process whose vitality and effectiveness rest upon flexibility and informality. In short, I am afraid that the rule may sap the lifeblood out of the rulemaking process.

However, given the majority's decision, I support the promulgation of a rule providing for oral presentations before the Commission. Although the new rule allows the Commission to dispense with these presentations, I can conceive of few, if any, instances where I will wish to do so. Oral presentations are no substitute for the give and take that is only possible in an informal setting, but they will at least remove some of the isolation which the Commission has imposed upon itself.

[FR Doc.77-34101 Filed 11-25-77;8:45 am]

[4810-22]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 77-277]

PART 113—CUSTOMS BONDS

Corporations as Principals

AGENCY: United States Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This rule clarifies the Customs Regulations by providing that a corporate subsidiary which joins its parent corporation on a Customs bond as co-principal must conform to the same documentation requirements as the parent corporation. This clarification will prevent delays in obtaining bond coverage which occur when improperly completed Customs bond forms are submitted.

EFFECTIVE DATE: November 28, 1977.

FOR FURTHER INFORMATION CONTACT:

John E. Elkins, Attorney, Carriers, Drawback and Bonds Division, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229, 202-566-5856.

SUPPLEMENTARY INFORMATION:

To protect the revenue of the United States or to assure compliance with any pertinent law, regulation, or instruction, Customs bonds or other security are required by law in many instances and may be authorized by regulation in others (section 623, Tariff Act of 1930, as amended (19 U.S.C. 1623)). Part 113 of the Customs Regulations (19 CFR Part 113) contains provisions regarding Customs bonds. The requirements which must be met by a corporation to act as a principal on a Customs bond are set forth in § 113.34 of the Customs Regulations. It is a matter of common knowledge to surety companies and most of the importing community that the requirements of § 113.34 apply to each corporation which acts as a principal on a Customs bond, including a subsidiary corporation which joins its parent corporation on the bond as a co-principal. However, on occasion, bond forms are submitted to Customs that are not properly completed in conformity with the provisions of the regulations. This causes a delay in bond coverage, disrupts Customs transactions, and inconveniences members of the importing public. To avoid these problems, Customs has determined that § 113.34 should be amended to make it clear that where a corporation is joined on a bond by one or more of its subsidiary corporations as co-principals, each subsidiary corporation must comply with the requirements of that section.

Because this amendment simply clarifies and explains a requirement of the Customs Regulations, notice and public procedure thereon are found to be unnecessary and good cause exists for dispensing with the delayed effective date provisions of 5 U.S.C. 553.

DRAFTING INFORMATION

The principal author of this document was Todd J. Schneider, Attorney, Regulations and Legal Publications Division of the Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices of the Customs Service participated in developing the document, both on matters of substance and style.

AMENDMENTS TO THE REGULATIONS

Accordingly, § 113.34 of the Customs Regulations (19 CFR 113.34) is amended by adding a new paragraph (e) to read as follows:

§ 113.34 Corporations as principals.

(e) *Subsidiaries as co-principals.* The provisions of this section shall be applicable to each corporate subsidiary which joins its parent corporation on the bond as co-principal.

(R.S. 251, as amended, secs. 623, as amended, 624, 46 Stat. 759 (19 U.S.C. 66, 1623, 1624).)

G. R. DICKERSON,

Acting Commissioner of Customs.

Approved: November 15, 1977.

BETTE B. ANDERSON,

Under Secretary of the Treasury.

[FR Doc. 77-34131 Filed 11-25-77; 8:45 am]

[4110-35]

Title 42—Public Health

CHAPTER IV—HEALTH CARE FINANCING ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 446—STATE ORGANIZATION—MEDICAL ASSISTANCE PROGRAMS

PART 450—ADMINISTRATION OF MEDICAL ASSISTANCE PROGRAMS

Staffing and Training in Medical Assistance Programs

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

ACTION: Final regulations.

SUMMARY: These regulations bring together, clarify, and recodify, with few substantive changes, current policies on staffing and training, including training and use of subprofessional staff and volunteers, as they apply to the Medicaid program (Title XIX of the Social Security Act). The basis is HCFA's desire to make its regulations clearer and simpler. The purpose is to contribute to more effective operation of the Medicaid programs.

EFFECTIVE DATE: These regulations are effective on February 27, 1978.

FOR FURTHER INFORMATION CONTACT:

Margaret Schnoor, area code 202-245-1960.

SUPPLEMENTARY INFORMATION: The content of these regulations is derived from three sources:

1. 45 CFR 205.202, Staff development.
2. 45 CFR Part 225—Training and Use of Subprofessional and Volunteers.
3. 42 CFR 450.120, Staffing for administration of the medical assistance programs, Federal financial participation.

The third is a Medicaid regulation. The other two are regulations applicable to Medicaid and other programs previously administered by the Social and Rehabilitation Service (SRS).

A proposed revision of 45 CFR 205.202 and an NOI requesting public comment on whether to issue a single integrated training regulation or 3 separate regulations for financial assistance, medical assistance, and social services, were published on January 11, 1977 (42 FR 2440). Because there are differences in the laws which authorize the three programs and in the programs themselves, not all of the changes proposed on January 11, 1977, nor all of the comments received were pertinent to training for Medicaid. For instance, title XIX does not authorize grants to educational institutions.

The proposed changes and comments that were pertinent to Medicaid are discussed below:

1. Elimination of the State plan requirement to have a training program. Nine respondents objected to the elimination and none supported it. The requirement is retained.
2. Deletion of the requirement to include paid educational leave in the training program.

No comments received on this. Accordingly, the requirement is deleted for subprofessional, as well as professional staff, and the matter left to State option.

3. Definitions. The definitions of "orientation" and "part-time training" were considered confusing. It was requested that definitions of "subprofessional staff" and "volunteers" be added.

The first definition is no longer needed because policy was changed in response to other comments. The second has been clarified, and the last two added.

4. Provide 75 percent Federal financial participation for all Medicaid training.

The matching rates for specified classes of positions are established by statute and cannot be changed.

Regarding the overall structure of regulations, responses were divided, with 21 preferring the integrated approach and 8 recommending separate regulations. The reorganization order of March 9, 1977 (42 FR 13262) which abolished SRS and transferred the three programs to three different HEW agencies has made integrated regulations impractical. It is now necessary to develop, for each program, a separate version of the existing joint regulations.

This regulation accomplishes that purpose for those aspects of 45 CFR Part 225 and § 205.202 that are applicable to Medicaid. It incorporates those policies with the related policies of § 450.120.

The Department finds that there is good cause to waive notice of proposed rulemaking because:

1. No substantive changes are made to current policies in § 450.120;
2. Opportunity for public comment on changes in 45 CFR 205.202 was provided and all pertinent comments were considered; and
3. The minor change in the content derived from 45 CFR Part 225 (deletion of the requirement for paid educational leave) is necessary for conformance with the deletion in the § 205.202 content.

42 CFR Chapter IV is amended as set forth below:

1. Part 446 is amended by adding new §§ 446.150, 446.151, 446.165, 446.166, 446.170, 446.175, 446.180, and 446.185, and by providing Subpart titles. As amended, Part 446 reads as follows:

Subpart A—Advisory Bodies

Sec.

446.10 State medical advisory committees.

Subpart B—Personnel Administration

446.150 Scope.

446.151 Definitions.

446.160 Standards of personnel administration.

446.165 Training and use of subprofessional staff: State plan requirements.

446.166 Training and use of volunteers: State plan requirements.

446.170 Training Program: State plan requirements.

446.175 Federal financial participation: Staff and training costs.

446.180 Training and other administrative costs: Reporting requirements.

446.185 Sources of State share and cost allocation.

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personnel in the field of medical care.

(g) *Staff of other public agencies* means skilled professional medical personnel and supporting staff (as defined in paragraphs (f) and (k) of this section), who are employed in State or local agencies other than the title XIX agency, whose duties are directly related to the administration of the medical assistance program and are specified in a written agreement with the State agency.

(h) *State agency* means the single State agency for title XIX.

(i) *State plan or the plan* means the State's plan approved under title XIX of the Social Security Act.

(j) *Subprofessional staff* means persons performing tasks that demand little or no formal education; a high school diploma; or less than four years of college.

(k) *Supporting staff* means secretarial, stenographic, clerical, and other subprofessional staff whose activities are directly necessary to the carrying out of the functions which are the responsibility of skilled professional medical personnel, as defined in paragraph (f) of this section.

(l) *Training program* means a program of educational activities based on the agency's training needs and aimed at insuring that agency staff acquire the knowledge and skills necessary to perform their jobs.

(m) *Volunteer* means a person who contributes personal service to the community through the agency's program but is not a replacement or substitute for paid staff.

§ 446.160 Standards of personnel administration.

* * * * *

§ 446.165 Training and use of subprofessional staff: State plan requirements.

(a) *Basic requirement.* The plan shall provide for the training and effective use of subprofessional staff as community service aides and meet all requirements of paragraph (b) through (g) of this section.

(b) *Recruitment and selection.* The plan shall provide for methods of recruitment and selection that afford opportunity for full-time or part-time employment of persons of low income, including:

- (1) Young, middle-aged, and older persons;
- (2) Physically and mentally disabled; and
- (3) Recipients of medical assistance.

(c) *Merit system.* The plan shall provide that positions for subprofessionals are subject to merit system requirements except where special exemption is approved on the basis of a State alternative plan for employment of disadvantaged persons.

(d) *Staffing plan.* The plan shall provide for an agency staffing plan that includes the kinds of jobs that subprofessional staff can perform.

(e) *Career service.* The plan shall provide for a career service program that allows persons:

- (1) To enter employment at the subprofessional level; and
- (2) To progress to positions of increasing responsibility and reward:
 - (i) In accordance with their abilities; and
 - (ii) Through work-experience, pre-service and in-service training, and educational leave with pay.

(f) *Training, supervision and supportive services.* The plan shall provide for an organized training program, supervision, and supportive services for subprofessional staff.

(g) *Progressive expansion.* The plan shall provide for annual increase in the number of subprofessional staff until:

- (1) An appropriate ratio of subprofessional and professional staff has been achieved; and
- (2) There is maximum use of subprofessional staff as community aides in the operation of the program.

§ 446.166 Training and use of volunteers: State plan requirements.

(a) *Basic requirement.* The plan shall provide for the training and use of non-paid or partially-paid volunteers and meet all requirements of paragraphs (b) through (f) of this section.

(b) *Functions of volunteers.* The plan shall provide for the use of volunteers in:

- (1) Providing services to applicants for, and recipients of, medical assistance; and
- (2) Assisting any advisory committees established by the State agency.

As used in this paragraph, "partially paid volunteers" means volunteers who are reimbursed only for actual expenses incurred in giving service, without regard to the value of the service or the time required to provide it.

(c) *Staffing.* The plan shall provide for a position whose incumbent is responsible for:

- (1) The development, organization, and administration of the volunteer program; and
- (2) Coordination of the program with related functions.

(d) *Recruitment, selection, training, and supervision.* The plan shall provide for:

- (1) Methods of recruitment and selection that assure participation of volunteers of all income levels, in planning capacities and service provisions; and
- (2) A program of organized training and supervision of volunteers.

(e) *Reimbursement of expenses.* The plan shall provide for:

- (1) Reimbursing volunteers for actual expenses incurred in providing services; and
- (2) Assuring that no individual is deprived of the opportunity to serve because of the expenses involved.

(f) *Progressive expansion.* The plan shall provide for annual increase in the number of volunteers used until the volunteer program is adequate for the

achievement of the agency's service goals.

§ 446.170 Training program: State plan requirements.

(a) The plan shall provide for a program of training for State agency personnel. (See also §§ 446.145 and 446.166 for training programs for subprofessional staff and for volunteers.)

(b) The plan shall provide that the training program will include initial in-service training opportunities to improve the operation of the program.

(c) The plan shall provide that the training program will be related to job duties performed or to be performed by the persons trained, and consistent with the program objectives of the agency.

§ 446.175 Federal financial participation: Staff and training costs.

(a) *Availability of FFP.* FFP is available for salary or other compensation, fringe benefits, travel, per diem, and training, at rates determined on the basis of the individual's position, as specified in paragraph (b) of this section.

(b) *Rates of FFP.* (1) For skilled professional medical personnel and supporting staff of the State agency or of other public agencies (as defined in § 446.151), the rate is 75 percent.

(2) For personnel engaged directly in the operation of mechanized claims processing and information retrieval systems, the rate is 75 percent.

(3) For personnel engaged in the design, development, or installation of mechanized claims processing and information retrieval systems, the rate is 50 percent for training and 90 percent for all other costs specified in paragraph (a) of this section.

(4) For personnel of the State licensing agency who are responsible for inspections of skilled nursing or intermediate care facilities, the rate is 100 percent through September 30, 1980.

(i) If a work plan and budget plan relative to this personnel have been approved by the Department's regional office, and

(ii) Only for those expenditures that are not attributable to the overall cost of meeting the State licensing agency's responsibilities under State law and regulations, but are necessary and proper for carrying out the inspections required under title XIX and the pertinent regulations of this chapter.

(5) For personnel administering family planning services and supplies, the rate is 90 percent.

(6) For all other staff of the State agency or other public agencies providing services to the State agency, and for training and other expenses of volunteers, the rate is 50 percent.

(c) *Specific limitations.* (1) Rates of FFP in excess of 50 percent are applicable only to those portions of the individual's working time that are devoted to the kinds of positions or duties that qualify for those rates.

(2) The special matching rates for persons working on mechanized claims

processing and information retrieval systems (paragraph (b) (2) and (3) of this section) are applicable only if the design, development and installation, or the operation, have been approved by the Administrator in accordance with § 450.90 of this chapter.

§ 446.180 Training and other administrative costs: Reporting requirements.

(a) *Activities and costs to be reported as training expenditures.* (1) For full-time training (with no assigned agency duties): Salaries, fringe benefits, dependency allowances, travel, tuition, books, and educational supplies.

(2) For part-time training: Travel, per diem, books and educational supplies.

(3) For State and local agency staff development personnel (including supporting staff) assigned fulltime training functions: Salaries, fringe benefits, travel, and per diem. Costs for staff spending less than full time on training for the title XIX program must be allocated between training and administration in accordance with 45 CFR 205.150.

(4) For experts engaged to develop or conduct special programs: Salary, fringe benefits, travel, and per diem.

(5) For State agency training activities directly related to the program: Use of space, postage, teaching supplies, and purchase or development of teaching materials and equipment, for example, books and audiovisual aids.

(6) For field instruction in medical assistance: Instructors' salaries and fringe benefits, rental of space, travel, clerical assistance, teaching materials and equipment such as books and audiovisual aids.

(b) *Activities and costs not to be reported as training expenditures.* The following activities are to be reported as administrative costs:

(1) Salaries of supervisors (day-to-day supervision of staff is not a training activity); and

(2) Cost of employing students on a temporary basis, for instance, during summer vacation.

§ 446.185 Sources of State share and cost allocation.

(a) *Public funds as the State's share.* (1) Public funds may be considered as the State's share in claiming Federal reimbursement if they meet the conditions specified in paragraph (a) (1) and (3) of this section.

(2) The public funds are appropriated directly to the State or local agency, or transferred from other public agencies (including Indian tribes) to the State or local agency and under its administrative control, or certified by the contributing public agency as representing expenditures eligible for FFP under this section.

(3) The public funds are not Federal funds, or are Federal funds authorized by Federal law to be used to match other Federal funds.

(b) *Private donated funds as the State's share.* (1) Funds donated from private sources may be considered as the State's share in claiming Federal reimbursement only if they meet the con-

ditions specified in paragraph (b) (2) through (4) of this section.

(2) The private funds are transferred to the State or local agency and are under its administrative control.

(3) The private funds are donated without any restriction which would require their use for the training of particular individuals or at particular facilities or institutions.

(4) The private funds do not revert to the donor's facility or use unless the donor is a non-profit organization, and the State agency, of its own volition, decides to use the donor's facility.

(c) *Cost allocation.* Costs of training are chargeable to title XIX only to the extent that the training benefits that title. If the training benefits both Federally funded programs and other programs financed solely with State or local funds, the training costs must be allocated among programs as specified in 45 CFR Part 74, Appendix C and 45 CFR § 205.150.

Subpart B and § 450.120 [Deleted]

4. Part 450 is amended by vacating Subpart B and § 450.120.

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

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

NOTE.—The Health Care Financing Administration has determined that this document does not require preparation of an Economic Impact Statement under Executive Order 11821 as amended by Executive Order 11949, and OMB Circular A-107.

Dated: September 4, 1977.

ROBERT A. DERZON,
Administrator, Health
Care Financing Administration.

Approved: November 7, 1977.

JOSEPH A. CALIFANO, Jr.,
Secretary.

[FR Doc.77-34126 Filed 11-25-77;8:45 am]

[4110-35]

Title 45—Public Welfare

CHAPTER II—SOCIAL AND REHABILITATION SERVICE (ASSISTANCE PROGRAMS), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 205—GENERAL ADMINISTRATION—PUBLIC ASSISTANCE PROGRAMS

PART 225—TRAINING AND USE OF SUBPROFESSIONALS AND VOLUNTEERS

Training for Medicaid

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

ACTION: Final rule.

SUMMARY: This rule revises § 205.202 and Part 225 to make them inapplicable to the Medicaid programs under title XIX of the Social Security Act. The pertinent content has been transferred to 42 CFR Part 446 in regulations published today at 42 FR 60564. Since these are merely technical conforming amendments, the Department finds that

there is good cause to waive public notice and opportunity for comment.

EFFECTIVE: These amendments shall be effective February 27, 1978.

FOR FURTHER INFORMATION CONTACT:

Margaret O. Schnoor, Medicaid Bureau, room 4094-MES, 330 C Street SW., Washington, D.C. 20201, 202-245-1960 or 245-7433.

45 CFR Chapter II is amended as set forth below:

1. Section 205.202 is amended to make it inapplicable to medical assistance programs under title XIX of the Social Security Act, by deleting all references to that title, as follows: In paragraph (a), "or" is inserted before "XVI" in line 2, and "or XIX" is deleted in line 3. In paragraph (b), subparagraph (4) is revoked.

2. Part 225 is amended to make it inapplicable to medical assistance programs under title XIX of the Social Security Act, by deleting all references to that title, as follows: In § 225.2 "or MA" is deleted from line 2 and "XIX" is deleted from line 3; "or" is inserted before "AABD". In § 225.2(a) (1), "or XIX" is deleted from line 10; "or" inserted before "XVI" in line 9. In § 225.3, "and XIX" is deleted from line 3; "and" is inserted before "XVI".

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

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

NOTE.—The Health Care Financing Administration has determined that this document does not require preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Dated: November 11, 1977.

ROBERT A. DERZON,
Administrator, Health Care
Financing Administration.

Approved: November 7, 1977.

JOSEPH A. CALIFANO, Jr.,
Secretary.

[FR Doc.77-34127 Filed 11-25-77;8:45 am]

[3510-03]

Title 46—Shipping

CHAPTER II—MARITIME ADMINISTRATION, DEPARTMENT OF COMMERCE

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

PART 222—STATEMENTS, REPORTS, AND AGREEMENTS REQUIRED TO BE FILED

Amendment of Containerized Cargo Reporting Requirement

AGENCY: Maritime Administration, Department of Commerce.

ACTION: Final rule.

SUMMARY: This amendment changes the criteria for determining under what circumstances an operator of a vessel in the foreign commerce of the United

States is required to file a report regarding the carriage of certain containerized cargo. The amendment simplifies the reporting criteria and raises the minimum cutoff level for submitting a report from 10 to 25 containers carried during any one voyage.

EFFECTIVE DATE: January 1, 1978.

FOR FURTHER INFORMATION CONTACT:

Stephen Orosz, Director, Office of Trade Studies and Statistics, Maritime Administration, Washington, D.C. 20230, telephone: 202-377-4758.

SUPPLEMENTARY INFORMATION: Operators of certain vessels engaged in the waterborne foreign trade of the United States are required by 46 CFR 222.2(a) to file various reports regarding their voyages. Pursuant to paragraph (a) (2) of § 222.2, operators of the subject vessels which carry certain containerized cargoes are required to file with the Maritime Administration Form MA-578A if they carry on any one voyage 10 or more containers of certain specified sizes. This amendment raises, from 10 to 25 containers, the minimum cutoff point for determining whether a report must be submitted. In addition, the amendment simplifies the size specifications of the containers subject to the reporting requirement.

Form MA-578A, the Supplemental Unitized Cargo Container Report, constitutes the sole source for data concerning the movement of waterborne containerized cargo. The information obtained from these reports is used by the Maritime Administration to assist in determining essentiality of services and as evidence for and part of the factual basis of decisions in formal hearings conducted by the Maritime Subsidy Board or its delegates in connection with the award of long-range subsidy contracts. In addition, container data are requested frequently by shipping companies, U.S. port authorities, investment banks, government agencies, and others for use in forecasting trends, in planning for port development, and as criteria for financial investment.

This amendment has been reviewed in accordance with Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107 and has been determined to have no inflationary impact.

Accordingly, 46 CFR Part 222 is amended by revising the section heading and paragraph (a) (2) of § 222.2 to read as follows:

§ 222.2 Forms of vessel utilization and performance reports required.

(a) * * *

(2) In addition, and subject to the same qualifying and filing requirements set forth above, an accurate report on Form MA-578A, Container/Trailer Report—Foreign Trade, shall be filed by such operator when, on any one voyage, a vessel carried 25 or more 8x8x20 foot containers or trailers, or the equivalent thereof in TEU's.

(Sec. 204(b), Merchant Marine Act, 1936, as amended (46 USC 1114); sec. 212(A), Merchant Marine Act, 1936, as amended (46 USC 1122a); Reorganization Plans No. 21 of 1950 (64 Stat. 1273) and No. 7 of 1961 (75 Stat. 840) as amended by Pub. L. 91-469 (84 Stat. 1036); Department of Commerce Organization Order 10-8 (38 FR 19707, July 23, 1975).)

Dated: November 21, 1977.

By order of the Assistant Secretary of Commerce for Maritime Affairs.

JAMES S. DAWSON, JR.,
Secretary, Maritime Administration.
[FR Doc.77-34020 Filed 11-25-77; 8:45 am]

[6712-01]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 21363; RM-2891]

PART 73—RADIO BROADCAST SERVICES

FM Broadcast Station in Columbia, La.; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Report and order.

SUMMARY: Action taken herein assigns a first Class A FM channel to Columbia, Louisiana. The station will provide a first full-time local aural broadcast service to the community.

EFFECTIVE DATE: January 3, 1978.

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

FOR FURTHER INFORMATION CONTACT:

Mildred B. Nesterak, Broadcast Bureau, 202-632-7792.

SUPPLEMENTARY INFORMATION:

REPORT AND ORDER—PROCEEDING TERMINATED

Adopted: November 17, 1977.

Released: November 22, 1977.

In the matter of amendment of § 73.202(b), Table of Assignments, FM

Broadcast Stations. (Columbia, La.), Docket No. 21363, RM-2891.

1. The Commission has under consideration the *Notice of Proposed Rule Making*, adopted August 16, 1977, 42 FR 42700, proposing the assignment of Channel 276A to Columbia, La., as a first FM assignment. The *Notice* was issued in response to a petition filed by KCTO Broadcasting Co. ("petitioner"), licensee of daytime-only AM Station KCTO, Columbia, La. Petitioner reiterated its intention to apply for a station if the channel is assigned and to build a station if authority is granted. No oppositions to the petition were filed.

2. Columbia (pop. 1,000), seat of Caldwell Parish (pop. 9,354)¹, is located approximately 47 kilometers (29 miles) south of Monroe, La.

3. In support of its proposal, petitioner submitted information with respect to Columbia's need for a first full-time local aural broadcast service.

4. Upon careful consideration of the proposal herein, the Commission believes it would be in the public interest to assign Channel 276A to Columbia, La. A demand has been shown for its use and it would provide the community with a needed first full-time local aural broadcast service. It can be made without affecting any existing assignment and would be consistent with the applicable minimum spacing requirements, if the transmitter site is located 8.8 kilometers (5.5 miles) west of the community. Operating from such a site the station should be able to provide the requisite principal city coverage to Columbia.

5. Authority for the adoption of the amendment contained herein appears 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 of the Commission's rules.

6. In view of the foregoing: *It is ordered*, That effective January 3, 1978, § 73.202(b) of the Commission's rules, the FM Table of Assignments, as regards Columbia, Louisiana, is amended to read as follows:

City: Columbia, La.----- Channel No. 276A

7. *It is further ordered*, That this proceeding is terminated.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082; (47 U.S.C. 154, 155, 303).)

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.77-34134 Filed 11-25-77; 8:45 am]

¹ Population figures are taken from the 1970 U.S. Census.

proposed rules

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.

[3410-02]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 907]

NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Proposed Size Regulation

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This notice invites written comments on a proposed regulation which would require fresh California-Arizona navel oranges shipped to market from Districts 1 and 3 to be at least 2.32 inches in diameter for the period December 30, 1977, through July 13, 1978. This proposed requirement is designed to promote orderly marketing to the interest of producers and consumers.

DATES: Comments must be received on or before December 13, 1977. Proposed effective dates: December 30, 1977, through July 13, 1978.

ADDRESSES: Send two copies of comments to the Hearing Clerk, U.S. Department of Agriculture, room 1077, South Building, Washington, D.C. 20250, where they will be available for public inspection during business hours (7 CFR 1.27(b)).

FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, 202-447-3545.

SUPPLEMENTARY INFORMATION: The proposal under consideration was submitted by the Navel Orange Administrative Committee, established under Marketing Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer its terms and provisions. The proposal reads as follows:

§ 907.221 Navel Orange Regulation 221.

(a) During the period December 30, 1977, through July 13, 1978, no handler shall handle any navel oranges grown in District 1 or District 3 which are of a size smaller than 2.32 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit: *Provided*, That not to exceed 5 percent, by count, of the navel

oranges contained in any type of container may measure smaller than 2.32 inches in diameter.

(b) As used in this section, "handler", "handle", "District 1", and "District 3", mean the same as defined in the marketing order.

Dated: November 22, 1977.

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

[FR Doc.77-34096 Filed 11-25-77;8:45 am]

[3410-02]

[7 CFR Part 987]

DOMESTIC DATES PRODUCED OR PACKED IN RIVERSIDE COUNTY, CALIF.

Proposed Marketing Percentages for the 1977-78 Crop Year

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This action proposes that no volume regulation be established for the 1977-78 crop year for the four varieties of dates—Deglet Noor, Zahidi, Khadrawy, and Halawy—regulated under the marketing program for California dates. The anticipated demand in all outlets and carryover needs are expected to exceed the marketable content of the 1977-78 crops for these varieties. Handlers would be free to market these dates in domestic and export markets, subject to quality requirements effective during the season.

DATES: Comments must be received on or before December 16, 1977. Proposed effective dates: October 1, 1977, through September 30, 1978.

ADDRESSES: Send two copies of comments to the Hearing Clerk, U.S. Department of Agriculture, room 1077, South Building, Washington, D.C. 20250, where

they will be available for public inspection during business hours (7 CFR 1.27(b)).

FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, 202-447-6393.

SUPPLEMENTARY INFORMATION:

The proposal pertains to the establishment of free and restricted percentages and withholding factors of 100 percent, 0 percent, and 0 percent, respectively, for marketable Deglet Noor, Zahidi, Halawy, and Khadrawy dates. The crop year began October 1, 1977. The proposed percentages and withholding factors would be established in accordance with the provisions of the marketing agreement, as amended, and Order No. 987, as amended (7 CFR Part 987). The amended marketing agreement and order regulate the handling of domestic dates produced or packed in Riverside County, Calif., and are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The free percentages, restricted percentages, and withholding factors are pursuant to §§ 987.44 and 987.45. These percentages and factors are based on the California Date Administrative Committee's estimates for the current crop year of supply and trade demand adjusted for handler carryover and other available information. Trade demand means the aggregate quantity of whole or pitted dates which the trade will acquire from all handlers during the crop year for distribution in the continental United States, Canada, and such other countries as the Committee finds will acquire dates and prices reasonably comparable with prices received in the continental United States.

In determining the percentages for each of the four varieties, the Committee considered the following data, estimates and information for the crop year beginning October 1, 1977:

	Deglet Noor (1,000)	Zahidi (1,000)	Halawy (1,000)	Khadrawy (1,000)
1. Production of marketable dates (1977-78 crop).....	38,961	2,133	211	568
2. Plus: Noncertified handler carryover as of Sept. 30, 1977, of marketable dates.....	1,794	39	7	49
3. Total marketable supply.....	40,755	2,172	218	617
4. Trade demand for free whole and pitted dates.....	15,400	1,290	135	222
5. Plus: Desirable handler carryover as of Sept. 30, 1978, to assure date supplies for early demand.....	4,300	270	50	50
6. Less: Certified handler carryover as of Sept. 30, 1977, of free dates.....	566	36	0	6
7. Adjusted trade demand.....	19,134	1,524	185	266

It is estimated that the amounts in excess of adjusted trade demands for these four varieties will be utilized in products and/or export markets. Hence, no volume regulation is proposed. The proposal is as follows:

§ 987.225 Free and restricted percentages and withholding factors.

The various free percentages, restricted percentages, and withholding factors applicable to marketable date, of each variety shall be, for the crop year beginning October 1, 1977, and ending September 30, 1978, as follows: (a) Deglett Noor variety dates: Free percentage, 100 percent; restricted percentage, 0 percent; and withholding factor, 0 percent; (b) Zahidi variety dates: Free percentage, 100 percent; restricted percentage, 0 percent; and withholding factor, 0 percent; (c) Halawy variety dates: Free percentage, 100 percent; restricted percentage, 0 percent; and withholding factor, 0 percent; (d) Khadrawy variety dates: Free percentage, 100 percent; restricted percentage, 0 percent; and withholding factor, 0 percent.

Dated: November 22, 1977.

D. S. KURYLOSKI,
Acting Deputy Director,
Fruit and Vegetable Division.

[FR Doc.77-34135 Filed 11-15-77;8:45 am]

[4910-13]

**DEPARTMENT OF
TRANSPORTATION**

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 77-RM-8]

CONTROL ZONE

Proposed Alteration

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to alter the Alamosa, Colorado Control Zone. Portions of the Alamosa Control Zone are based on a non-directional beacon owned by Frontier Air Lines which has been decommissioned.

DATES: Comments must be received on or before December 27, 1977.

ADDRESSES: Send comments on the proposal to: Chief, Air Traffic Division, Attn: ARM-500, Federal Aviation Administration, 10455 East 25th Avenue, Aurora, Colo. 80010.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 10455 East 25th Avenue, Aurora, Colo. 80010.

FOR FURTHER INFORMATION CONTACT:

Joseph Taber, Airspace Specialist, Operations, Procedures and Airspace Branch (ARM-537), Air Traffic Division, Federal Aviation Administration,

Rocky Mountain Region, 10455 East 25th Avenue, Aurora, Colo. 80010; telephone: 303-837-3937.

SUPPLEMENTARY INFORMATION:

COMMENTS INVITED

Interested persons may participate in the proposed rulemaking by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Federal Aviation Administration, 10455 East 25th Avenue, Aurora, Colo. 80010. All communications received will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

AVAILABILITY OF NPRM

Any person may obtain a copy of this Notice of proposed rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue SW., Washington, D.C. 20591, or by calling 202-426-8058. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

THE PROPOSAL

The Federal Aviation Administration is considering an amendment to Subpart F of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by altering the control zone at Alamosa, Colorado. The present control zone has two extensions based on a privately owned non-directional beacon, owned by Frontier Airlines, which has recently been decommissioned. The extensions were necessary to contain a special use non-directional instrument approach to the Alamosa Airport which was cancelled when the non-directional beacon was decommissioned. Accordingly, the Federal Aviation Administration proposes to amend Subpart F of the Federal Aviation Regulations (14 CFR Part 71) as follows:

By amending § 71.171 to alter the following control zone:

ALAMOSA, COLO.

Within a 5-mile radius of Alamosa Municipal Airport (latitude 37°26'15" N longitude 105°51'40" W) within 3.5 miles each side of the Alamosa VORTAC 127° and 335° radials extending from the 5-mile radius zone to 11.5 miles southeast of the VORTAC. This control zone is effective during the specific dates and time established in ad-

vance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

DRAFTING INFORMATION

The principal authors of this document are Joseph T. Taber, Air Traffic Division, and Daniel J. Peterson, Office of the Regional Counsel, Rocky Mountain Region.

This amendment is proposed under authority of section 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring the preparation of an Economic Impact Statement under Executive Order 11821 and OMB Circular A-107.

Issued in Aurora, Colo., on November 18, 1977.

M. M. MARTIN,
Director, Rocky Mountain Region.

[FR Doc.77-34034 Filed 11-25-77;8:45 am]

[4910-13]

[14 CFR Part 71]

[Airspace Docket No. 77-WE-20]

TRANSITION AREA, VICTORVILLE, CALIF.

Proposed Alteration

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: This notice proposes to alter the Victorville, Calif. 700 foot transition area. This change is necessary in order to provide additional controlled airspace for radar vector services for George Air Force Base, (AFB).

DATES: Comments must be received on or before December 29, 1977.

ADDRESSES: Send comments on the proposal in triplicate to: Federal Aviation Administration, Chief, Airspace and Procedures Branch, AWE-530, 15000 Aviation Boulevard, Lawndale, Calif. 90261.

The official docket may be examined at the following location: Office of the Regional Counsel, Western Region, AWE-7, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, Calif. 90261.

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

FOR FURTHER INFORMATION CONTACT:

Thomas W. Binczak, Airspace and Procedures Branch, Air Traffic Division, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, Calif. 90261, telephone: 213-536-6182.

PROPOSED RULES

SUPPLEMENTARY INFORMATION:

COMMENTS INVITED

Interested persons may participate in the proposed rulemaking by submitting such written data, views, or arguments as they may desire. Communications should identify the Airspace Docket Number and be submitted in triplicate to the Chief, Airspace and Procedures Branch, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, Calif. 90261. All communications received on or before December 29, 1977, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received. All comments received will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons.

AVAILABILITY OF NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to Federal Aviation Administration, Chief, Airspace and Procedures Branch, AWE-530, 15000 Aviation Boulevard, Lawndale, Calif. 90261, or by calling 213-536-6180. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

THE PROPOSAL

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the 700 foot transition area at Victorville, Calif. The present 700 foot transition area was found to be inadequate to provide controlled airspace for radar vector procedures north, south and west of George Air Force Base. We, therefore, propose to add the following additional 700 foot transition area; that airspace within 3.5 miles east and 14.5 miles west of the 005° and 185° radials George AFB TACAN extending from the 12 mile radius area to 20.5 miles north and south of the TACAN.

DRAFTING INFORMATION

The principal authors of this document are Thomas W. Binczak, Air Traffic Division and DeWitte T. Lawson, Jr., Esquire, Regional Counsel, Western Region.

THE PROPOSED AMENDMENT

Accordingly, the Federal Aviation Administration proposes to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

§ 71.181 [Amended]

VICTORVILLE, CALIF.

Delete the period following "117°22' 55" W.)" and add the following "and within 3.5 miles east and 14.5 miles west of 005° and 185° radials George AFB TACAN (latitude 34°35'40.5" N, longitude 117°23'20.5" W.) extending from

the 12 mile radius area to 20.5 miles north and south of the TACAN."

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Los Angeles, Calif. on November 17, 1977.

ROBERT H. STANTON,
Director, Western Region.

[FR Doc. 77-34036 Filed 11-25-77; 8:45 am]

[4910-13]

[14 CFR Part 71]

[Airspace Docket No. 77-SW-63]

TRANSITION AREA

Proposed Designation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed rulemaking.

SUMMARY: This notice proposes to designate a transition area at Waring, Tex., to provide controlled airspace for aircraft executing a proposed RNAV instrument approach procedure to the Rust Airport, using the San Antonio VORTAC. Coincident with this action, the airport will be changed from VFR to IFR.

DATES: Comments must be received by December 28, 1977.

ADDRESSES: Send comments on the proposal to: Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Tex. 76101.

The official docket may be examined at the following location: Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Tex. 76106.

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

FOR FURTHER INFORMATION CONTACT:

John A. Jarrell, Airspace and Procedures Branch (ASW-535), Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Tex. 76101; telephone: 817-624-4911, extension 302.

SUPPLEMENTARY INFORMATION: Subpart G § 71.181 (42 FR 440) of FAR Part 71 contains the description of transition areas designated to provide controlled airspace for the benefit of

aircraft conducting IFR activity. Designation of the transition area at Waring, Tex., will necessitate an amendment to this subpart.

COMMENTS INVITED

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Tex. 76101. All communications received on or before December 28, 1977, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

AVAILABILITY OF NPRM

Any person may obtain a copy of this notice of proposed rule making (NPRM) by submitting a request to the Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Tex. 76101, or by calling 817-624-4911, extension 302. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should contact the office listed above.

THE PROPOSAL

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to designate a transition area at Waring, Tex. The FAA believes this action will enhance IFR operations at the Rust Airport by providing controlled airspace for aircraft executing a proposed RNAV instrument approach procedure using the San Antonio VORTAC. Subpart G of Part 71 was republished in the FEDERAL REGISTER on January 3, 1977 (42 FR 440).

DRAFTING INFORMATION

The principal authors of this document are John A. Jarrell, Airspace and Procedures Branch, and Robert C. Nelson, Office of the Regional Counsel.

THE PROPOSED AMENDMENT

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (42 FR 440) by adding the Waring, Tex., transition area as follows:

WARING, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Rust Airport (latitude 29°57'25" N., longitude 98°47'25" W.) and within 2.5 miles either side of the 180° bearing from the runway 35 reference point, (latitude 29°57'14" N., longitude 98°47'25" W.) extending 3 miles from the 5-mile radius, excluding that portion which overlies the San Antonio, Tex., transition area.

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

NOTE.—The FAA has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Fort Worth, Tex., on November 16, 1977.

PAUL J. BAKER,
Director, Southwest Region.

[FR Doc.77-34033 Filed 11-25-77;8:45 am]

[1505-01]

[14 CFR Parts 71 and 73]

[Airspace Docket No. 77-SO-43]

RESTRICTED AREAS AND CONTINENTAL CONTROL AREA

**Proposed Restriction
Correction**

In FR Doc. 77-32849, appearing at page 58957, in the issue for Monday, November 14, 1977, make the following corrections:

(1) On page 58957, in the third column, in the first full paragraph which begins in that column delete the 9th line and insert in its place: "as continental control area by including".

(2) On page 58958, in the first column, under "e. R-2901E Avon Park, Fla.," in the second line of the boundaries, "Long. 80°25'20"" should be changed to "Long. 81°25'20"".

(3) Also on page 58958, in the first column, under "FR-2901F Avon Park, Fla.," in the fourth line of the boundaries, ". . . Lat. 27°24'25" . . ." should be changed to ". . . Lat. 27°24'45" . . .".

[4810-22]

DEPARTMENT OF THE TREASURY

Customs Service

[19 CFR Part 101]

PROPOSED CHANGE IN THE FIELD ORGANIZATION OF THE CUSTOMS SERVICE

AGENCY: United States Customs Service, Department of the Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document proposes to change the field organization of the Customs Service by extending the port limits of the Customs port of entry at Bar Harbor, Maine. The proposed change is part of Customs continuing program to obtain more efficient use of its personnel, facilities, and resources, and to

provide better service to carriers, importers, and the public.

DATES: Comments must be received on or before December 28, 1977.

ADDRESS: Comments should be addressed to the Commissioner of Customs, Attention: Regulations and Legal Publications Division, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229.

FOR FURTHER INFORMATION CONTACT:

Robert Schenarts, Operations Officer, Inspection and Control Division, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229, 202-566-8151.

SUPPLEMENTARY INFORMATION: As part of a continuing program to obtain more efficient use of its personnel, facilities, and resources, and to provide better service to carriers, importers, and the public, the Customs Service proposes to extend the port limits of the Customs port of entry at Bar Harbor, Maine, in the Portland, Maine, district (Region I) to include the township of Trenton, Maine. As extended, the port limits of Bar Harbor, Maine, will include Mt. Desert Island, the City of Ellsworth, and the townships of Hancock, Sullivan, Sorrento, Gouldsboro, Winter Harbor, and Trenton, all in the State of Maine.

COMMENTS

Before adopting this proposal, consideration will be given to any written comments that are submitted to the Commissioner of Customs. Comments submitted will be available for public inspection in accordance with section 103.8(b) of the Customs Regulations (19 CFR 103.8(b)) during regular business hours at the Regulations and Legal Publications Division, Headquarters, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229.

AUTHORITY

This change is proposed under authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623, as amended (19 U.S.C. 2), and delegated to the Secretary of the Treasury by Executive Order No. 10289, September 17, 1957 (3 CFR 1949-1953 Comp., Ch. II), and pursuant to authority provided by Treasury Department Order No. 190, Rev. 14 (42 FR 35239).

DRAFTING INFORMATION

The principal author of this document was Sanford J. Parnes, Regulations and Legal Publications Division of the Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices participated in its development, both on matters of substance and style.

Dated: November 15, 1977.

BETTE B. ANDERSON,
Under Secretary of the Treasury.

[FR Doc.77-34130 Filed 11-25-77;8:45 am]

[4210-01]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Housing—
Federal Housing Commissioner

[24 CFR Part 200]

[Docket No. R-77-489]

CARPET WITH FOAM RUBBER CARPET CUSHION (FLOWED-ON)

Revision of an Existing HUD Standard

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, Department of Housing and Urban Development.

ACTION: Proposed rule.

SUMMARY: This proposed rule, Use of Materials Bulletin No. UM 44c, Addendum 3, modifies and updates a previous HUD carpet standard and inserts it into the HUD Carpet Certification Program. Upon adoption, this will become a part of the HUD Minimum Property Standards.

DATE: Comments must be received by January 12, 1978.

ADDRESSES: Submit all comments in triplicate to: Rule Docket Clerk, Office of General Counsel, Room 5218, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410.

FOR FURTHER INFORMATION CONTACT:

Mr. James Kanegis, Materials Acceptance Branch, Architecture and Engineering Division, Department of Housing and Urban Development, Washington, D.C. 20410, telephone: 202-755-5929.

SUPPLEMENTARY INFORMATION: On November 25, 1974, the Department of Housing and Urban Development released its Use of Materials Bulletin No. UM 44c, "HUD/FHA Standard for Carpet and Carpet Certification Program". HUD's notice of intent to publish its Use of Materials Bulletin No. UM 44c was published in the FEDERAL REGISTER October 8, 1974 at 39 FR 36129 and covered both the standard and the certification program. As adopted, the program contains a provision that only carpet products determined to be in compliance with UM 44c and so certified by a program administrator, will be acceptable for HUD programs.

Carpet with attached foam rubber cushion was not covered by UM 44c, since it is a hybrid of carpet and cushion and the cushion requirements were not satisfactorily determined at that time. It has been determined that such a product, for HUD purposes, should not only be classified as carpet but should be an acceptable product covered by UM 44c and be subject to the provisions of the HUD Carpet Certification Program. The standard which is to be replaced had only a single class. Two classes have been incorporated into the present addendum

PROPOSED RULES

to make its treatment, use and installation concepts fully consistent with all other carpet constructions covered in UM 44c.

LIMITATIONS

This standard does not preclude acceptance of carpets with attached cushions other than latex foam. HUD presently has an Addendum 2 to UM 44c which covers carpet products having an attached urethane sponge cushion. Carpets with attached cushions of the Addendum 2 or the proposed Addendum 3 types may not be used in HUD programs unless they fully meet the provisions of these HUD standards. Nonstandard attached cushion products, if proposed to HUD, will be carefully evaluated and, if deemed equal to or superior to those presently covered by the standards, will be classified as acceptable through issuance of a Materials Release to their manufacturer(s).

ADDRESS

Interested parties are invited to submit written comments, suggestions, corrections or additions concerning the standard in triplicate, using the above Docket No. and title. If you propose different minimums or suggest other technical changes it will be more constructive if you furnish your rationale. All information received will be carefully considered prior to preparation of a final UM 44c, Addendum 3. Submit your correspondence to the Rules Docket Clerk, Office of the General Counsel, room 5218, Department of Housing and Urban Development, 451 7th Street SW., Washington, D.C. 20410. Copies of this correspondence will be available for examination at that address during normal business hours.

While HUD has several administrators of the HUD Carpet Certification Program, it reserves the right to spot check any carpet which has been entered into this program by the manufacturer, such samples to be obtained from any of several possible sites.

A finding of inapplicability respecting the National Environmental Policy Act of 1969 has been made in accordance with HUD procedures. A copy of this Finding of Inapplicability will be available for public inspection during regular business hours in the Office of the Rules Docket Clerk, Office of the General Counsel, room 5218, Department of Housing and Urban Development, 451 7th Street SW., Washington, D.C. 20410.

NOTE.—It is hereby certified that the economic and inflationary impacts of 24 CFR 200.933 have been carefully evaluated in accordance with Executive Order No. 11821.

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

Issued at Washington, D.C., November 16, 1977.

LAWRENCE B. SIMONS,
Assistant Secretary for Housing—
Federal Housing Commissioner.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FEDERAL HOUSING ADMINISTRATION

USE OF MATERIALS, BULLETIN NO. 44C.
ADDENDUM 3

To: Area Office Directors, Insuring Office Directors.

Subject: Carpet With Foam Rubber Carpet Cushion (flowed-on).

Members of the HUD Staff processing cases and inspecting construction shall use this information in determining acceptability of the subject material for the uses indicated.

This bulletin should be filed with Bulletins on Special Methods of Construction and Materials as required by prescribed procedures. Additional copies may be requisitioned by the field offices.

The technical description, requirements and limitations expressed herein do not constitute an endorsement, approval or acceptance by the Federal Housing Administration of the subject matter, and any statement or representation, however made, indicating approval or endorsement by the Federal Housing Administration is unauthorized and false, and will be considered a violation of the United States Criminal Code 18, U.S.C. 709.

Any reproduction of this bulletin must be in its entirety and any use in sales promotion or advertising is not authorized.

Subject to good workmanship, compliance with local codes, and the methods of application listed herein, the materials described in the bulletin may be considered suitable for HUD Mortgage Insurance or Low Rent Public Housing Programs.

The eligibility of a property under these programs is determined on the property as an entity and involves the consideration of underwriting and other factors not indicated herein. Thus, compliance with this bulletin should not be construed as qualifying the property as a whole, or any part thereof, as to its eligibility.

The methods of application for the materials listed herein are to be considered as part of the HUD Minimum Property Stand-

ards and shall remain effective until this bulletin is cancelled or superseded.

Use: For inside wall-to-wall installation in all HUD programs.

SCOPE AND CLASSIFICATION

Scope: UM 44c, HUD/FHA Standard for Carpet, November 25, 1974; UM 44c, Addendum 1, Saxony Carpet, March 12, 1976; and UM 44c, Addendum 2, Carpet with Urethane Sponge Carpet Cushion (Flowed-on), November 30, 1976, are the standards of reference except as herein modified. This addendum covers carpet which meets the above reference standards, and to which is attached a foam rubber carpet cushion meeting the requirements below. The subject carpet must meet the provisions of HUD Carpet Certification Program and is to be sampled, tested, and identified accordingly.

Classification: Class 1 and Class 2 are the same as those classes described in UM 44c.

CONSTRUCTION AND COMPOSITION

Foam rubber carpet cushion shall conform to the attached cushion part of Interim Federal Specification DDD-C-001559 and amendments pertaining to cushion. The amendments in this Bulletin shall apply in case of conflict with DDD-C-001559 or its revisions.

Flowed-on cushion shall be produced by applying a mechanically frothed mixture containing a suitable formulation of natural or synthetic latexes onto the back of the fabric, in carefully measured amounts so that the ultimate thickness and weight can be closely maintained. It shall then be cured in an oven. The final cushion shall have a skin on the floor side when affixed to the carpet.

In the flowing on of the foam rubber to the carpet backing there occur slight differences in weight, thickness and density from area to area. Also, in the process of cutting the foam from the carpet, as outlined in the Test Method, there are variations in results using the same samples due to different cutting and brushing techniques. As no tolerances are permitted allowance must be made in the manufacturing process to ensure compliance with the requirements of this addendum.

Characteristic	Class 1	Class 2	Test method ¹
Weight, minimum, ounce/square yard.....	22	23	Subsection 4.
Thickness, minimum inch.....	1/4	1/4	Subsection 5.
Density, minimum pound/cubic foot.....	17	17	Subsection 6.
Compression set, 50 pct., maximum percent.....	15	15	Subsection 7.
Compression resistance, minimum, pound square inch.....	5	6	Subsection 8.
Delamination strength, minimum, pound foot/inch of width.....	2.0	2.0	Subsection 9.
Accelerated aging.....	Pass	Pass	Subsection 10.
Ash content, maximum percent.....	50	50	Subsection 11.
Flammability.....	Pass	Pass	DOC FF 1-70 ² or latest revision thereof.

¹ Subsections 1, 2, and 3 relate to pretesting provisions. Test methods are described in the appropriate additional subsections following this table. Most are identical to those used in UM 44c, Addendum 2, Urethane Sponge Carpet Cushion (Flowed-on) and are used to simplify carpet testing procedures.

² Administered by the Consumer Product Safety Commission, 1111 18th Street, NW., Washington, D.C. 20207. This bulletin does not serve as a waiver of any provisions bearing on the flammability act as so administered. Carpet is tested face side up.

Subsection 1—Scope. The test methods are intended to define test procedures.

Subsection 2—Sample. A strip of finished carpet with the attached cushion 8" in the length direction shall be taken across the full width of the carpet. This sample is in addition to that needed for the evaluation of carpet properties specified in UM 44c and its addendums.

Subsection 3—Condition. Excluding those used for accelerated aging tests, all samples shall be conditioned from the dry side to equilibrium at 65 percent relative humidity

and 70°F. Minimum conditioning time shall be 24 hours. If other conditions are used, they should be noted and cleared with HUD Headquarters.

Subsection 4—Weight of Foam Backing. Die cut a total of six 4' × 4' square specimens from the carpet, taking two specimens from the center area and two specimens from each side area. The cut shall not be nearer than 6" from the outer edges of the carpet. Die cut the specimens, with the foam side against the cutting die. Weigh each specimen to the nearest 0.01 g.

Using an electric carving knife and supporting guides, separate the foam carpet backing by cutting at the line where the textile components meet the foam component. Cut as closely as possible without damaging the carpet-backing components. Put aside the slabs of foam for future use. Remove the remaining foam from the carpet backing by brushing it with a stiff wire-bristled brush. Weigh each resulting carpet specimen to the nearest 0.01g.

Calculate the weight of the foam for each specimen as the difference between the total weight of the carpet with foam backing and without foam backing. Report the average of the six specimens as the weight of the foam.

Subsection 5—Thickness. Mark the foam cut from each specimen for identification. Using a single determination, measure the total thickness of each specimen to the nearest 0.001". The thickness gauge shall have a circular presser foot with a diameter of 1.129" ± 0.001". The presser foot shall be allowed to exert a pressure of 100 g/sq in. The load shall be applied slowly without impact and the thickness shall be read immediately. The average of six readings shall be reported as the thickness of the foam.

Subsection 6—Density. The specimens measured for thickness shall then be weighed in grams to the nearest 0.01 g. Convert to pounds by multiplying by 0.002205. Redetermine the thickness in inches and obtain the volume in cubic feet by multiplying 4" x 4" x thickness in inches x 0.0005787. Then:

$$\text{Density} = \frac{\text{weight in pounds}}{\text{volume in cubic feet}}$$

Subsection 7—Compression Set. Cut each 4" x 4" foam specimen into four 2" x 2" specimens. Pile up the 2" x 2" specimens, skin side to cut side, until the pile has a total thickness of approximately 1". Prepare two such piles. Using a fixture consisting of two parallel plates that are larger than 2" x 2", place the piled specimens in the fixture. Apply a load of 100 g/sq in and measure the thickness. Call this the original thickness, OT. Compress the specimens to 50 percent of the OT and hold. Place the fixture with its compressed specimens into a previously preheated-to-temperature circulating air oven at 158 ± 2°F. Keep in oven for 22 hours ± ½ hour. Remove from oven, unclamp immediately, and remove the specimens from the fixture. After a 5 ± ½ hour recovery period remeasure the thickness of the piled specimens under a load of 100 g/sq in. Call this the final thickness, FT. Then

$$\text{Compress set, percent} = \frac{OT - FT}{OT} \times 100$$

Do test on both sets of specimens and report the average. If the plies adhere after the oven treatment do not separate before remeasuring.

Subsection 8—Compression Indentation Resistance. Using 2" x 2" foam specimens that were not used in the compression set test, form piles of piled specimens, skin side to cut side, approximately 1" thick. Place in a compression tester and, with a circular presser foot 1.129" ± 0.001" in diameter measure the thickness of the piled specimens under a load of 100 g/sq in. Then compress the specimens to 75 percent of this measured thickness and immediately determine the load required to compress the specimen this amount. This reading, exclusive of the 100-gram preload, is the compression resistance of the foam. Using a second set of specimens, repeat the test to obtain a second

set of values. Both values shall be averaged and the result reported as the compression resistance.

Subsection 9—Delamination Strength. From the original sample cut a 2' x 6" strip lengthwise of the carpet, one from the center, and one from each side area. Cover the foam side with self-adhering tape. Separate the foam from the carpet for approximately 1-½" at one end of the 2' wide ends. A tensile tester equivalent to that described in FTMS No. 191, Method 5100 shall be used. Set the clamps 1" apart, clamp the loose end of the attached foam in the lower clamp and the loose end of the attached carpet in the upper clamp. The clamps must be as wide as the strips that are being gripped. Start the tester at a speed of 12" per minute and record the five highest readings required to strip the attached foam from the carpet. Omit first peak. Test the three specimens, average the results, and divide by two to determine the load in pounds per inch of width. If the foam tears rather than delaminates, the maximum recorded peak load shall be selected as the average value of that specimen.

Subsection 10—Accelerated Aging. Heat Aging: Do not condition the specimens prior to testing. Place a 2" x 4" specimen of the foam attached to the carpet in a circulating air oven at 275°F for 24 hours. Allow specimen to cool to room temperature. The cushion is to be flexed 180° at a uniform rate, foam side out, over a 1" diameter mandrel, completing the bend within 3 to 5 seconds. Cushion shall remain flexible and serviceable.

Subsection 11—Ash Content. Test shall be made on the foam only according to ASTM D 297 under Muffle Furnace Method.

APPENDIX

As an aid in correlating U.S. customary units to metric units, conversion factors for units in this bulletin follow. They are in accordance with the International System of Units (abbreviated SI).

- 1 inch = 2.54 centimeters.
- 1 ounce = 28.35 grams.
- 1 pound (mass) = 453. grams.
- 1 pound (force) = 4.448 newtons.
- 1 square yard = 0.8361 square meter.
- 1 cubic foot = 0.02832 cubic meter.
- 1 pound force per inch = 175.1 newtons per meter.
- 1 pound per square inch (psi) = 6.895 kilopascals.
- 1 gram per square inch = 15.20 pascals.
- 1 ounce per square yard = 33.91 grams per square meter.
- 1 pound per cubic foot = 16.02 kilograms per cubic meter.
- $T_c = (t_f - 32) / 1.8$, where t_c = temperature in degrees Celsius, t_f = temperature in degrees Fahrenheit.

[FR Doc.77-34097 Filed 11-25-77;8:45 am]

[6560-01]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Parts 162 and 164]

PESTICIDE PROGRAMS

Intention To Develop Regulations

AGENCY: Environmental Protection Agency.

ACTION: Notice of Intention To Develop Regulations.

SUMMARY: The Administrator of EPA has authorized the development of com-

prehensive revisions to the pesticide adjudicatory hearing procedures in 40 CFR Part 164, and complementary revisions to the Rebuttable Presumption Against Registration ("RPAR") process in 40 CFR Part 162. The purpose of these revisions would be (i) to organize the RPAR process, and to provide for fuller disclosure and greater opportunity for public comment during it; (ii) to link the registration procedures closely to the adjudicatory hearing provisions so that the two read together form an integrated mechanism for reaching final decisions regarding pesticide use; and (iii) to greatly reduce the time now required to complete adjudicatory hearings under the Federal Insecticide, Fungicide, and Rodenticide Act.

DATES: Comments are due on or before December 28, 1977.

ADDRESS: Send all comments to: Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street SW.

FOR FURTHER INFORMATION CONTACT:

Either of the two persons listed below:

David E. Menotti, Deputy Associate General Counsel—Pesticides (A-132), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, 202-755-0763.

William F. Pedersen, Jr., Special Assistant to the General Counsel (A-130), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, 202-755-0434.

EPA's goal is to have a detailed Notice of Proposed Rulemaking ready for review under FIFRA Section 25 by the Secretary of Agriculture and the FIFRA Scientific Advisory Panel by February 1978. Therefore, EPA invites comments on the matters discussed in the Summary of this document, and any other relevant comments or suggestions.

This Notice of Intention to Develop Regulations is issued under authority of section 25 of the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136w.

Dated: November 16, 1977.

DOUGLAS M. COSTLE,
Administrator.

[FR Doc.77-34118 Filed 11-25-77;8:45 am]

[4110-12]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

[45 CFR Part 5b]

PRIVACY ACT

Proposed Exemptions

AGENCY: Health, Education, and Welfare.

ACTION: Proposed rule.

SUMMARY: The Secretary of Health, Education, and Welfare is proposing to exempt two systems of records from certain provisions of the Privacy Act in addition to those previously exempted. Both systems, the "Health Resources Utilization Statistics, HRA/NCHS 0041.-01" and the "Personnel Research and Test Validation Records, SSA/MA/HR 0175.02" are proposed to be exempted from the notification, access, correction, and amendment provisions of the Act. For explanations for the reasons for the exceptions see below.

DATES: Comments must be received on or before January 12, 1978.

ADDRESSES: Director, Fair Information Practice Staff, Department of Health, Education, and Welfare, 200 Independence Avenue, SW., Washington, D.C. 20201.

FOR FURTHER INFORMATION CONTACT:

L. David Taylor, Acting Director, Fair Information Practice Staff, Room 526E, South Portal Bldg., 200 Independence Avenue, SW., Washington, D.C. 20201, Area Code, 202-245-7012.

SUPPLEMENTARY INFORMATION: The "Health Resources Utilization Statistics" is a system of records maintained by the National Center for Health Statistics under the authority of the Health Services Research, Health Statistics and Medical Libraries Act of 1974, 42 U.S.C. 242k. It contains records on: (1) the utilization of nursing home facilities, including data on residents, (2) the demographic characteristics and medical problems of persons visiting physicians' offices, (3) medical information, including diagnoses and surgical procedures abstracted from short-stay hospital medical records, and (4) family planning services provided by clinics participating in a nationwide reporting system, including data on the recipients of these services.

Subsection (k) (4) of the Privacy Act authorizes the Secretary to exempt any system of records within the agency from certain provisions of the Act if the system of records is "required by statute to be maintained and used solely as statistical records."

The Health Services Research, Health Statistics and Medical Libraries Act, requires that the "Health Resources Utilization Statistics" system be maintained and used solely for statistical research purposes. It is not used to make determinations about identifiable individuals.

The exemption is proposed for the "Health Resources Utilization Statistics" system to assure the continued cooperation of health care providers, including hospital and nursing home staffs and individual health care practitioners, who supply the records contained in the system. Many of these records are obtained with the understanding that the National Center for Health Statistics will not disclose individually identifiable records supplied by these sources to anyone, including patients or their agents. If this

system of records is not exempted from the notification and access and correction and amendment provisions of the Privacy Act, the continued success of health research activities through the voluntary cooperation of these data sources cannot be guaranteed.

The "Personnel Research and Test Validation Records" is a system of records maintained by the Social Security Administration under the authority of 5 U.S.C. §§ 1303, 3301. The records contained in this system include information pertaining to the education and employment history, interview data, supervisory ratings, responses to test questions, and test scores of certain individual SSA employees. The Secretary proposes an exemption for only those portions of this system that relate to testing and examination materials which meet the criteria stated in subsection (k) (6) of the Privacy Act.

That subsection authorizes the Secretary to exempt systems of records within the agency if the system of records is: "testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service, the disclosure of which would compromise the objectivity or fairness of the testing or examination process."

Standardized aptitude tests are used by the Social Security Administration as a part of its employee promotion program. The purpose of these tests is to obtain a sampling of work-related behavior in a standardized situation. From this the Social Security Administration can predict the future success of an employee, both in training and on the job.

An essential factor in standardized testing is the time limitations placed on the examinee. Allowing SSA employees who have taken these aptitude tests to review the test questions for an additional period of time would give them an unfair advantage in retaking the test at a later date. This would effectively destroy the standardized nature of the test and testing program itself.

The proposed exemption for the "Personnel Research and Test Validation Records" system will not apply to records not pertaining to the standardized testing process, nor will it apply to job-knowledge tests which measure the attainment of specific knowledge. It would not be inappropriate for an employee who has taken a job-knowledge test to review the test questions along with his answers in order to identify his specific deficiencies.

The exemption is therefore proposed for the Personnel Research and Test Validation Records to insure the objectivity of the SSA testing process as it is used in that agency's employee promotion program.

AUTHORITY: (5 U.S.C. 301, 5 U.S.C. 552a).

It is proposed to amend Part 5b of 45 CFR Subtitle A (40 FR 47409) as follows:

PART 5b—PRIVACY ACT REGULATION

1. By adding paragraphs (b) (2) (iii) (E) and (b) (2) (vi) (A) as follows:

§ 5b.11 Exemptions.

* * * * *

(b) * * *

(2) * * *

(iii) * * *

(E) The Health Resources Utilization Statistics, HRA/NCHS.

* * * * *

(vi) Pursuant to subsection (k) (6) of the Act:

(A) The Personnel Research and Test Validation Records, SSA/MA/HR.

Dated: November 17, 1977.

HALE CHAMPION,
Acting Secretary.

[FR Doc.77-34088 Filed 11-25-77;8:45 am]

[4110-02]

[45 CFR Part 173]

COMMUNITY SERVICE AND CONTINUING EDUCATION PROGRAM

Proposed Administration Standards

AGENCY: Office of Education, HEW.

ACTION: Notice of proposed rule-making.

SUMMARY: Regulations are proposed to implement the Community Service and Continuing Education Program authorized by Title I-A of the Higher Education Act of 1965, as amended by the Education Amendments of 1976, Pub. L. 94-482. These recent amendments revised and expanded the provisions of the program to require that continuing education and resource materials sharing programs be considered in co-equal status with community service programs. The proposed regulations provide necessary standards for the administration of the program.

DATES: Comments are due on or before January 12, 1978.

The public is invited to comment on these proposed regulations. In order to be considered, all comments must be received no later than the 45th day after publication of this Notice of Proposed Rulemaking in the FEDERAL REGISTER, or on the next business day if the 45th day is a Saturday, Sunday, or Federal holiday.

ADDRESSES: Comments should be addressed to the Bureau of Higher and Continuing Education, Community Service and Continuing Education Program, room 3717, Regional Office Building 3, 7th and D Streets SW., Washington, D.C. 20202.

Comments will not be acknowledged individually but they will be available for inspection at the above address between 8:30 a.m. and 4:00 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT:

Dr. J. Eugene Welden, room 3717, Regional Office Building 3, 7th and D Streets SW., Washington, D.C. 20202. Telephone 202-245-9868.

SUPPLEMENTARY INFORMATION: 1. Background. This program is designed to strengthen the community service and continuing education activities of colleges and universities and to promote community-wide sharing of educational resources. Under the major component of the program, Federal grants go to designated State agencies which in turn solicit, review, and approve institutional project proposals. In order to receive funding the States annually submit program plans to the U.S. Office of Education for approval. In addition, the Commissioner may reserve up to ten percent of the appropriation of the program to make direct grants to institutions of higher education or combinations of these institutions to assist them in carrying out special programs and projects designed to seek solutions to national and regional problems relating to technological and social changes and environmental pollution.

The Education Amendments of 1976 made a number of changes in the State program requirements. Section 105 of the Higher Education Act of 1965 was amended to require that the State plan set forth procedures for developing continuing education and resource materials sharing programs as well as community services. Continuing education is defined under the amended section 102 (b) as "postsecondary instruction designed to meet the educational needs and interests of adults, including the expansion of available learning opportunities for adults who are not adequately served by current educational offerings in their communities."

Section 105(a) of the Higher Education Act of 1965 was amended to require that the States provide assurances that all institutions of higher education in the State have been given an opportunity to participate in the development of the State plan.

In addition to the change in State plan requirements, a new section 111 was added to permit the Commissioner to set aside a portion of the Title I-A appropriation (ten percent of any amount exceeding \$14,500,000) to provide technical assistance to the States and to institutions of higher education.

2. Summary of comments and response. The Commissioner published in the FEDERAL REGISTER, Vol. 41, No. 230, p. 52410, Monday, November 29, 1976, a Notice of Intent to Issue Regulations implementing the provisions of the Education Amendments of 1976. Comments were invited concerning the development of regulations for the Community Service and Continuing Education Program. Five public conferences were held at various locations between December 13-17, 1976, at which the Office of Education received comments on this and other provisions of the Education Amendments.

Comments. Commenters took the virtually unanimous position that the regulations should not be overly restrictive on the State's authority to administer the program, and that the regulations should not expand upon the statute by

establishing priorities or by limiting the types of continuing education activities that might be offered.

Response. The proposed regulations will allow the States wide discretion in supporting new, expanded, or improved programs of community service and continuing education, including planning for resource materials sharing, and establishing procedures to assure that each institution of higher education will have the opportunity to participate in the development of the State plan.

NOTE.—The Office of Education has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

(Catalog of Federal Domestic Assistance Number 13.491, University Community Service; 13.557, University Community Service—Special Projects.)

Dated: September 1, 1977.

JOHN ELLIS,
Acting U.S.
Commissioner of Education.

Approved: November 21, 1977.

HALE CHAMPION,
Acting Secretary of Health,
Education, and Welfare.

Part 173 of Title 45 of the Code of Federal Regulations is revised to read as follows:

Subpart A—General

- Sec. 173.1 Definitions.
- 173.2 General provisions regulations.

Subpart B—State Grant Program

- 173.10 Scope.
- 173.11 Purpose.
- 173.12 State agency.
- 173.13 State plan requirements.
- 173.14 Approval or disapproval of State plans.
- 173.15 Non-compliance.
- 173.16 Judicial review.
- 173.17 Ineligible programs.
- 173.18 Reports.
- 173.19 Allotment and reallocation of funds.
- 173.20 Federal financial participation.
- 173.21 Maintenance of effort.

Subpart C—Special Programs and Projects

- 173.40 Purpose.
- 173.41 Eligible projects.
- 173.42 Priority areas for new awards.
- 173.43 Eligible applicants.
- 173.44 Application requirements.
- 173.45 Evaluation criteria.
- 173.46 Reporting requirements.

AUTHORITY: Sec. 101-114, 79 Stat. 1219 (20 U.S.C. 1001-1011), as amended by sec. 101, Pub. L. 94-482, 90 Stat. 2150, unless otherwise noted.

Subpart A—General

§ 173.1 Definitions.

As used in this part:

(a) "Act" means Title I-A of the Higher Education Act of 1965, as amended.

(b) "Combination of institutions" means a group of institutions of higher education that have entered into a cooperative arrangement for the purpose of carrying out a common objective, or

a public or non-profit agency, organization, or institution designated or created by a group of institutions of higher education for the purpose of carrying out a common objective on their behalf.

(20 U.S.C. 1141(j).)

(c) "Community service program" means an educational program, activity, or service, including a research program and a university extension or continuing education offering, which is designed to assist in the solution of community problems in rural, urban, or suburban areas, with particular emphasis on urban and suburban problems, where the institution offering such program, activity, or service determines—

(1) That the proposed program, activity, or service is not otherwise available; and

(2) That the conduct of the program or performance of the activity or service is consistent with the institution's overall educational program and is of such a nature as is appropriate to the effective utilization of the institution's special resources and the competencies of its faculty. Where course offerings are involved, such courses must be university extension or continuing education courses and must be—

(i) Fully acceptable toward an academic degree; or

(ii) Of college level as determined by the institution offering such courses.

(20 U.S.C. 1002(a).)

(d) "Continuing education program" means postsecondary instruction designed to meet the educational needs and interests of adults, including the expansion of available learning opportunities for adults who are not adequately served by current educational offerings in their communities. The instruction may be provided through college level classes, lectures, demonstrations, workshops, seminars, counseling, correspondence, radio and television, newspapers, and other innovative techniques of instruction and study.

(20 U.S.C. 1002(b).)

(e) "Institution of higher education" means an educational institution which meets the requirements of section 1201 (a) of the Higher Education Act of 1965, as amended.

(20 U.S.C. 1141(a).)

(f) "Resource materials sharing programs" means planning for the improved use of existing community learning resources by finding ways that combinations of agencies, institutions, and organizations can make better use of existing educational materials, communications technology, local facilities, and human resources to expand learning opportunities for adults in the area being served.

(20 U.S.C. 1002(c); H. (Conf.) Rept. No. 94-1701 at 178 (1976).)

(g) "School or department of divinity" means an institution, or a department

or branch of an institution, whose program of instruction is designed to prepare students to become ministers of religion, or to enter into some other religious vocation (or to provide continuing education for any of those vocations) or to teach theological subjects.

(20 U.S.C. 1141(1).)

(h) "State agency" means the agency or institution designated or created under section 105(a) of the Act.

(20 U.S.C. 1005(a); H. (Conf.) Rept. No. 94-1701 at 178 (1976).)

§ 173.2 General provisions regulations.

Assistance under subpart B is subject to the regulations set forth in this part, and to the general provisions regulations relating to fiscal, administrative, property management, and other matters set forth in 45 CFR Part 100, Part 100b, and Part 100c. Assistance under subpart C is subject to the regulations set forth in this part and to the general provisions regulations in 45 CFR Parts 100 and 100a.

(20 U.S.C. 1001 et seq.)

Subpart B—State Grant Program

§ 173.10 Scope.

The regulations in this subpart apply to the State Grant Program for Community Service and Continuing Education, under Title I-A of the Higher Education Act of 1965, as amended.

(20 U.S.C. 1005.)

§ 173.11 Purpose.

The Commissioner makes allotments to States having an approved State plan to:

(a) Assist in the solution of community problems by strengthening community service programs of colleges and universities;

(b) Support the expansion of continuing education in colleges and universities; and

(c) Plan for resource materials sharing.

(20 U.S.C. 1005.)

§ 173.12 State agency.

(a) To receive its allotment under this subpart, a State must designate or create a State agency to develop, submit, and administer or supervise the administration of, a State plan.

(b) The State agency must:

(1) Have special qualifications for solving community problems;

(2) Be broadly representative of public and private institutions of higher education in the State which are competent to offer community service and continuing education programs, including resource materials sharing programs.

(c) The State may designate an existing State agency which does not meet the requirements of paragraph (b) of this section if:

(1) The State agency takes whatever action is necessary to acquire such qualifications and assure the participation of such institutions; or

(2) The State designates or creates a State advisory council which meets the requirements not met by the State agency to consult with the State agency in the preparation of the State plan.

(20 U.S.C. 1005(a).)

§ 173.13 State plan requirements.

(a) To receive an allotment under this subpart, a State must submit a general State plan and annual program amendments to the State plan to the Commissioner for approval.

(b) The approved general State plan and annual program amendments constitute the basis for participation by the State under this subpart.

(20 U.S.C. 1005(a); 1232c.)

(c) The general State plan must:

(1) Contain the name and address of the State agency and provide that the agency so designated or created shall be the sole agency for the administration of the plan or for the supervision of the administration of the plan;

(2) Provide that the State agency shall consult with any State advisory council designed under § 173.12(c)(2) in the preparation of the State plan and concerning policy matters arising in the administration of the State plan;

(3) Provide assurances that all institutions of higher education in the State have been given the opportunity to participate in the development of the State plan;

(4) Set forth policies and procedures designed to assure that Federal funds made available under this part will not supplant State or local funds or funds of institutions of higher education but will supplement and, to the extent practicable, increase the amounts of those funds that would in the absence of Federal funds, be made available for community service and continuing education programs including resource materials sharing;

(5) Set forth fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of an accounting for Federal funds paid to the State under this part, including funds paid by the State to institutions of higher education and combinations of institutions;

(6) Set forth policies and procedures to be used by the State agency in the development of a comprehensive, coordinated, and statewide system of community service and continuing education, including resource materials sharing; specifically for:

(i) Selecting community problems;

(ii) Determining the need for the expansion of continuing education opportunities; and

(iii) Assessing the potential for resource materials sharing.

(7) Set forth one or more proposals for community service and continuing education programs, including resource materials sharing programs, in lieu of a comprehensive coordinated statewide system of programs if the State agency determines that such a system cannot

be effectively carried out due to insufficient funds; and

(8) Set forth policies and procedures to be followed in allocating Federal funds to institutions of higher education and combinations of institutions to insure that due consideration will be given to:

(i) The relative capacity and willingness of particular institutions of higher education or combinations of institutions (whether public or private) to provide effective community service and continuing education programs, including resource materials sharing programs;

(ii) The availability of and need for community service and continuing education programs, including resource materials sharing programs, within the State; and

(iii) The results of periodic evaluations of the programs carried out under this part.

(20 U.S.C. 1005(a).)

(d) The annual program amendment to the State plan must:

(1) Be prepared and administered in a manner consistent with the general State plan requirements;

(2) Set forth a statement describing the purposes for which Federal funds will be expended during the fiscal year, which includes a description of:

(i) Community problems to be addressed;

(ii) Planned support for the expansion of continuing education; and

(iii) Projected activities in resource materials sharing.

(3) Comply in all other respects with the requirements under this part.

(20 U.S.C. 1232c.)

(e) The general State plan must be amended whenever there is any change:

(1) In the designation of the State agency or in the content or administration of the State plan; or

(2) In a pertinent State law.

(20 U.S.C. 1005; 1232c(b)(1).)

§ 173.14 Approval or disapproval of State plans.

(a) The Commissioner approves any general State plan and annual program amendment which meet the requirements set forth in § 173.13.

(b) Before finally disapproving any State plan or annual program amendment, the Commissioner gives reasonable notice and operating for a hearing to the State agency submitting the plan or amendment.

(20 U.S.C. 1005(b); 1007(a).)

§ 173.15 Non-compliance.

The Commissioner notifies the State agency that the State will not be regarded as eligible to participate in the program whenever, after giving reasonable notice and opportunity for a hearing to the State agency administering the State plan, the Commissioner finds that:

(a) The State plan has been so changed that it no longer complies with the provisions of section 105(a) of the Act; or

(b) In the administration of the plan there is failure to comply substantially with any of the provisions of the Act or of this subpart.

(20 U.S.C. 1007(b).)

§ 173.16 Judicial review.

If the Commissioner does not approve a State plan or an annual program amendment, or if the Commissioner suspends a State's eligibility to participate in the program under § 173.15, the State may initiate judicial review under section 109 of the Act.

(20 U.S.C. 1008.)

§ 173.17 Ineligible programs.

No payment may be made from a State's allotment under section 103 of the Act for any educational program, activity, or service related to sectarian instruction or religious worship, or which is provided by a school or department of divinity.

(20 U.S.C. 1011.)

§ 173.18 Reports.

The State must prepare and submit to the Commissioner, within 90 days after the end of a fiscal year, a final financial status report and a final performance report. The submission of these (two) reports satisfies the requirements set forth in 45 CFR Part 100b (Subpart P and Subpart Q respectively).

(20 U.S.C. 1005(a)(5).)

§ 173.19 Allotment and reallocation of funds.

(a) From the sums appropriated under the Act for a fiscal year, which are not reserved for section 106 and section 111, the Commissioner makes allotments to States with approved plans in accordance with section 103(a) of the Act.

(b) Reallocation to the States may be made in accordance with section 103(b) of the Act.

(20 U.S.C. 1003.)

§ 173.20 Federal financial participation.

(a) The Commissioner provides to each State an amount from its allotment that is equal to 66 2/3 percent of the costs of developing and carrying out its State plan as amended for that fiscal year.

(b) In determining the costs of developing and carrying out its State plan, the State shall exclude any costs with respect to which the State received payments under any other Federal program.

(c) The State receives no payment for developing and administering the State plan in any fiscal year which exceeds 5 percent of the costs for that year or \$40,000, whichever is the greater.

(20 U.S.C. 1006(a).)

§ 173.21 Maintenance of effort.

(a) In order to receive payments under this part, a State agency must certify to the Commissioner that:

(1) All institutions participating under the State plan for that year will together have available for expenditure from non-Federal sources for college and university

extension and continuing education programs:

(i) Not less than the total amount actually expended by those institutions from non-Federal sources for these programs during fiscal year 1965;

(ii) Plus an amount not less than the non-Federal share of the costs of the programs, services, or activities for which Federal financial assistance is requested under § 173.20(a); and

(2) The State agency has obtained and will retain and provide the Commissioner upon request all information, including expenditure records, necessary to support the accuracy of the certification.

(b) The State agency submits this certification each year after it has determined which institutions of higher education are to participate under the State plan.

(20 U.S.C. 1006(b).)

Subpart C—Special Programs and Projects

§ 173.40 Purpose.

The regulations in this subpart apply to awards made by the Commissioner for special programs and projects of community service and continuing education, including resource materials sharing, designed to seek solutions to national or regional problems relating to technological and social changes, and environmental pollution.

(20 U.S.C. 1005a(b)(1).)

§ 173.41 Eligible projects.

The Commissioner provides financial support for special projects for programs of community service and continuing education, including resource materials sharing which are:

(a) Demonstrations of, or experiments with, educational strategies which would be of assistance in the solution of national or regional problems, and evaluations of methods, systems, and materials for community service and continuing education programs, including resource materials sharing.

(b) Responsive to one of the priority areas set forth in § 173.42.

(20 U.S.C. 1005a(b)(1).)

§ 173.42 Priority areas for new awards.

(a) Priority areas for new awards under this subpart are:

(1) Experimentation with inter-State programs of continuing education directed to the problems of regional or national energy conservation, transportation, and/or environmental pollution;

(2) Demonstration of State or local government cooperation with institutions of higher education in developing, operating, and evaluating innovative educational solutions to the national problem of citizen alienation from governmental processes;

(3) Demonstration of effective regional programs of continuing education which link higher education, labor, and management in solving problems of job security, productivity, and the quality of working life; and

(4) National and regional evaluations of multi-institutional programs of continuing education for adults that are directed to the problems of employment, career mobility, and/or job reentry.

(b) In addressing any of these priorities, the application may give attention to the special needs of particular groups such as women or older adults.

(20 U.S.C. 1005a.)

§ 173.43 Eligible applicants.

Eligible applicants are institutions of higher education and combinations of institutions of higher education.

(20 U.S.C. 1005a(b)(1).)

§ 173.44 Application requirements.

Application must set forth:

(a) The amount of the total project cost;

(b) The applicant's share of the total project cost, which may not be less than 10 percent; and

(c) An assurance that the designated State agency that administers the State Grant Program under Title I-A has had an opportunity to comment on the proposed application.

(20 U.S.C. 1005a(b); S. Rept. No. 92-346 at 10 (1971).)

§ 173.45 Evaluation criteria.

The Commissioner reviews applications in accordance with the following criteria, weighted according to the indicated points (maximum score of 180 points). These criteria replace the general criteria for direct project grant and contract programs contained in 45 CFR 100a.26(b):

(a) Whether the proposed activity complements and does not duplicate current demonstrations or programs of experimentation in the field of community service and continuing education, including resource materials sharing, (10 points);

(b) The extent to which the proposed activity is responsive to one of the priorities in § 173.42 (20 points);

(c) The adequacy of the qualification and experience of the personnel designated to carry out the proposed project (10 points);

(d) The adequacy of the facilities and other resources for carrying out the proposed project (10 points);

(e) The potential replicability or adaptability of the project by other institutions of higher education (20 points);

(f) The reasonableness of estimated cost in relation to anticipated results (10 points);

(g) The sufficiency of size, scope, and duration of the project so as to secure productive results (10 points);

(h) The soundness of the proposed plan of operation, including the extent to which:

(1) The objectives of the proposed project are sharply defined, clearly stated, capable of being attained by the proposed procedures, and the results once attained, are capable of being measured (15 points);

[6712-01]

FEDERAL COMMUNICATIONS
COMMISSION

[47 CFR Part 73]

[Docket No. 20901; RM-2625]

FM BROADCAST STATION IN BREWER,
MAINE

Proposed Changes in Table of Assignments

AGENCY: Federal Communications
Commission.ACTION: Memorandum Opinion and
Order and Further Notice of Proposed
Rule Making.SUMMARY: This action denies recon-
sideration of a previous refusal to assign
a Class B channel to Brewer, Maine. The
arguments urging an exception to our
policy to assign Class B channels only to
larger communities were inadequate. In-
stead, a Class A channel is proposed for
assignment as a first FM station at
Brewer.DATES: Comments are to be filed on or
before January 3, 1978, and reply com-
ments on or before January 23, 1978.ADDRESSES: Federal Communications
Commission, Washington, D.C. 20554.FOR FURTHER INFORMATION CON-
TACT:Mark N. Lipp, Broadcast Bureau, 202-
632-7792.

SUPPLEMENTARY INFORMATION:

MEMORANDUM OPINION AND ORDER AND
FURTHER NOTICE OF PROPOSED RULE
MAKING—PROCEEDING REOPENED

Adopted: November 17, 1977.

Released: November 22, 1977.

In the matter of Amendment of § 73.-
202(b), Table of Assignments, FM Broad-
cast Stations (Brewer, Maine), Docket
No. 20901, RM-2625.

1. The Commission has before it a Petition for Reconsideration,¹ submitted by Bangor Broadcasting Company ("BBC"), of the *Report and Order*, adopted May 20, 1977, 42 FR 27971, denying BBC's proposal to assign Channel 284 to Brewer, Maine. Oppositions to the petition for reconsideration were filed by Community Broadcasting Service ("Community"), licensee of AM Station WABI and FM Station WBGW, Bangor, and by Penobscot Broadcasting Corporation ("Penobscot"), permittee of Station WPBC-FM, Bangor, Maine. Petitioner, BBC, licensee of AM Station WGUY, Bangor, filed a reply.

2. The *Report and Order* refused to assign a Class B channel to Brewer, a community of 9,300 persons,² located approximately 8 kilometers (5 miles)

¹ Public Notice of the filing of this pleading was given July 5, 1977.

² All population data are taken from the 1970 U.S. Census.

southeast of Bangor (pop. 33,168), since it was in conflict with our policy to assign a Class A channel to a community of this size.³ Also, Brewer's proximity to Bangor⁴ weighed against granting an exception.⁵ The *Report and Order* also indicated that information submitted regarding alleged first and second FM service could not be relied upon because it did not take into account the service which would be provided as a result of a proposal to change the transmitter site of Station WDEA-FM, Ellsworth, Maine. Nonetheless, it was noted that consideration could be given to the assignment of a Class A channel to Brewer should a new petition to that effect be forthcoming, since a Class A assignment did not appear to present the same concerns.

3. Petitioner has argued in response to the *Report and Order*, that the requested information regarding a proposed change in transmitter site for Station WDEA-FM should not be considered in evaluating the first or second FM service showings in this region since it believes Commission policy would bar such a move. Also, petitioner argued that Brewer's distinctiveness and separateness as a community from Bangor, as well as its compelling need for a local station justified the Class B assignment. Alternatively, if the Commission does not find reconsideration appropriate, it requests that Channel 265A be assigned to Brewer to satisfy its broadcast needs. An appropriate technical showing was submitted to demonstrate the feasibility of this alternative assignment.

4. Both opponents argue no new facts have been submitted to persuade the Commission to reverse its earlier decision. Community does not oppose the Class A assignment proposal, but Penobscot argues that such an assignment is not warranted since serious *Berwick* questions remain and the impact of the Ellsworth station's move on first and second FM service is not discussed. Also, Penobscot urges that we require BBC to file a new petition for a

³ Class B channels are intended for assignment to larger communities—see *Revision of FM Broadcast Rules*, 40 F.C.C. 747, 758 (1963).

⁴ It also gave rise to a concern that under the circumstances the proposal might be designed to serve Bangor rather than Brewer. Citing *Berwick Broadcasting Corp.*, 12 F.C.C. 2d 8 (1968), and *P.A.L. Broadcasting Company*, 40 F.C.C. 2d 546 (1973). Earlier Bangor was denied a third FM channel assignment. *Bangor, Maine*, 55 F.C.C. 2d 282 (1975). See also *Bangor, Maine*, 29 F.C.C. 2d 476 (1971).

⁵ As indicated in the *Report and Order*, exceptions have been made when the requested assignment would result in a large first or second FM service (citing *Lyons, Kansas*, 42 F.C.C. 2d 215, 216 (1973), and *Lexington, Mo.*, 53 F.C.C. 2d 893 (1975)) or when a large rural area would be served (citing *Citnton, Okla.*, 7 F.C.C. 2d 836, 839 (1967); *Saratoga, Wyo.*, 37 R.R. 2d 813 (1976)).

(2) Provision is made for adequate evaluation of the effectiveness of the project (20 points);

(3) Where appropriate, provision is made for satisfactory in-service training connected with project services (5 points); and

(4) Provision is made for disseminating the results of the project and for making materials, techniques, and other products available to the general public and specifically to those concerned with the area of education with which the project is itself concerned (20 points);

(i) The degree to which the project proposes to employ, or will result in the development of, new approaches, methods, and materials of value in increasing the effectiveness of community service and continuing education programs, including resource materials sharing programs (20 points); and

(j) The extent to which the project is coordinated with related Federal, State, or institutional programs in order to promote a comprehensive approach to the solution of national and regional problems of technological and social change, and environmental pollution (10 points).

(20 U.S.C. 1005a; H (Conf.) Rept. No. 94-1701 at 178 (1976); S. Rept. No. 92-346 at 10 (1971).)

§ 173.46 Reporting requirements.

(a) Institutions of higher education (including combinations of institutions) receiving grants and contracts under this Subpart shall submit semi-annual reports containing the information required by 45 CFR 100a.432.

(b) Not more than 90 days after the end of the grant or contract period, the recipient of an award under this Subpart shall submit thirty (30) copies of a final report and an accompanying abstract which satisfies the requirements of 45 CFR Part 100a, Subpart Q. The final report must include:

(1) A narrative case history of the project, including a detailed comparison of the actual accomplishments of the project relative to the objectives set forth in the application;

(2) One copy of all instructional, informational, and evaluation materials produced under the award;

(3) Recommendations for use of methods, materials, and educational strategies developed through the award to assist in the further improvement of community service and continuing education programs, including resource materials sharing; and

(4) The independent evaluation conducted under the terms of the award document.

(c) At the same time, the recipient shall submit a final financial report in accordance with 45 CFR Part 100a, Subpart P.

(20 U.S.C. 1005a.)

[FR Doc. 77-34099 Filed 11-25-77; 8:45 am]

Class A assignment as it says was contemplated by the Commission's *Report and Order* in this proceeding.

5. First, we cannot find a basis for an exception to our policy to assign Class B channels only to larger communities. While BBC alleges the existence of some first and second FM service,⁶ it has failed to consider the impact on this service by the move of the Ellsworth FM station. This point had been raised in the *Notice* and petitioner was asked to indicate the effect of the move in transmitter site by Station WDEA-FM. This petitioner did not do it. Instead it argued that the application would not be granted. That application now has been granted and thus without the data taking this fact into account, we do not have the basis for an exception to our policy to assign Class A channels to small communities. Furthermore, the concern previously stated in the *Report and Order*, that this proposal is designed to provide primary service to Bangor rather than Brewer, has not been adequately refuted by petitioner. Therefore, we shall deny reconsideration.

6. The request to assign a Class A channel at Brewer may nevertheless be pursued. Petitioner's pleading can be treated as a new petition since all necessary technical information is included. To insist on the filing of a new petition as Penobscot urges us to do, is neither necessary nor appropriate. The petition indicates that some 87,950 persons in an area of approximately 541 square kilometers (210 square miles) would receive service. Although significant preclusion would occur on the co-channel affecting 8 communities with populations greater than 2,500, petitioner shows that other channels are available for assignment at these communities.

7. We believe that the proposal to assign a Class A channel to Brewer should be pursued. We do not believe that a Class A channel at Brewer would give rise to a *Berwick* issue simply because it would mean that some 1 mV/m signal would be provided to Bangor. In fact, a Class A assignment appears particularly appropriate when the small town is near the larger city. Relevant demographic data were set forth in the previous *Notice* and need not be repeated here. Although no first or second FM service would be offered, a first local FM station would help to satisfy Brewer's broadcast needs, and its assignment will be proposed. It should be noted that this proposal is contingent upon the Commission's obtaining approval of the Canadian Government.

8. Accordingly, it is proposed to amend the FM Table of Assignments (§ 73.202 (b) of the Commission's rules) for the community listed below, as follows:

⁶ Petitioner alleges that a first FM service would be provided to 195 persons in an area of 980 square kilometers (378 square miles) and a second FM service to 2,630 persons in an area of 945 square kilometers (365 square miles). This showing presumes the use of a transmitter site within Brewer, according to a previous engineering statement.

City	Channel No.	
	Present	Proposed
Brewer, Ma.....		265A

9. Interested parties may file comments on or before January 3, 1978 and reply comments on or before January 23, 1978.

10. The Commission's authority to institute rulemaking proceedings, showings required, cut-off procedures and filing requirements are contained below and are incorporated by reference herein.

NOTE.—A showing of continuing interest as required by paragraph 2 below is required before a channel will be assigned.

11. It is ordered, That the petition for reconsideration submitted by Bangor Broadcasting Company is denied.

12. It is further ordered, That this proceeding is reopened to the extent specified.

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

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) 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 this notice of proposed rulemaking.

2. *Showings required.* Comments are invited on the proposal(s) discussed in this notice of proposed rulemaking. 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 the 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 Commission 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.

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 this *notice of proposed rulemaking*. 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 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 M Street NW, Washington, D.C.

[FR Doc.77-34133 Filed 11-25-77;8:45 am]

[4310-55]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 17]

MEXICAN DUCK

Status Review

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Review of status of the Mexican duck.

SUMMARY: Notice is hereby given that the Service has evidence on hand to warrant a review of the status of the Mexican duck (*Anas diazi*) to determine whether the bird should be proposed for reclassification from Endangered to Threatened, or removed from the list entirely, and, if retained on the list, what population (U.S. and/or Mexican) of this duck should be included in any listing under Section 4 of the Endangered Species Act of 1973.

DATES: Information regarding the status of the Mexican duck should be submitted on or before February 1, 1978.

ADDRESSES: Comments on this notice of review should be submitted to the Director (FWS/OES), U.S. Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT:

Mr. Keith M. Schreiner, Associate Director—Federal Assistance, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240, 202-343-4646.

PROPOSED RULES

SUPPLEMENTARY INFORMATION: The Department is seeking the comments from the Governors of Arizona, New Mexico, and Texas, and of the Government of Mexico. All other interested parties are hereby invited to submit any factual information which is pertinent to this review.

The Mexican duck was originally listed under the 1966 Endangered Species Preservation Act because of alleged losses of its preferred riparian marsh habitat in Southwestern United States and the apparent hybridization with the mallard (*Anas platyrhynchos*). Estimates at that time indicated that perhaps 20-40 percent of the Mexican-like ducks in the United States were possible hybrids.

An October 1977 publication of the New Mexico Department of Game and Fish reports the results of a two-year study into the hybridization of the Mexican duck and mallard. Through a well reorganized procedure for scoring phenotypes in a zone of hybridization, the author, Dr. John P. Hubbard, now concludes that 89.6 percent of all "Mexican-

like" ducks preserved as museum specimens from the U.S. are phenotypically hybrids between the mallard and the Mexican duck. The hybrid cline extends from the Colorado-New Mexico line (nearly pure mallards) to southern Durango, Mexico (nearly pure Mexican ducks). The hybridization of these two ducks is so extensive that it is now the opinion of Dr. Hubbard and several other noted ornithologists that the mallard and Mexican duck are not reproductively isolated and the latter should now be classified as a subspecies of the former (hence *Anas platyrhynchos diazi*). The first U.S. specimen (1893, El Paso) identified as a "Mexican duck" now has been determined by Hubbard to be a hybrid. As in any hybrid swarm, a few (10.4 percent apparently "pure" Mexican ducks are present in the U.S. sample of specimens. However, phenotypically pure Mexican ducks could still mate with other phenotypically pure Mexican ducks and produce obvious hybrid offspring.

This and other studies and surveys available to the U.S. Fish and Wildlife Service indicate that there is a minimum breeding population of approximately 15-20,000 genotypically pure Mexican ducks present in the main range of this duck (central highlands of Mexico). The Service is unaware of the presence of any significant threats to this latter population of ducks, other than its use as a minor food source by local residents.

The Service has available a limited number of copies of the publication of the New Mexico Department of Game and Fish. Interested parties who intend to comment on this notice of review may request a copy through the Service's Office of Endangered Species, Washington, D.C. 20240, 202-343-7814.

The primary author of this notice of review is Jay M. Sheppard, Office of Endangered Species.

Dated: November 22, 1977.

LYNN A. GREENWALT,
Director, Fish and Wildlife Service.
[FR Doc. 77-34123 Filed 11-25-77; 8:45 am]

notices

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.

[3410-02]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

SHIPPERS ADVISORY COMMITTEE

Notice of Public Meeting

Pursuant to the provisions of §10(a)(2) of the Federal Advisory Committee Act (86 Stat. 770), notice is hereby given of a meeting of the Shippers Advisory Committee established under Marketing Order No. 905 (7 CFR Part 905). This order regulates the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida and is effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The committee will meet in the A. B. Michael Auditorium of the Florida Citrus Mutual Building, 302 South Massachusetts Avenue, Lakeland, Fla., at 10:30 a.m. on December 13, 1977.

The meeting will be open to the public and a brief period will be set aside for public comments and questions. The agenda of the committee includes analysis of current information concerning market supply and demand factors, and consideration of recommendation for regulation of shipments of the named fruits.

The names of committee members, agenda, summary of the meeting, and other information pertaining to the meeting may be obtained from Frank D. Trovillion, Manager, Growers Administrative Committee, P.O. Box R, Lakeland, Fla. 33802, telephone 813-6820-3103.

Dated: November 23, 1977.

IRVING W. THOMAS,
Acting Deputy Administrator,
Program Operations.

[FR Doc. 77-34290 Filed 11-25-77; 11:57 am]

[3410-07]

Formers Home Administration

[Notice of Designation Number A521]

DELAWARE

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in the following

Delaware Counties as a result of drought February 1 through August 31, 1977, in Kent County and drought March 1 through August 31, 1977, which was aggravated by other adverse weather conditions prior to and following these dates in Sussex County.

Therefore, the Secretary has designated these areas as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended, and the provisions of 7 CFR part 1904 subpart C, Exhibit D, Paragraph V B, including the recommendation of Governor Pierre S. du Pont IV that such designation be made.

Applications for emergency loans must be received by this Department no later than May 2, 1978, for physical losses and November 3, 1978, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 18th day of November 1977.

GORDON CAVANAUGH,
Administrator,
Farmers Home Administration.

[FR Doc. 77-34046 Filed 11-25-77; 8:45 am]

[3410-07]

[Notice of Designation Number A524]

ILLINOIS

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in Vermilion County, Ill., as a result of a very severe storm consisting of wind, hail, and rain September 30 and October 1, 1977.

Therefore, the Secretary has designated this area as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended, and the provisions of 7 CFR part 1904 subpart C, Exhibit D, Paragraph V B, including the recommendation of Governor James R. Thompson that such designation be made.

Applications for emergency loans must be received by this Department no later than May 11, 1978, for physical losses and November 14, 1978, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 17th day of November 1977.

GORDON CAVANAUGH,
Administrator,
Farmers Home Administration.
[FR Doc. 77-34047 Filed 11-25-77; 8:45 am]

[3410-07]

[Notice of Designation Number A523]

MICHIGAN

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in the following Michigan Counties as a result of excessive rainfall and flooding August 1 through October 7, 1977, in Huron, Sanilac, Tuscola, and Saginaw Counties. Saginaw County also had drought September 1 through May 31, 1977, and hail September 19, 1977:

Huron, Saginaw, Sanilac, and Tuscola.

Therefore, the Secretary has designated these areas as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended, and the provisions of 7 CFR Part 1904 subpart C, Exhibit D, Paragraph V B, including the recommendation of Governor William G. Milliken that such designation be made.

Applications for emergency loans must be received by this Department no later than May 9, 1978, for physical losses and November 10, 1978, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 18th day of November 1977.

GORDON CAVANAUGH,
Administrator,
Farmers Home Administration.

[FR Doc. 77-34048 Filed 11-25-77; 8:45 am]

[3410-07]

[Notice of Designation Number A522]

OKLAHOMA

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in Comanche County, Okla., as a result of excessive rainfall (8 to 14 inches) August 27 and 28, 1977, with resultant flooding.

Therefore, the Secretary has designated this area as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended, and the provisions of 7 CFR Part 1904 subpart C, Exhibit D, Paragraph V B, including the recommendation of Governor David L. Boren that such designation be made.

Applications for emergency loans must be received by this Department no later than May 3, 1978, for physical losses and November 7, 1978, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rule-making and invite public participation.

Done at Washington, D.C., this 17th day of November 1977.

GORDON CAVANAUGH,
Administrator,
Farmers Home Administration.

[FR Doc. 77-34049 Filed 11-25-77; 8:45 am]

[3410-16]

Soil Conservation Service

**CANTER'S CAVE 4-H CAMP RC&D MEASURE,
OHIO**

**Intent to Not Prepare an Environmental Impact
Statement**

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Canter's Cave 4-H Camp RC&D Measure, Jackson County, Ohio.

The environmental assessment of this federally assisted action indicates that the project will not cause significant adverse local, regional, or national impacts on the environment. As a result of these findings, Mr. Robert E. Quilliam, State Conservationist, has determined that the preparation and review of an environmental impact statement is not needed for this project.

This measure concerns a plan for land drainage and flood prevention. The planned works of improvement will include installing approximately 2400 feet of subsurface drainage, 300 feet of diversion, 1 structure for water control and 2 acres of critical area planting. Critical area planting will be applied to all areas disturbed during construction.

The notice of intent to not prepare an environmental impact statement has been forwarded to Council on Environmental Quality.

The basic data developed during the environmental assessment is on file and may be reviewed by interested parties at the Soil Conservation Service, Federal Building, Room 522, 200 North High Street, Columbus, Ohio 43215. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the environmental impact appraisal is available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until December 28, 1977.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Pub. L. 87-703, (16 U.S.C. 590 a-f, g).)

Dated: November 18, 1977.

JOHN H. MINER,
*Chief, Resource Conservation
and Development Branch Con-
servation Service.*

[FR Doc. 77-34050 Filed 11-25-77; 8:45 am]

[3410-16]

**MAHNOMEN COUNTY ROADSIDE CRITICAL
AREA TREATMENT RC&D MEASURE**

**Intent to Not Prepare an Environmental Impact
Statement**

Pursuant to Section 102(2)(C) of the Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Mahnomen County Roadside Critical Area Treatment RC&D Measure, Mahnomen County, Minn.

The environmental assessment of this federally assisted action indicates that the measure will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Harry M. Major, State Conservationist, has determined that the preparation and review of an environmental impact statement is not needed for this measure.

The measure concerns a plan for reducing erosion adjacent to county roads and County ditch 55. The planned works of improvement include: Grade stabilization structures, side inlet pipes, streambank protection and critical area plantings.

The notice of intent to not prepare an environmental impact statement has been forwarded to the Council on Environmental Quality. The basic data developed during the environmental assessment is on file and may be reviewed by interested parties at the Soil Conservation Service, Darco Building, East Monroe Avenue, Mahanomen, Minn. 56557. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the environmental impact appraisal is available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until December 28, 1977.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Pub. L. 87-703 (16 U.S.C. 590a-f, g).)

Dated: November 18, 1977.

JOHN H. MINER,
*Chief, Resource Conservation
and Development Branch, Soil
Conservation Service.*

[FR Doc. 77-34052 Filed 11-25-77; 8:45 am]

[3410-16]

MASON TOWNSHIP RC&D MEASURE, OHIO

**Intent To Not Prepare an Environmental Impact
Statement**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Mason Township School RC&D Measure, Lawrence County, Ohio.

The environmental assessment of this federally assisted action indicates that the project will not cause significant adverse local, regional, or national impacts on the environment. As a result of these findings, Mr. Robert E. Quilliam, State Conservationist, has

determined that the preparation and review of an environmental impact statement is not needed for this project.

This measure concerns a plan for critical area treatment. The planned works of improvement will include topsoiling an area approximately 8 acres to a depth of 12", installing approximately 550 feet of waterway and one structure for water control to safely convey surface water from the site. Critical area planting will be applied to the topsoiled area and any other area disturbed during construction.

The notice of intent to not prepare an environmental impact statement has been forwarded to the Council on Environmental Quality. The basic data developed during the environmental assessment is on file and may be reviewed by interested parties at the Soil Conservation Service, Federal Building, Room 522, 200 North High Street, Columbus, Ohio 43215. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies, and interested parties. A limited number of copies of the environmental impact appraisal is available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until December 28, 1977.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program, Pub. L. 87-703 (16 U.S.C. 590 a-f, g).)

Dated: November 18, 1977.

JOHN H. MINER,
Chief, Resource Conservation
and Development Branch, Soil
Conservation Service.

[FR Doc. 77-34053 Filed 11-25-77; 8:45 am]

[3410-16]

MIAMI-ERIE CANAL RC&D MEASURE, OHIO

Intent To Not Prepare an Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality guidelines (40 CFR Part 1500); and the Soil Conservation Service guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Miami-Erie Canal RC&D Measure, Defiance and Henry Counties, Ohio.

The environmental assessment of this federally assisted action indicates that the project will not cause significant adverse local, regional, or national impacts on the environment. As a result of these findings, Mr. Robert E. Quilliam, State Conservationist, has determined that the preparation and

review of an environmental impact statement is not needed for this project.

This measure concerns a plan for public water based recreation. The planned works of improvement will include increasing the size of the inlet from the Maumee River into the canal and removing silt bars and woody debris from approximately 6.4 miles of the canal.

This notice of intent to not prepare an environmental impact statement has been forwarded to Council on Environmental Quality. The basic data developed during the environmental assessment is on file and may be reviewed by interested parties at the Soil Conservation Service, Federal Building, Room 522, 200 North High Street, Columbus, Ohio 43215. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies, and interested parties. A limited number of copies of the environmental impact appraisal is available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until December 28, 1977.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program, Pub. L. 87-703 (16 U.S.C. 590a-f, g).)

Dated: November 18, 1977.

JOHN H. MINER,
Chief, Resource Conservation
and Development Branch, Soil
Conservation Service.

[FR Doc. 77-34054 Filed 11-25-77; 8:45 am]

[3410-16]

ROBE ANN PARK LAND DRAINAGE RC&D MEASURE

Intent To Not Prepare an Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality guidelines (40 CFR Part 1500); and the Soil Conservation Service guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Robe Ann Park Land Drainage RC&D Measure, Putnam County, Ind.

The environmental assessment of the Federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Mr. Buell M. Ferguson, State Conservationist, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The measure concerns a plan for land drainage. The planned works of

improvement include 1,500 feet of sub-surface drains and 1 acre of critical area planting.

The notice of intent to not prepare an environmental impact statement has been forwarded to the Council on Environmental Quality. The basic data developed during the environmental assessment is on file and may be reviewed by interested parties at the Soil Conservation Service, Moore Building, U.S. 231 North, Greencastle, Ind. 46135. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies, and interested parties. A limited number of copies of the environmental impact appraisal is available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until December 28, 1977.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program, Pub. L. 87-703 (16 U.S.C. 590 a-f, g).)

Dated: November 18, 1977.

JOHN H. MINER,
Chief, Resource Conservation
and Development Branch, Soil
Conservation Service.

[FR Doc. 77-34055 Filed 11-25-77; 8:45 am]

[3410-16]

ROUTE 33 LOGAN COUNTY RC&D MEASURE, OHIO

Intent To Not Prepare an Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality guidelines (40 CFR Part 1500); and the Soil Conservation Service guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Logan County Route 33 RC&D Measure, Logan County, Ohio.

The environmental impact assessment of this federally assisted action indicates that the project will not cause significant adverse local, regional, or national impacts on the environment. As a result of these findings, Mr. Robert E. Quilliam, State Conservationist, has determined that the preparation and review of an environmental impact statement is not needed for this project.

This measure concerns a plan for critical area treatment. The planned works of improvement involve seeding approximately 45 acres of critically eroding roadbanks to grasses and legumes. No earthmoving will be done and very limited seedbed preparation will be used. There will be no change in land use.

The notice of intent to not prepare an environmental impact statement has been forwarded to the Council on Environmental Quality. The basic data developed during the environmental assessment is on file and may be reviewed by interested parties at the Soil Conservation Service, Federal Building, Room 522, 200 North High Street, Columbus, Ohio 43215. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies, and interested parties. A limited number of copies of the environmental impact appraisal is available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until December 28, 1977.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program, Pub. L. 87-703 (16 U.S.C. 590 a-f, g).)

Dated: November 18, 1977.

JOHN H. MINER,
Chief, Resource Conservation
and Development Branch, Soil
Conservation Service.

[FR Doc. 77-34051 Filed 11-25-77; 8:45 am]

[3410-16]

SCIOTO COUNTY FAIRGROUNDS RC&D MEASURE, OHIO

Intent To Not Prepare an Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality guidelines (40 CFR Part 1500); and the Soil Conservation Service guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Scioto County Fairgrounds RC&D Measure, Scioto County, Ohio.

The environmental assessment of this federally assisted action indicates that the project will not cause significant adverse local, regional, or national impacts on the environment. As a result of these findings, Mr. Robert E. Quilliam, State Conservationist, has determined that the preparation and review of an environmental impact statement is not needed for this project.

This measure concerns a plan for land drainage. The planned works of improvement will be the installation of approximately 9,100 feet of subsurface drainage and approximately 4 acres of critical area planting.

The notice of intent to not prepare an environmental impact statement has been forwarded to Council on Environmental Quality. The basic data developed during the environmental assessment is on file and may be re-

viewed by interested parties at the Soil Conservation Service, Federal Building, room 522, 200 North High Street, Columbus, Ohio 43215. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies, and interested parties. A limited number of copies of the environmental impact appraisal is available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until December 23, 1977.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program, Pub. L. 87-703 (16 U.S.C. 590 a-f, g).)

Dated: November 18, 1977.

JOHN H. MINER,
Chief, Resource Conservation
and Development Branch, Soil
Conservation Service.

[FR Doc. 77-34056 Filed 11-25-77; 8:45 am]

[3510-07]

DEPARTMENT OF COMMERCE

Bureau of the Census

NEW SCHEDULE B, STATISTICAL CLASSIFICATION OF DOMESTIC AND FOREIGN COMMODITIES EXPORTED FROM THE UNITED STATES

This notice is to advise the public of the complete revision of Schedule B, "Statistical Classification of Domestic and Foreign Commodities Exported from the United States," effective January 1, 1978; and that, effective with all shipments leaving the United States on or after January 1, 1978, exporters will be required to accurately describe and report their commodities for export in terms of the 7-digit numbers and classes shown in the new Schedule B (1978 Edition).

The revision of Schedule B was undertaken pursuant to 15 CFR Part 30, as a step towards achieving comparability in the United States import, export, and production data as mandated by section 608 of the Trade Act of 1974. The 1978 Edition of Schedule B is structured on the Tariff Schedules of the United States Annotated (TSUSA); however, the TSUSA and the new Schedule B are separate and distinct classification schedules and may not be used interchangeably. Schedule B is for use in reporting export shipments only.

The new Schedule B, which will supersede the present Schedule B as of January 1, 1978, is divided into eight schedules as follows:

- (1) Animal and Vegetable Products.
- (2) Wood and Paper; Printed Matter.
- (3) Textile Fibers and Textile Products.
- (4) Chemicals and Related Products.
- (5) Nonmetallic Minerals and Products.
- (6) Mineral and Metal Products; Machinery and Transportation Equipment.

(7) Specified Products; Miscellaneous and Nonenumerated Products.

(8) Special Classification Provisions.

Various commodity groupings were prepared, each as a so-called "Commodity Reference" (CR), and sent to government agencies, exporters, freight forwarders, trade associations, and other members of private industry for comment. Notices of the availability of these Commodity References were announced in the following FEDERAL REGISTERS:

- 41 FR 48422 dated November 3, 1976.
- 41 FR 51476 dated November 22, 1976.
- 41 FR 53145 dated December 3, 1976.
- 42 FR 2727 dated January 13, 1977.
- 42 FR 5431 dated January 28, 1977.
- 42 FR 8724 dated February 11, 1977.
- 42 FR 11287 dated February 28, 1977.
- 42 FR 12932 dated March 7, 1977.
- 42 FR 15977 dated March 24, 1977.
- 42 FR 19932 dated April 15, 1977.
- 42 FR 37074 dated July 19, 1977.

The comments received on the various CR's played a large part in the final adoption of the new classifications. In addition, public meetings were held in various cities throughout the United States and Puerto Rico, where representatives of the Bureau of the Census publicized and explained the 1978 edition of Schedule B and the reasons for its adoption.

Copies of the new Schedule B are now available and may be purchased from the Government Printing Office for \$13 per copy. This price includes the basic subscription in addition to future supplements for an indefinite period of time.

Dated: November 22, 1977.

MANUEL D. PLOTKIN,
Director,
Bureau of the Census.

[FR Doc. 77-34069 Filed 11-25-77; 8:45 am]

[3510-25]

Foreign-Trade Zones Board

[Docket No. 13-77]

EASTERN DISTRIBUTION CENTER, INC.

Application To Establish Temporary Foreign-Trade Zone Site Within the Wilkes-Barre/Scranton Customs Port of Entry

Notice is hereby given that an application has been submitted to the Foreign-Trade Zones Board (the Board) by the Eastern Distribution Center, Inc. (Eastern), a non-profit Pennsylvania economic development corporation and grantee of Foreign-Trade Zone No. 24, requesting authority for a temporary foreign-trade zone site in Luzerne County within the Wilkes-Barre/Scranton Customs port of entry. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act of 1934, as amended (19 U.S.C. 81), and the regu-

lations of the Board (15 CFR Part 400). It was formally filed on November 22, 1977. Eastern is authorized to apply for foreign-trade zone sites under Pennsylvania law (Act No. 126, approved June 10, 1935, Pub. L. 291).

Foreign-Trade Zone No. 24, authorized in October 1976, is located within a 265 acre industrial park, the International Trade Center of Pennsylvania, operated by Eastern as part of the northeastern Pennsylvania region's economic development efforts. Recently, RCA Corp. signed an agreement with Eastern to locate its Worldwide Distribution Center for the Solid State Division within the zone. A building is being constructed to accommodate this operation, completion being expected in mid-1978. So that RCA can start operating under zone procedures as soon as possible, Eastern has requested authority to establish a temporary foreign-trade zone for a period of one year in an existing warehouse facility approximately 9 miles from the permanent zone. The warehouse in which the temporary site would be located is on a 45 acre tract on South Main Street, Wilkes-Barre, Pa., within two miles of Interstate Highway I-81. It is owned and operated by Preferred Development Corp., d.b.a. Biscontini Warehouse.

In accordance with the Board's regulations, an Examiners Committee has been appointed to review the application and report thereon to the Board. The committee consists of Mr. Hugh J. Dolan (Chairman), Office of the Secretary, U.S. Department of Commerce, Washington, D.C. 20230; John Noon, Director, Inspection and Control Division, U.S. Customs Service, Region III, 40 South Gay Street, Baltimore, Md. 21202; and Colonel George K. Withers, Jr., District Engineer, U.S. Army Engineer District Baltimore, P.O. Box 1715, Baltimore, Md. 21203.

Copies of the Eastern Distribution Center's application are available for inspection at:

Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, 14th and E Streets NW., Room 6886-B, Washington, D.C. 20230.

Comments concerning the proposed temporary site are invited in writing from interested persons and organizations. They should be addressed to the Board's Executive Secretary at the above address and can be postmarked on or before December 16, 1977.

Dated: November 22, 1977.

JOHN J. DA PONTE, Jr.,
Executive Secretary,
Foreign-Trade Zones Board.

[FR Doc. 77-34120 Filed 11-25-77; 8:45 am]

[3510-12]

National Oceanic and Atmospheric Administration

CALIFORNIA COASTAL MANAGEMENT PROGRAM

Approval

Notice is hereby given that, pursuant to the authority contained in section 306(a) of the Coastal Zone Management Act of 1972, as amended (16 U.S.C. 1451 et seq.), the Acting Associate Administrator for Coastal Zone Management (on behalf of the Secretary of Commerce) has approved the California Coastal Management Program (Program) and awarded a grant to the California Coastal Commission to assist the State in the administration of its Program. Approval was granted on November 7, 1977.

A copy of the written findings made by the Associate Administrator in determining that the Program met the requirements of the Coastal Zone Management Act may be obtained from the Office of Coastal Zone Management, 3300 Whitehaven St. NW., Washington, D.C. 20235.

The applicability of the Federal consistency provisions of the Coastal Zone Management Act to the California Program has been temporarily stayed pending the final decision of the Federal District Court for the Central District of California in a lawsuit related to the Program. A second notice will be placed in the Federal Register at the time the Court's injunction is lifted.

Effective date: November 7, 1977.

R. L. CARNAHAN,
Deputy Assistant Administrator
for Administration.

[FR Doc. 77-34057 Filed 11-25-77; 8:45 am]

OREGON COASTAL MANAGEMENT PROGRAM

Approval

Notice is hereby given that, pursuant to the authority contained in section 306(a) of the Coastal Zone Management Act of 1972, as amended (16 U.S.C. 1451 et seq.), the Acting Associate Administrator for Coastal Zone Management (on behalf of the Secretary of Commerce) has approved the Oregon Coastal Management Program (Program) and awarded a grant to the Oregon Land Conservation and Development Commission to assist the State in the administration of its program.

Approval was granted on May 6, 1977 and activates the Federal agency responsibility for being consistent with the Oregon program pursuant to the Federal consistency provisions of the Coastal Zone Management Act. Further information on the responsibility of affected Federal agencies in this regard may be obtained from the Office of Coastal Zone Management,

3300 Whitehaven Street NW., Washington, D.C. 20235. Also available, upon request, is a copy of the written findings made by the Associate Administrator in determining that the Oregon program met the requirements of the Coastal Zone Management Act.

Effective date: May 6, 1977.

R. L. CARNAHAN,
Deputy Assistant
Administrator
for Administration.

[FR Doc. 77-34058 Filed 11-25-77; 8:45 am]

[3510-12]

National Oceanic and Atmospheric Administration

NEW ENGLAND FISHERY MANAGEMENT COUNCIL'S SCIENTIFIC AND STATISTICAL COMMITTEE

Change in Date of Public Meeting

The meeting of the New England Fishery Management Council's Scientific and Statistical Committee scheduled for November 29, 1977, at the Holiday Inn, Junction of Routes 1 and 128, Peabody, Mass., as published in the FEDERAL REGISTER, Vol. 42, No. 215, Tuesday, November 8, 1977, has been changed to December 7, 1977, at the same location.

Dated: November 23, 1977.

WINFRED H. MEIBOHM,
Associate Director,
National Marine Fisheries Service.

[FR Doc. 77-34142 Filed 11-25-77; 8:45 am]

[3510-12]

National Oceanic and Atmospheric Administration

PRE-ACT ENDANGERED SPECIES PRODUCTS

Issuance of Certificates of Exemption

On October 14, 1977, notice was published in the FEDERAL REGISTER (42 FR 55252-55253) that applications had been filed with the National Marine Fisheries Service by Mr. and Mrs. Tucker Lindquist, Keith A. Henry, James F. O'Connell, and Beverly J. O'Connell, Lucille Irene Barringer, Collector's World, Inc., Christos P. Alex, William C. Mahoney III, and William F. Feeney, for Certificates of Exemption to engage in certain commercial activities with respect to their declared inventories of pre-Act endangered species products.

Notice is hereby given that on November 28, 1977, as authorized by (Pub. L. 94-359), and the regulations issued thereunder (50 CFR Part 222, Subpart B), the National Marine Fisheries Service issued Certificates of Exemption to the following:

(1) Mr. and Mrs. Tucker Lindquist, 7 Granite Street, Peabody, Mass. 01960. Parts

or products exempted: Finished scrimshaw products to be made from 30 sperm whale teeth.

(2) Keith A. Henry, 310 Bayview Trailer Park, Middletown, R.I. 02840. Parts or products exempted: Finished scrimshaw products consisting of 65 jewelry items and three etched whale teeth. Finished scrimshaw products to be made from three whale teeth.

(3) James F. O'Connell and Beverly J. O'Connell, d.b.a. The Scrimshaw Shop, Main Street, Box 613, Dennisport, Mass. 02639. Parts or products exempted: Finished scrimshaw products consisting of 162 finished jewelry items, 61 pieces of carved whale tooth and bone. Finished scrimshaw products to be made from 206 blanks and bits, 44 whale teeth and one whale jawbone containing 40 teeth.

(4) Lucille Irene Barringer, 217 2d Isle North, Port Richey, Fla. 33568. Parts or products exempted: Finished scrimshaw products to be made from approximately 3,987 whale teeth.

(5) Collector's World, Inc., Box 823, route 6, Eastham, Mass. 02642. Parts or products exempted: Finished scrimshaw products consisting of approximately 174 jewelry items and pieces of art, and 35 etched whale teeth. Finished scrimshaw products to be made from approximately 43 whale teeth.

(6) Christos P. Alex, 44 Sugar Hill Drive, East Harwich, Mass. 02645. Parts or products exempted: Finished scrimshaw products of approximately 29 etched whale teeth, and 2 items carved from whale jawbone.

(7) William C. Mahoney III, P.O. Box 1617, St. Augustine, Fla. 32084. Parts or products exempted: Finished scrimshaw products to be made from 24 sperm whale teeth.

(8) William F. Feeney, Tara Road, Mattapoisett, Mass. 02739. Parts or products exempted: Finished scrimshaw products to be made from 50 pounds of whale teeth and 10 pounds of crosscuts and scrap pieces of whale teeth.

The Certificates of Exemption are available for review during normal business hours in the office of the Enforcement Division, National Marine Fisheries Service, 3300 Whitehaven Street NW., Washington, D.C. 20007.

Dated: November 22, 1977.

WINFRED H. MEIBOHM,
Associate Director, National
Marine Fisheries Service.

[FR Doc. 77-34115 Filed 11-25-77; 8:45 am]

[3510-25]

**COMMITTEE FOR THE
IMPLEMENTATION OF TEXTILE
AGREEMENTS**

**CERTAIN COTTON APPAREL IMPORTED FROM
POLAND**

Lifting of Prohibition

NOVEMBER 23, 1977.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Permitting entry in excess of the level of restraint established for certain cotton coats and trousers in Categories 49 and 50, produced or manufactured in Poland and exported

to the United States during the twelve-month period which began on January 1, 1977. (A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on February 3, 1975 (40 FR 5010), as amended on December 31, 1975 (40 FR 60220), December 30, 1976 (41 FR 56881), January 21, 1977 (42 FR 3888), and March 7, 1977 (42 FR 12898)).

SUMMARY: On November 21, 1977, the Governments of the United States and the Polish People's Republic exchanged notes further amending the Bilateral Cotton Textile Agreement of November 6, 1975, as amended, for the third agreement year which began on January 1, 1977. According to the terms of the amendment, the designated annual consultation level for Category 49 has been increased to 66,385 dozen. The consultation level for Category 50 is also being increased to 55,000 dozen.

EFFECTIVE DATE: November 28, 1977.

FOR FURTHER INFORMATION CONTACT:

Edmond C. Callahan, International Trade Specialist, Office of Textiles, U.S. Department of Commerce, Washington, D.C. 20230, 202-377-5423.

SUPPLEMENTARY INFORMATION: On January 3, 1977, there was published in the FEDERAL REGISTER (42 FR 64) a letter dated December 29, 1976 from the Chairman of the Committee for the Implementation of Textile Agreements, which established levels of restraint applicable to certain specified categories of cotton textile products, produced or manufactured in Poland and exported to the United States during the twelve-month period which began on January 1, 1977. Certain of those levels, including that for Category 49 were amended by letter of July 29, 1977 (42 FR 39131).

A further letter, dated November 8, 1977 to the Commissioner of Customs from the Chairman of the Committee for the Implementation of Textile Agreements and published in the FEDERAL REGISTER on November 14, 1977 (42 FR 58969), prohibited entry, effective on November 15, 1977, of cotton textile products in Category 50 for the remainder of the agreement year which began on January 1, 1977. Pursuant to the terms of the amendment to the agreement, the letter published below directs the Commissioner of Customs to permit entry of cotton textile products in Categories 49 and 50 at respective levels of restraint not to exceed 66,385 dozen and 55,000 dozen for the twelve-month period which began on January 1, 1977. The level of restraint for Category 50 will be adjusted to reflect imports of 41,760 dozen for the period which began on January 1, 1977 and extended through

September 30, 1977. When the data are available, further reductions will be made to account for imports from October 1, 1977 through the effective date of this action.

ROBERT E. SHEPHERD,
Chairman, Committee for the
Implementation of Textile
Agreements, and Deputy Assistant
Secretary for Resources
and Trade Assistance, U.S. Department of Commerce.

COMMITTEE FOR THE IMPLEMENTATION OF
TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C.

NOVEMBER 23, 1977.

DEAR MR. COMMISSIONER: This directive further amends, but does not cancel, the directive issued to you on December 29, 1976, by the Chairman of the Committee for the Implementation of Textile Agreements, as amended by directive of July 29, 1977, concerning imports into the United States of certain specified categories of cotton textile products, produced or manufactured in Poland. It cancels and supersedes the directive of November 8, 1977 which prohibited entry of cotton textile products in Category 50 during the 12-month period which began on January 1, 1977.

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, pursuant to the Bilateral Cotton Textile Agreement of November 6, 1975, as amended, between the Governments of the United States and the Polish People's Republic, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, you are directed, effective on November 28, 1977, and for the 12-month period beginning on January 1, 1977, and extending through December 31, 1977, to permit entry into the United States for consumption or withdrawal from warehouse for consumption of cotton textile products in Categories 49 and 50 up to the following levels of restraint:

Category	Amended 12-Month Level of Restraint ¹
49.....	66,385 dozen.
50.....	55,000 dozen.

¹The amended levels of restraint have not been adjusted to reflect any imports after December 31, 1976.

The actions taken with respect to the Government of the Polish People's Republic and with respect to imports of cotton textile products from Poland have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,
ROBERT E. SHEPHERD,
Chairman, Committee for the
Implementation of Textile
Agreements, and Deputy Assistant
Secretary for Resources
and Trade Assistance.

[FR Doc. 77-34141 Filed 11-25-77; 8:45 am]

[6820-33]

**COMMITTEE FOR PURCHASE FROM
THE BLIND AND OTHER SEVERELY
HANDICAPPED**

PROCUREMENT LIST 1978

Proposed Addition

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Proposed Addition to Procurement List.

SUMMARY: The Committee has received a proposal to add to Procurement List 1978 a commodity to be produced by workshops for the blind or other severely handicapped.

COMMENTS MUST BE RECEIVED ON OR BEFORE: December 28, 1977.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street North, suite 610, Arlington, Va. 22201.

FOR FURTHER INFORMATION CONTACT:

C. W. Fletcher, 703-557-1145.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2), 85 Stat. 77.

If the Committee approves the proposed addition, all entities of the Federal Government will be required to procure the commodity listed below from workshops for the blind or other severely handicapped.

It is proposed to add the following commodity to Procurement List 1978, November 14, 1977 (42 FR 59015):

CLASS 8340

Pole Section, Tent, 8340-00-223-7849.

C. W. FLETCHER,
Executive Director.

[FR Doc. 77-34104 Filed 11-25-77; 8:45 am]

[6820-33]

PROCUREMENT LIST 1978

Proposed Deletion

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Proposed Deletion from Procurement List.

SUMMARY: The Committee has received a proposal to delete from Procurement List 1978 a service provided by workshops for the blind or other severely handicapped.

COMMENTS MUST BE RECEIVED ON OR BEFORE: December 28, 1977.

ADDRESS: Committee for Purchase from the Blind and Other Severely

Handicapped, 2009 14th Street North, suite 610, Arlington, Va. 22201.

FOR FURTHER INFORMATION CONTACT:

C. W. Fletcher, 703-557-1145.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2), 85 Stat. 77.

It is proposed to delete the following service from Procurement List 1978, November 14, 1977 (42 FR 59015):

SIC 7542

Vehicle Detailing, Duluth, Minn., plus a 10-mile radius.

C. W. FLETCHER,
Executive Director.

[FR Doc. 77-34105 Filed 11-25-77; 8:45 am]

[3125-01]

**COUNCIL ON ENVIRONMENTAL
QUALITY**

**TRANSFER OF ENVIRONMENTAL IMPACT
STATEMENT RECEIPT AND FILING FROM CEQ
TO EPA**

OCTOBER 28, 1977.

The receipt and filing of environmental impact statements (EIS's) will be transferred from the Council on Environmental Quality (CEQ) to the Environmental Protection Agency (EPA) next month, under the President's reorganization plan for the Executive Office of the President (Reorganization Plan No. 1 of 1977, July 15, 1977). Effective Monday, December 5, 1977, Federal agencies should no longer send EIS's to CEQ. Instead agencies should deliver five (5) copies of all draft, final or supplemental EIS's filed pursuant to section 102(2)(C) of the National Environmental Policy Act directly to:

Environmental Protection Agency, Room 537, West Tower, 401 M Street SW., Washington, D.C. 20460.

Mailed copies should be sent to Mail Code A-104 at the same address.

Beginning on December 16, 1977, EPA will publish the regular weekly FEDERAL REGISTER notices indicating receipt of EIS's and the relevant comment periods. EPA will also publish the 102 Monitor beginning in January.

CEQ will continue its NEPA oversight and policy guidance to agencies. However, general information and specific questions from agencies and the public about technical compliance with environmental impact statement requirements and CEQ guidelines should be directed to EPA after December 2.

Please inform all regional and branch offices of these changes. Any questions should be directed to Sally Mallison at CEQ, 202-633-7077, or

Thomas Sheckells at EPA, 202-755-0790.

CHARLES WARREN,
Chairman.

[FR Doc. 77-34136 Filed 11-25-77; 8:45 am]

[3125-01]

ENVIRONMENTAL IMPACT STATEMENTS

Availability

The following is a list of environmental impact statements received by the Council on Environmental Quality from November 14 through November 18, 1977. The date of receipt for each statement is noted in the statement summary. Under Council guidelines the minimum period for public review and comment on draft environmental impact statements is forty-five (45) days from this FEDERAL REGISTER notice of availability (January 9, 1977). The thirty (30) day period for each final statement begins on the day the statement is made available to the Council and to commenting parties.

Copies of individual statements are available for review from the originating agency. Back copies are also available at 10 cents per page from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: Mr. Errett Deck, Coordinator, Environmental Quality Activities, U.S. Department of Agriculture, Room 307A, Washington, D.C. 20250, 202-447-6827.

FOREST SERVICE

Draft

Ocala National Forest timber management plan, Florida, November 18: The proposed action is the implementation of a revised 10-year timber management plan for the Ocala National Forest. The plan proposes even-aged forest management for that part of the forest which is suitable for sustained yield timber production and not reserved for some other use. Estimated annual yield from approximately 5,140 acres of regeneration cuts and 2,000 acres of intermediate cuts will be million board feet of sawtimber and 64.2 thousand cords of small roundwood. An estimated 6,480 acres will be site prepared and reforested annually. (ELR Order No. 71419.)

Final

Monongahela National Forest land use plan (2), several counties, West Virginia, November 18: Proposed is a management plan for the natural and human resources of the Monongahela National Forest, which is located in the following nine counties in the State of West Virginia: Preston, Tucker, Grant, Pendleton, Randolph, Webster, Pocahontas, Nicholas, and Greenbrier. The plan sets forth tentative allocation of land to various resource uses and activities. Adverse effects will result from temporary stream sedimentation, minimal landscape alterations, and wildlife habitat disturbance from resource activities. Comments made by: DOI, EPA, HEW, State and local agencies, concerned groups and individuals. (ELR Order No. 71416.)

Rocky Mountain front unit, Lewis and Clark National Forest, Montana, November 13: Proposed is the implementation of a land management plan for the Rocky Mountain front planning unit, sun River and Teton Ranger Districts, on the Lewis and Clark National Forest. The unit lies within portions of Glacier, Lewis and Clark, Pondera, and Teton Counties, and encompasses 451,755 acres of national forest lands and 4,300 acres of private ownership. The recommended plan allocates resources and specifies land use prescriptions for national forest lands only; it emphasizes grizzly, elk, and roadless opportunities. (ELR Order No. 71399.)

SOIL CONSERVATION SERVICE

Draft

Grasshopper-Coal Creek watershed, Atchison, Brown, and Jefferson Counties, Kans., November 16: Proposed is a project for watershed protection and flood prevention (including grade stabilization) in Atchison, Brown, and Jefferson Counties, Kans. The planned works of improvement include conservation land treatment and 39 earthfill grade stabilization structures with storage for sediment and floodwater detention. Adverse effects include the elimination of agricultural use and terrestrial wildlife use on 393 acres; agricultural and terrestrial wildlife uses will be interrupted and reduced on 773 acres by periodic flooding of reservoir retarding areas. (ELR Order No. 71409.)

Stewart Creek watershed, Hopkins County, Ky., November 14: Proposed is a project for watershed protection and flood prevention in Hopkins County, Ky. The planned works of improvement include conservation land treatment, supplemented by channel work and two water control structures. The channel work will involve approximately 1.7 miles of channel enlargement with a riprap lining along the existing alignment; structural measures will provide an 100-year level of protection to the first floor of 93 of 102 existing commercial and residential properties in the city of Earlington, Ky. Adverse effects include altering 26 acres of wooded wildlife habitat and permanently eliminating upland vegetation within the sediment pool areas. (ELR Order No. 71397.)

DEPARTMENT OF COMMERCE

Contact: Dr. Sidney R. Galler, Assistant Secretary for Environmental Affairs, Environmental Affairs, Department of Commerce, Washington, D.C. 20230, 202-377-4335.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Draft

Rhode Island coastal management program, November 17: Proposed is the approval by the Secretary of Commerce of the coastal zone management program of the State of Rhode Island. Approval would permit implementation of the proposed program, allowing program administration grants to be awarded to the State, and require that all Federal actions be consistent with the program. The impacts of the program will be generally beneficial, although there may be some adverse, short-term economic impacts on some coastal users. (ELR Order No. 71413.)

DEPARTMENT OF DEFENSE

AIR FORCE

Contact: Col. Luis F. Dominguez, Department of the Air Force, Room 5D 431, Pentagon, Washington, D.C. 20330, 202-697-7799.

Final

F-16 beddown at Hill Air Force Base, Utah, November 16: The proposed action is to beddown a F-16 Tactical Fighter Wing at Hill Air Force Base (AFB), Utah, during the period from January 1979 to September 1980. During this 21-month period the 388th Tactical Fighter Wing (TFW) will phase out 54 F-4D Phantom aircraft. The action will result in a decrease in the area impacted by the noise associated with F-16 operations. Carbon monoxide, total hydrocarbons, and total particulates due to aircraft operations will decrease during the beddown. Comments made by: COE, EPA, HEW, DOI, DOT, State and local agencies, concerned groups and individuals. (ELR Order No. 71410.)

ARMY CORPS

Contact: Dr. C. Grant Ash, Office of Environmental Policy Department, Attn.: DAEN-CWR-P, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, D.C. 20314, 202-693-6795.

Final

Sault Ste. Marie, operations, maintenance, and power generation, Michigan, November 15: The proposed action is the operation and maintenance of the navigation locks, power facilities, administration buildings, and canal park lands at Sault Ste. Marie, Mich. The Federal lock facilities provide for recreational and commercial vessel passage through the natural barrier of the St. Marys River and for power generation for lock operation and the surrounding community. Maintenance activities will cause impacts to water quality and limit the flow of water to the St. Marys Rapids, thereby affecting the aquatic organisms living in the rapids. Comments made by: AHP, FPC, USDA, DOI, DOT, EPA, State agencies, concerned groups. (ELR Order No. 71400.)

ENVIRONMENTAL PROTECTION AGENCY

Contact: Peter Cook, Acting Director, Office of Federal Activities, Room WSMW 537, 401 M Street SW., Washington, D.C. 20460, 202-755-0777.

Draft

Southern Maine 208 waste treatment plan, November 14: Proposed is an areawide waste treatment management plan prepared by the Southern Maine Regional Planning Commission (SMRPC.) The SMRPC plan has developed technical and management recommendations to provide effective controls for, among others, the following sources of waste in the 208 area: sewage disposal-collection and treatment systems; sewage disposal-subsurface systems; septic disposal; sludge disposal; solid waste disposal; industrial waste disposal; runoff from development, agriculture, and silviculture; salt storage and application; petroleum storage and transfer; and dredge and disposal operations. (Region 1.) (ELR Order No. 71398.)

Sinclair Inlet wastewater facilities, Kitsap County, Wash., November 15: Proposed is a sewerage facilities plan designed to provide a wastewater treatment and disposal system for the Sinclair Inlet water resource inven-

tory area No. 15 within Kitsap County, Wash. This statement identifies alternatives for providing wastewater facilities designed to meet residential and industrial needs as well as the maintenance of environmental quality. The study area covers approximately 100 square miles and has a population of 69,300, the majority of which is concentrated in the city of Bremerton. (Region X.) (ELR Order No. 71408.)

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Contact: Mr. Charles Custard, Director, Office of Environmental Affairs, Department of Health, Education, and Welfare, room 524 F2, HEW, South, 200 Independence Avenue SW., Washington, D.C. 20201, 202-245-7243.

Final

Recombinant DNA molecules research, guidelines, November 17: This statement embodies guidelines released on June 23, 1976, by the Director of the National Institutes of Health governing the conduct of NIH-supported research on recombinant DNA molecules. The guidelines prohibit certain kinds of recombinant DNA experiments and, for those experiments that are permitted, they specify safety precautions and conditions designed to protect the health of laboratory workers, the general public, and the environment should the putative hazards prove real. Comments made by: HUD, DOT, TREA, DOI, EPA, FPC, STAT, ERDA, USDA, VA, NSF2, State and local agencies, concerned groups and individuals. (ELR Order No. 71412.)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Director, Office of Environmental Quality, Department of Housing and Urban Development, 451 7th Street SW., Washington, D.C. 20410, 202-755-6308.

Draft

Hunterwood Forest Subdivision, Harris County, Tex., November 14: Proposed is the acceptance of the Hunterwood Forest project in Harris County, Tex. for HUD/FHA home mortgage insurance purposes. The project will consist of the development of 166.1717 acres into a community composed of single-family homes designed to accommodate approximately 2,062 persons. Adverse effects include the loss of wooded land and an increased demand for fossil fuels through heavy dependence on the automobile for transportation. (ELR Order No. 71395.)

Timberhills Subdivision, Harris County, Tex., November 14: The proposed action is for the Department of HUD to accept the proposed Timberhills Subdivision, located in the northeast section of Harris County, Tex., for HUD/FHA mortgage insurance purposes. When completed in approximately 9 years, the subdivision will contain approximately 2,148 single-family homes on 537 acres plus recreational facilities to serve the subdivision. Adverse effects include the removal of potential forestland and livestock grazing land from production, and an increased demand for fossil fuel through heavy dependence on the automobile for transportation. (ELR Order No. 71396.)

Heritage Park Subdivision, Harris County, Tex., November 15: The proposed action is for the Department of HUD to accept for HUD/FHA mortgage insurance purposes the 671-acre Heritage Park Subdivision lo-

cated in Harris County, Tex. When completed in approximately 6 years, the subdivision will contain approximately 2,447 single-family homes plus some attached single-family and multi-family housing and shopping and recreational facilities. Adverse effects include the removal of open areas and an increased demand for fossil fuels through heavy dependence on the automobile for transportation. (ELR Order No. 71404.)

Kennewick Park Community, Benton County, Wash., November 15: The Leavitt/NuPacific Co. and Burlington Northern Land Development Corp. propose to develop Kennewick Park, a planned residential community of 560 acres, consisting of single-family homes, multi-family homes, school/park, public services, and various commercial developments over a 15-20 year period. The proposed HUD/FHA action is limited to subdivision approval for mortgage insurance on single-family homes. The total proposed for single-family is 1,093 lots on 285 acres. Adverse effects include increased load on utilities, transportation facilities, and governmental services for the area. (ELR Order No. 71401.)

Final

Highlands North Subdivision, Lincoln County, Nebr., November 15: Proposed is the approval of the Highlands North Subdivision in Lincoln, Nebr. for FHA/HUD home mortgage insurance. Plans call for the development of 1,085 acres into single-family lots, apartments, industrial parks, commercial facilities, office, park, and public service areas. Major adverse effects include loss of agricultural land, alteration of the biotic community, increased demands on city facilities and services, and increased levels of air and noise pollution. Comments made by: USDA, COE, HUD, EPA, DOI, DOT, VA, State and local agencies. (ELR Order No. 71402.)

Section 104(h)

The following are Community Development Block Grant statements prepared and circulated directly by applicants pursuant to section 104(h) of the 1974 Housing and Community Development Act. Copies may be obtained from the office of the appropriate local chief executive. (Copies are not available from HUD.)

Final

Lowndes County, Ala.—Rural water system improvements, Lowndes County, Ala., November 15: Proposed is the extension of water lines to serve new customers and/or to upgrade existing services in the Collirene, Barlow, Letohatchee, Braggs, and Mt. Willing communities. The proposed improvements will provide access to a reliable source of potable water for approximately 911 rural County residents. Adverse effects include short-term sedimentation of streams and an existing potential for limited erosion. Construction activities may cause an increase in suspended particulates in the air and noise levels. Comments made by: EPA, one State agency. (ELR Order No. 71403.)

Macon County, Tenn.—Waterline construction, Macon County, Tenn., November 17: Proposed is the construction of 13,950 linear feet of 6-inch or 4-inch plastic waterline on private easements along Goose Horn Road, beginning approximately 3,500 linear feet east of the community of Willette where the existing waterline ends. The project will be located in Census Enumeration District 4. This project will have a positive

impact by supplying the present residents along Goose Horn Road with a safe, potable water supply. No significant adverse effects are anticipated. Comments made by: EPA, USDA, one State agency. (ELR Order No. 71411.)

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 4256 Interior Bldg., Department of the Interior, Washington, D.C. 20240, 202-343-3891.

BUREAU OF LAND MANAGEMENT

Final

Proposed National Resource Lands Management Act, November 18: The statement refers to a legislative proposal which is intended to provide basic policies and authorities for the management of national resource lands by the Secretary of the Interior or through the BLM. These lands total 450 million acres (275 million acres in Alaska and 175 million acres in the eleven western states). The Act would provide for management of all resources, land disposal and acquisition, administrative authorities, and enforcement authority. Outdated and conflicting laws would be repealed or modified. The statement indicates that no new adverse environmental impact would be created by the action. (169 pages.) Comments made by: USDA, AEC, EPA, CEQ, DOI, TVA, State agencies. (ELR Order No. 71420.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, U.S. Department of Transportation, 400 7th Street SW., Washington, D.C. 20590, 202-426-4357.

FEDERAL AVIATION ADMINISTRATION

Final

Shelbyville Municipal Airport improvement, Shelby County, Ind., November 17: The proposed action is the improvement of the Shelbyville Municipal Airport in Shelbyville, Ind. The project entails the acquisition of 254 acres of land and 50 acres of clear zone easement for the construction of 2 new runways and installation of related facilities. The proposed improvements to the airport will result in increased noise and air pollution, loss of agricultural land, relocation of two homesteads, and loss of wildlife. Comments made by: DOT, USDA, DOD, DOI, EPA, State and local agencies, concerned individuals. (ELR Order No. 71414.)

Bismark Municipal Airport, Burleigh County, N. Dak., November 15: The statement concerns the Master Plan for the Bismark Municipal Airport. The Plan provides for acquisition of an additional 700 acres of land, extension of existing runways, and construction of a noise-abatement runway. The project will displace approximately 51 persons. Comments made by: USDA, DOC, COE, DOI, HEW, HUD, ERDA, DOT, State and local agencies. (ELR Order No. 71406.)

FEDERAL HIGHWAY ADMINISTRATION

Draft

Kentucky Turnpike (I-65), Elizabethtown-Louisville, Jefferson, Bullitt, and Hardin Counties, November 18: The proposed improvement encompasses the reconstruction and widening of the Kentucky Turnpike (I-65) from south of the Western Kentucky Parkway at Elizabethtown, Ky. to south of the Watterson Expressway at Louisville, Ky. The project extends approximately 40 miles in length and includes the addition of two lanes each way in Jefferson County and one lane each way in Bullitt and Hardin

Counties. Adverse effects include the displacement of 35 households and 21 non-residential properties. (Region 4.) (ELR Order No. 71421.)

Maryland Route 404 (Denton By-Pass), Caroline County, November 14: Proposed is the relocation and/or reconstruction of Maryland 404 to provide a multilane highway facility around Denton, Maryland, from 1.2 miles east of Maryland 328 to Maryland 16, south of Denton. When on new locations, a four-lane freeway with a wide median section is envisioned. The freeway will have full control of access. Where the alternate follows the existing road, the construction will be a four-lane expressway with a lesser median width. Adverse effects include the acquisition of land, houses, and businesses. (Region 3.) (ELR Order No. 71393.)

U.S. 219 (The Southern Expressway, Sections 3&4), Erie County, N.Y., November 15: The proposed action is the improvement of a section of U.S. 219, a two-lane, uncontrolled access highway serving the north-south corridor from the southern terminus of Section 2 of the Southern Expressway and N.Y. 391 in North Boston to N.Y. 17 in Salamanca, N.Y. The proposed Southern Expressway Sections 3-4, a 4-lane divided highway, will begin at the intersection of N.Y. 391 and Southern Expressway sections 1-2 in the hamlet of North Boston, and terminate south of the intersection of U.S. 219 and N.Y. 39 in the village of Springville. (Region 1.) (ELR Order No. 71405.)

Final

I-76, I-25—Wadsworth Blvd./I-70 Junction, Adams, Denver, and Jefferson Counties, Colo., November 14: Proposed is the construction of a segment of I-76 to connect with I-70 at Wadsworth Boulevard in Denver, Colo. The 5.6-mile project consists of a 6-lane bypass freeway, extending from I-25 westward to the junction of Wadsworth Boulevard and I-70. Completion of the highway requires acquisition of approximately 342 acres of land and will result in the displacement of 117 residents or businesses. (Region 8.) Comments made by: DOI, DOT, HEW, USDA, EPA, FEA, COE, State and local agencies, concerned groups and individuals. (ELR Order No. 71394.)

Jefferson Freeway, Ky 841, Jefferson County, Ky. November 18: Proposed is the construction of one of 12 highway design sections, totalling roughly three and two-tenths miles of an overall thirty-four mile Jefferson Freeway Project. The subject section begins at the end of an existing section of the Jefferson Freeway (Shelbyville Road—US 60) and extends north to 3500' south of LaGrange Road (KY 146). The project calls for a four-lane facility with provisions for ultimate upgrading to six lanes. Adverse impacts include the acquisition of approximately 235 acres; the displacement of 19 residents, 1 apartment building, and 2 businesses; and increased air and noise pollution. Comments made by: EPA, DOC, DOI, USDA, one State agency. (ELR Order No. 71417.)

Brownsville-Matamoros Railroad Relocation, Tex., November 18: Proposed is a railroad relocation demonstration project in Brownsville, Texas and Matamoros, Mexico. The project seeks to eliminate existing railroad/community conflicts and to improve the transportation network of the area through rail system improvements. The number of people and businesses displaced

would depend upon the alternative chosen. The project would also result in increased noise and pollution in the area of construction and considerable financial expenditure. Comments made by: HEW, EPA, DOI, DOT, COE, USDA, AHP, State and local agencies, concerned groups and individuals. (ELR Order No. 71415.)

County Trunk Highway "Q", Kenosha County, Wis., November 15: The statement concerns the construction of a 2-lane, 1.94 mile extension of C.T.H. "Q" from its present terminus at C.T.H. "H" to I-94. The project would require 22 acres of floodplain, marsh, and agricultural land for right-of-way. Comments made by: EPA, DOI, State agencies. (ELR Order No. 71407.)

Supplement

I-35E at Timber Creek, Denton County (S-1), Tex., November 18: This statement supplements a final EIS filed with CEQ in June of 1972. Proposed is the construction of structures of sufficient size and number to pass the anticipated design flood at I-35E and Timber Creek in Denton County, Tex. The final EIS contained provisions for widening the main lane structures and constructing two frontage road structures at Timber Creek. This supplement covers further refinements for the plans at Timber Creek. Adverse impacts are those related to construction. (Region 6). (ELR order No. 71418.)

NICHOLAS C. YOST,
Acting General Counsel.

[FR Doc. 77-34137 Filed 11-25-77; 8:45 am]

[3710-08]

DEPARTMENT OF DEFENSE

Department of the Army

WINTER NAVIGATION BOARD ON GREAT LAKES—ST. LAWRENCE SEAWAY

Open Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Winter Navigation Board to be held on December 14, 1977 at Carson's Seven Continents Restaurant meeting room located at Chicago's O'Hare International Airport in Chicago, Ill. This meeting will be in session from 9 a.m., CST until 4 p.m.

The Winter Navigation Board is a multi-agency organization which includes representatives of Federal agencies and non-federal public and private interests. It was established to direct the Great Lakes-St. Lawrence Seaway navigation season extension investigations being conducted pursuant to Pub. L. 91-611, 93-251, and 94-587.

This Winter Navigation Board meeting is one of a continuing series of such open forums, as an integral element of the planning process in preparation of a Feasibility Report on year-round navigation on the Great Lakes-St. Lawrence Seaway Navigation Season Extension studies. Primary subject to be discussed is the Feasibility Report Plan of Study and the integration of the engineering, economic,

environmental, social and political aspects of winter navigation into the plan. Other topics to be discussed include the FY-78 winter navigation program, the public information program, winter operation plans for the St. Marys River, and the U.S.-Canadian coordination efforts.

The meeting will be open to the public, subject to the following limitations:

a. As the seating capacity of the meeting room is limited, it is desired that advance notice of intent to attend be provided. This will assure adequate and appropriate arrangements for all attendants.

b. Written statements, to be made part of the minutes, may be submitted prior to, or up to 10 days following the meeting, but oral participation by the public is limited because of the time schedule.

Inquiries may be addressed to Mr. David Westheuser, U.S. Army Engineer District, Detroit, Corps of Engineers, P.O. Box 1027, Detroit, Mich. 48231, telephone 313-226-6770.

Dated: November 21, 1977.

By authority of the Secretary of the Army.

ROME D. SMYTH,
Colonel, United States Army, Director, Administrative Management, TAGCEN.

[FR Doc. 77-34059 Filed 11-25-77; 8:45 am]

[3810-70]

Office of the Secretary

PRESIDENT'S COMMISSION ON MILITARY COMPENSATION

Public Hearing

Pursuant to Pub. L. 92-463 notice is hereby given that a public hearing of the President's Commission on Military Compensation will be held Monday, December 12, 1977, at the Fine Arts Auditorium of Columbus College on Cody Road in Columbus, Ga., from 1 p.m. to 5 p.m.

The following rules govern participation in this hearing:

(1) The hearing will be open to the public, but questions and comments from the audience will not be permitted.

(2) Anyone wishing to speak at the hearing should write or telephone the Commission's area representative:

Mr. Norman L. Williamson, Personnel Services Division, DPCA, Infantry Hall, Room 623, Fort Benning, Ga. 31905. Telephone 404-544-4811 or 545-5931.

This initial communication should include the following information about the applicant:

(a) Name, address and telephone number.

- (b) Group represented, if any.
- (c) Topic of planned remarks.
- (d) Point of view to be presented.

The selection of speakers will be determined by the Commission, based on its desire to hear from a cross-section of views and backgrounds. Unfortunately the time allocated for public hearings is limited, and the Commission may not be able to accommodate every citizen who wishes to speak. Applicants will be informed of their selection for a hearing.

Speakers should submit written statements of their intended remarks at least 1 day in advance of the hearing. Speakers are limited to 10 minutes of proposed remarks and should expect questioning by the Commissioners.

Prepared statements which time does not permit hearing will be made available to the Commission as submitted.

Questions on these matters may be addressed to Mr. Williams or to the Commission Office, 666 11th Street, Suite 520 NW., Washington, D.C. 20001.

MAURICE W. ROCHE,
Director, Correspondence and Directives, Washington Headquarters Services, Department of Defense.

NOVEMBER 22, 1977.

[FR Doc. 77-34117 Filed 11-25-77; 8:45 am]

[3128-01]

DEPARTMENT OF ENERGY

Economic Regulatory Administration

DOMESTIC CRUDE OIL ALLOCATION PROGRAM

Entitlement Notice for September 1977

In accordance with the provisions of 10 CFR § 211.67 relating to the domestic crude oil allocation program of the Department of Energy (DOE), administered by the Economic Regulatory Administration (ERA) of the DOE, the monthly notice specified in § 211.67(i) is hereby published.

Based on reports for September 1977 submitted to the DOE by refiners and other firms as to crude oil receipts, crude oil runs to stills, eligible product imports and imported naphtha utilized as a petrochemical feedstock in Puerto Rico; application of the entitlement adjustment for residual fuel oil production for sale in the East Coast market provided in § 211.67(d)(4); October 1977 deliveries of crude oil for storage in the Strategic Petroleum Reserve; and application of the entitlement adjustment for small refiners provided in § 211.67(e), the national domestic crude oil supply ratio for September 1977 is calculated to be .250079.

In accordance with § 211.67(b)(2), to calculate the number of barrels of deemed old oil included in a refiner's adjusted crude oil receipts for the month of September 1977, each barrel of old oil is equal to one barrel of deemed old oil and each barrel of upper tier crude oil is equal to .307881 of a barrel of deemed old oil.

The issuance of entitlements for the month September 1977 to refiners and other firms is set forth in the Appendix to this notice. The Appendix lists the name of each refiner or other firm to which entitlements have been issued, the number of barrels of deemed old oil included in each such refiner's adjusted crude oil receipts, the number of entitlements issued to each such refiner or other firm, and the number of entitlements required to be purchased or sold by each such refiner or other firm.

Pursuant to 10 CFR § 211.67(i)(4), the price at which entitlements shall be sold and purchased for the month of September 1977 is hereby fixed at \$8.75, which is the exact differential as reported for the month of September between the weighted average per barrel costs to refiners of old oil and of imported and exempt domestic crude oil, less the sum of 21 cents.

In accordance with 10 CFR § 211.67(b), each refiner that has been issued fewer entitlements for the month of September 1977 than the number of barrels of deemed old oil included in its adjusted crude oil receipts is required to purchase a number of entitlements for the month of September 1977 equal to the difference between the number of barrels of deemed old oil included in those receipts and the number of entitlements issued to and retained by that refiner. Refiners which have been issued a number of entitlements for the month of September 1977 in excess of the number of barrels of deemed old oil included in their adjusted crude oil receipts for that month and other firms issued entitlements shall sell such entitlements to refiners required to purchase entitlements. In addition, certain refiners are required to purchase or sell entitlements to effect corrections for reporting errors for the months September 1975 through August 1977 pursuant to 10 CFR § 211.67(j)(1).

The listing of refiners' old oil receipts contained in the Appendix reflects any adjustments made by ERA pursuant to § 211.67(h).

The listing contained in the Appendix identifies in a separate column additional entitlements issued to refiners pursuant to relief granted by ERA's Office of Administrative Review (prior to October 1, 1977, the Office of Exceptions and Appeals of the Federal Energy Administration). Also set forth in this column are adjustments for

relief granted by the Office of Administrative Review for 1975 and 1976, which adjustments are reflected in monthly installments. The number of installments is dependent on the magnitude of the adjustment to be made. For a full discussion of the issues involved, see Beacon Oil Co., et al, 4 FEA par. 87,024 (November 5, 1976).

The listing contained in the Appendix includes an adjustment in the entitlement purchase requirements of those firms which were unable to purchase entitlements for August 1977 as a result of an error made by the ERA with respect to the entitlement sales requirement of Energy Fuels Company. In the August 1977 entitlement notice, the ERA erroneously listed an entitlement sales requirement of 33,175 entitlements for Energy Fuels rather than a zero requirement. No purchase and sale transactions involving Energy Fuels' entitlement sale requirements for August have been consummated. To correct its error, the ERA is rescinding the entitlement sale requirement of Energy Fuels for August 1977 and is rescinding the corresponding entitlement purchase requirements of those firms which otherwise would have purchased entitlements from Energy Fuels. Such purchase obligations are reflected in these

same firms' entitlement purchase or sale requirements for September 1977 as follows: Arizona Fuels Corp., 26,627 entitlements; Pioneer Refining Limited, 894 entitlements; Evangeline Refining Co., 4,064 entitlements; and Union Oil Co., 1,590 entitlements.

For purposes of § 211.67(d) (6) and (7), which provide entitlement issuances to refiners or other firms for sales of imported crude oil to the United States Government for storage in the Strategic Petroleum Reserve, the number of barrels sold to the Government totaled 1,596,040 barrels.

For purposes of the adjustments to refiners' crude run volumes under § 211.67(d)(4), total production of residual fuel oil for sale in the East Coast market (in excess of the first 5,000 barrels per day thereof for each refiner reporting such production) was 9,829,269 barrels for September 1977. For that month, imports of residual fuel oil eligible for entitlement issuances totaled 35,236,810 barrels.

The total number of entitlements required to be purchased and sold under this notice is 21,806,295.

Based on reports submitted to the DOE by refiners as to their adjusted crude oil receipts for September 1977, the pricing composition and weighted average costs thereof are as follows:

		Weighted average cost	Percent of total volumes ¹
Lower Tier.....	105,868,638	\$5.61	22.7
Upper Tier.....	88,189,962	11.66	18.9
Exempt Domestic:			
Stripper.....	33,658,163	14.47	7.2
Naval Petroleum Reserve.....	5,479,921	12.75	1.2
Total Domestic.....	233,196,684	9.34	49.9
Imported ²	233,748,430	14.62	50.0
Total Reported Crude Oil Receipts.....	466,945,114	11.98	100.0

¹ Numbers may not add due to rounding.

² Under current reporting procedures includes Alaska North Slope crude oil.

Payment for entitlements required to be purchased under 10 CFR § 211.67(b) for September 1977 must be made by November 30, 1977.

On or prior to December 10, 1977, each firm which is required to purchase or sell entitlements for the month of September 1977, shall file with the DOE the monthly transaction report specified in 10 CFR § 211.66(i) certifying its purchases and sales of entitlements for the month of September. The monthly transaction report forms for the month of September have been mailed to reporting firms. Firms that have been unable to locate other firms for required entitlement transactions by November 30, 1977, are requested to contact the ERA at 202-254-6296 to expedite consummation of these transactions. For

firms that have failed to consummate required entitlement transactions on or prior to November 30, 1977, the ERA may direct sales and purchases of entitlements pursuant to the provisions of 10 CFR § 211.67(k).

This notice is issued pursuant to subpart G of 10 CFR Part 205. Any person aggrieved hereby may file an appeal with ERA's Office of Administrative Review in accordance with subpart H of 10 CFR Part 205. Any such appeal shall be filed on or before December 28, 1977.

Issued in Washington, D.C., on November 20, 1977.

DAVID J. BARDIN,
Administrator, Economic
Regulatory Administration.

APPENDIX
ENTITLEMENTS FOR DOMESTIC CRUDE OIL
SEPTEMBER 1977

REPORTING FIRM SHORT NAME	DEEMED OIL ADJUSTED RECEIPTS	TOTAL ISSUED	EXCEPTIONS AND APPEALS	ENTITLEMENTS PRODUCT CLEAN-UP	ENTITLEMENTS 10 MONTH CLEAN-UP	POSITION REQUIRED TO BUY	POSITION REQUIRED TO SELL
A-JOHNSON	0	195,450	0	0	0	0	195,450
ALLIED	42,855	77,857	0	0	0	0	35,002
AMER-PETROLINA	1,219,036	1,189,671	0	0	0	29,365	0
AMERADIA-MESS	3,040,675	3,828,442	0	120,531	0	0	787,767
AMOCO	10,899,710	7,624,962	0	0	0	3,274,748	0
APCO	283,121	394,852	0	0	0	0	111,731
ARCO	5,585,028	5,282,643	0	0	0	302,385	0
ARIZONA	95,321	51,860	6,771	0	0	43,461*	0
ASAMERA	177,687	200,102	0	0	0	0	22,415
ASHLAND	1,718,708	2,824,348	0	0	0	0	1,105,640
ASIATIC	0	200,272	0	200,272	0	0	200,272
BASTIN	-29,032	60,341	0	0	0	0	89,373
BAYOU	51,420	62,382	0	0	0	0	10,962
BEACON	258,205	176,602	17,459	0	0	0	0
BELCHER	0	119,883	0	119,883	0	81,603	119,883
BI-PETRO	8,594	49,688	0	0	0	0	81,094
BP-TRADING	0	64,058**	0	0	0	0	64,058
CRH	0	527	0	0	0	0	527
CALCASIEU	0	78,139	0	0	0	0	78,139
CALUMET	20,398	31,636	0	0	0	0	11,238
CANAL	72,014	74,661	0	0	0	0	2,647
CANTHOU	66,399	77,163	0	0	0	0	10,764
CASTLE	0	13,130	0	13,130	0	0	13,130
CENTRAL	0	16,505	0	16,505	0	0	16,505
CHAMPLIN	1,978,772	1,375,088	0	0	0	603,684	0
CHARTER	539,877	539,877	128,044	0	0	0	2,536,277
CHEVRON	6,626,032	9,162,309	0	32,079	0	0	70,639
CIRILLO	0	70,639	0	70,639	0	0	0
CITGO	2,335,451	2,134,515	0	0	0	200,936	0
CLAIBORNE	61,928	53,497	0	0	0	8,431	0
CLARK	288,542	818,864	0	0	0	0	530,322
COASTAL	328,438	1,445,032**	0	0	0	0	1,116,594
COLONIAL	0	28,730	0	28,730	0	0	28,730
CONOCO	2,610,666	2,570,688	0	27,622	0	39,978	0

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REPORTING FIRM SHORT NAME	DEFERRED UTD UTIL ADJUSTED RECEIPTS	***** TOTAL ISSUED	***** EXCEPTIONS AND APPEALS	F N T I T L E M E N T PRODUCT ENTITLEMENTS	10 MONTH CLEAN-UP	P O S I T I O N REQUIRED TO BUY	***** REQUIRED TO SELL
CORCO	0	1,442,308	215,475	367,577	0	0	1,442,308
CRA-FARMLAND	431,183	592,105	0	0	0	0	160,922
CROSS	31,042	77,883	0	0	0	0	46,821
CRUWN	302,637	735,178	0	0	0	0	432,541
CRYSTAL-OIL	173,374	180,024	0	0	0	0	6,650
CRYSTAL-REF	347	42,901	0	0	0	0	42,554
DELTA	296,393	260,967	-78,846***	0	0	35,426	0
DEMENNO	1,143	33,928	0	0	0	0	32,785
DEPHY	0	285,310**	0	0	0	0	285,310
DIAMOND	678,124	450,922	0	0	0	227,202	0
DILLMAN	0	2,323	0	0	0	0	2,323
DORCHESTER	9,089	13,865	0	0	0	0	4,776
DOM	44,883	127,675	0	0	0	0	82,792
E-SEABARD	0	70,429	0	70,429	0	0	70,429
ECO	14,555	55,591	0	0	0	0	41,036
EDDY	358,088	40,721	0	0	0	317,377	0
ENERGY-COOP	19,883	861,767	0	0	0	0	841,884
EVANGELINE	50,984	38,995	0	0	0	11,999*	0
EXXON	12,739,824	11,126,298	0	531,123	0	1,613,526	0
EZ-SERVE	4,943	19,467	0	0	0	0	0
FARMERS-UV	248,165	361,054	0	0	0	0	14,524
FLETCHER	0	156,808	0	0	0	0	112,889
FLINT	7,848	9,229	0	0	0	0	1,361
GARY	33,224	55,885	0	0	0	0	22,661
GETTY	885,937	1,479,837	0	0	0	0	593,900
GIANT	24,145	57,078	0	0	0	0	32,933
GLACIER-PARK	106,667	56,602	0	0	0	50,065	0
GLADIEUX	87,883	147,601	0	0	0	0	59,718
GLENROCK	507	3,280	0	0	0	0	2,773
GOLDEN-EAGLE	0	171,008	0	0	0	0	171,008
GOLDEN-EAGLE-NY	0	3,441	0	3,441	0	0	3,441
GOLDEN-EAGLE-NY	54,090	61,859	0	0	0	0	7,769
GOLDKING	64,826	322,617	0	0	0	0	257,791
GOOD-HOPE	0	313,689	0	0	0	0	313,689
GUAM	0	0	0	0	0	0	0

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REPORTING FIRM SHORT NAME	DEFERRED OIL ADJUSTED RECEIPTS	***** TOTAL ISSUED	***** EXCEPTIONS AND APPEALS	F N T I T L E M E N T PRODUCT ENTITLEMENTS	10 MONTH CLEAN-UP	P O S I T I O N REQUIRED TO BUY	***** REQUIRED TO SELL
GULF	9,556,759	6,819,368	0	40,379	0	2,737,391	0
GULF-STG	79,258	120,240	0	0	0	0	40,982
HIRT	0	531,886	0	0	0	0	531,886
HONARD	0	43,167	0	43,167	0	0	43,167
HOWELL	506,360	324,971	0	0	0	181,389	0
HUDSON-OIL	27,989	146,295	0	0	0	0	118,306
HUNT	345,591	250,369	0	0	0	95,212	0
HUSKY	623,943	623,943	253,924	0	0	0	0
INDEPENDENT-REF	112,746	146,809	0	0	0	0	34,063
INDIANA-FARM	68,285	202,049	0	0	0	0	133,764
INGER-OIL	4,952	3,482	0	0	0	1,470	0
IRVING	0	9,731	0	9,731	0	0	9,731
JRW	95,641	59,868	0	0	0	0	0
KENCLO	28,122	44,056	0	0	0	35,773	0
KENTUCKY	19,689	8,979	0	0	0	10,710	15,934
KFRJ	912,940	912,940	533,805	0	0	0	0
KERR-COGEF	1,486,636	1,323,362	0	0	0	163,274	0
KUCH	190,106	932,938	0	0	0	0	742,832
ARLORIA	422,562	408,729	0	0	0	13,833	0
AKESIDE	11,556	42,386	0	0	0	0	30,830
AKETON	148,004	148,004	17,783	0	0	0	0
ITTLE-AMFR	1,293,536	1,347,166	839,211	0	0	0	53,630
OUTSTAJA-LAND	329,242	353,606	0	0	0	0	24,404
MACMILLAN	47,514	156,342	0	0	0	0	110,828
MARATHON	3,954,292	3,840,050	0	0	0	114,242	0
MARTIN	35,987	78,226	0	0	0	0	42,239
METROPOLITAN	0	82,612	0	82,612	0	0	82,612
MO-AMER	91,327	115,636	0	0	0	0	24,309
MO-TEX	21,939	21,939	0	0	0	0	20
MO-LAND	0	82,896	82,896	0	0	0	82,896
MO-JL	7,040,722	5,877,711	0	39,231	0	1,163,011	0
MOBILE-HAY	0	135,495	0	0	0	0	135,495
MO-HAWK	524,816	371,832	81,461	0	0	152,984	0
MO-NOCO	0	10,959	0	10,959	0	0	10,959

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REPORTING FIRM SHORT NAME	DEFERRED OIL ADJUSTED RECEIPTS	***** TOTAL ISSUED	***** EXCEPTIONS AND APPEALS	E N T I T L E M E N T PRODUCT	10 MONTH CLEAN-UP	P O S I T I O N REQUIRED TO BUY	***** REQUIRED TO SELL
MONSANTO	369,630	322,808	0	0	0	46,822	0
MORRISON	20,767	14,816	0	0	0	5,951	0
MOUNTAINEER	9,301	9,486	0	0	0	0	185
MURPHY	997,510	788,372	0	0	0	209,138	91,730
N-AMER-PETRO	41,360	138,174	0	0	0	0	96,814
NAIL-COOP	209,963	203,754	0	0	0	6,209	0
NAVAJO	334,738	334,738	0	0	0	0	0
NEVADA	5,587	11,114	0	0	0	0	0
NEW-EDGINGTON	862,313	510,016	271,554	0	0	0	5,527
NEW-ENGLE-PETRO	0	407,427	0	407,427	0	352,297	0
NEWHALL	275,438	275,438	0	0	0	0	407,427
NORTHEAST-PETRO	0	33,407	0	33,407	0	0	0
NORTHLAND	38,361	93,394	0	0	0	0	33,407
NORTHVILLE	0	2,566	0	2,566	0	0	0
NORWAY	255,116	261,118	0	0	0	0	0
NORWAY	14,055	19,700	0	0	0	0	0
NORWAY	0	-26,162	-26,162	0	0	26,162	0
NORWAY	718,579	452,793	0	0	0	265,786	0
NORWAY	119,660	242,438	0	0	0	0	0
PETRO-HEAT-PA	0	29,009	0	29,009	0	0	122,778
PHILLIPS-PR	2,942,586	2,306,726	0	0	0	635,860	29,009
PHILLIPS	0	200,178	0	200,178	0	0	0
PHILLIPS	65,278	73,168	0	0	0	0	200,178
PHILLIPS	246,121	280,635	0	0	0	0	7,890*
PHILLIPS	139,429	163,631	0	0	0	0	74,514
PHILLIPS	37,056	293,814	0	0	0	0	24,202
PHILLIPS	147,994	294,617	0	0	0	0	256,758
PHILLIPS	4,384	79,887	0	0	0	0	151,623
PHILLIPS	47,711	233,036	0	0	0	0	75,503
PHILLIPS	12,888	67,703	0	0	0	0	185,325
PHILLIPS	533	75,279	0	0	0	0	54,815
PHILLIPS	0	39,759	0	39,759	0	0	74,746
PHILLIPS	0	5,657	0	0	0	0	39,759
PHILLIPS	0	0	0	0	0	0	5,657

REPORTING FIRM SHORT NAME	DEFERRED OIL ADJUSTED RECEIPTS	***** TOTAL ISSUED	***** EXCEPTIONS AND APPEALS	E N T I T L E M E N T P R O D U C T I N M O N T H C L E A N - U P	P O S I T I O N R E Q U I R E D T O B U Y	***** REQUIRED T O S E L L
ROCK-ISLAND	270,513	366,591	-16,537	0	0	96,078
SABER-TEX	29,345	410,467	0	0	0	381,102
SABRE-CAL	104,970	255,203	199,525	0	0	150,233
SAGE-CREEK	2,658	3,639	0	0	0	981
SAN-JUANQUIN	1,189,595	1,189,595	842,282	0	0	0
SFARS	0	33,928	0	33,928	0	33,928
SFMINOLE	7,364	68,502	0	0	0	61,138
SHELL	9,799,385	7,514,817	0	25,595	2,284,568	0
STIGMUR	5,608	139,639	0	0	0	134,031
SD-HAMPTON	47,998	209,503	0	0	0	161,505
SONTO	1,454,355	3,117,596	0	0	0	1,663,241
SOMERSET	24,023	59,999	0	0	0	35,976
SOUND	19,733	85,290	0	0	0	65,557
SOUTHERN-UNION	226,778	290,883	0	0	0	64,105
SOUTHLAND	467,460	329,224	89,106	0	138,236	0
SOUTHWESTERN	7,020	4,296	0	0	2,724	0
SPRAGUE	0	67,210	0	67,210	0	67,210
STEARNS	0	80,495	0	80,495	0	80,495
SUNLAND	12,476	125,458	0	0	0	112,982
SUNOCO	5,373,745	3,626,549	0	0	1,747,196	0
SWANN	0	57,448	0	57,448	0	57,448
TARRICONE	0	4,685	0	4,685	0	4,685
TENNOCO	1,006,883	892,829	0	0	114,054	0
TESORO	987,957	601,334	0	0	386,623	0
TEXACO	10,709,677	8,847,210	0	302,879	1,862,467	0
TEXAS-AMERICAN	11,059	129,900	0	0	0	118,841
TEXAS-ASPH	-315	103,641	0	0	0	103,956
TEXAS-CITY	533,912	647,212	0	0	0	113,300
HAGARD	754,124	754,124	485,115	0	0	0
HRIFTWAY	35,983	41,488	0	0	0	5,505
HUNDEYARD	116,515	115,713	0	0	802	0
IPPERARY	28,624	52,631	0	0	0	24,007
ONKAWA	46,163	79,953	0	0	0	33,790
OSCO	2,272,892	1,421,266	0	0	851,626	0

NOTICES

60597

REPORTING FIRM SHORT NAME	DEFERRED OIL OIL ADJUSTED RECEIPTS	***** TOTAL ISSUED	***** EXCEPTIONS AND APPEALS	F N T I T L E M E N T PRODUCT ENTITLEMENTS	10 MONTH CLEAN-UP	P O S I T I O N REQUIRED TO BUY	***** REQUIRED TO SELL
TOTAL-PETROLEUM	242,044	394,142	0	0	0	0	112,098
UCC-CARTR	0	146,849	0	146,849	0	0	146,849
UNION-OIL	4,775,825	3,423,368	0	0	0	1,352,457*	0
UNION-PETRO	0	57,660	0	57,660	0	833	57,660
UNION-IND	4,792	7,959	0	0	0	0	0
UNION-REF	125,503	390,863	0	0	0	0	265,270
US-OIL	18,491	171,619	0	0	0	0	153,128
USA-PETROCHEM	31,226	166,662	0	0	0	0	135,436
VICKERS	240,747	519,024	0	0	0	0	238,257
VULCAN	41,290	90,162	0	0	0	0	48,872
WALLER	0	7,502	0	7,502	0	0	7,502
WARRIOR	51,402	44,453	11,203	0	0	7,009	0
WEST-COAST	41,350	133,860	0	0	0	0	52,510
WESTERN	66,505	93,024	0	0	0	0	6,479
WINSTON	74,104	172,859	0	0	0	0	98,755
WIRFRACK	517	804	0	0	0	0	287
WYATT	70,739	190,125	0	0	0	0	119,386
WYATT	0	33,562	0	33,562	0	0	33,562
WYATT	0	615	0	0	0	0	615
WYATT	127,084	127,084	76,303	0	0	0	0
TOTAL	132,461,191	132,461,191	4,158,924	3,358,199	0	21,606,295	21,806,295

* Includes entitlement purchase requirement rescinded for August 1977 (see discussion in Notice).

** Includes entitlements issued for sales of imported crude oil to the United States Government for storage in the Strategic Petroleum Reserve.

*** Reflects adjustments for 1975 exceptions relief as provisionally modified by ERA pending agency review consistent with court order. For discussion, see December entitlement notice, 42 FR 12133 (March 2, 1977).

**** This does not include the purchase obligation stayed by court order in Texas Asphalt & Refinery Co. v. EPA (1977) [FR Doc. 77-34004 Filed 11-22-77; 7:47 am]

[6740-02]

**FEDERAL ENERGY REGULATORY
COMMISSION**

[Docket No. CP78-67]

COLUMBIA GAS TRANSMISSION CORP.

Notice of Application

NOVEMBER 17, 1977.

Take notice that on November 8, 1977, Columbia Gas Transmission Corp. (Applicant), 1700 MacCorkle Avenue SE., Charleston, W. Va. 25314, filed in Docket No. CP78-67 an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and for permission and approval to abandon certain natural gas facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

The application states that the proposed construction program consists of 30 individual projects designed to maintain service to Applicant's existing wholesale customers at levels presently authorized by the Commission, and that the abandonment projects proposed herein are necessary in order to retire or abandon facilities no longer used or useful in Applicant's transmission operations.

Applicant states that the segments of pipeline that it proposes to replace generally consist of bare steel and wrought iron pipe which were originally installed with no protection against corrosion. With few exceptions, these facilities were installed in the early 1900's and are becoming increasingly difficult to maintain and operate, it is said. Applicant states that if it is to continue to provide safe and reliable service to its existing wholesale customers, these pipeline segments must be replaced with coated and cathodically protected.

Applicant proposes:

1. To construct and operate approximately 0.3 mile of 6-inch transmission pipeline replacing a like amount of 12-inch pipeline located in Clark County, Ky.
2. To construct and operate approximately 1.9 miles of 8-inch transmission pipeline replacing a like amount of 6-inch pipeline located in Fayette County, Ohio.
3. To construct and operate approximately 0.6 mile of 10-inch transmission pipeline replacing a like amount of 16-inch pipeline located in Hocking County, Ohio.
4. To construct and operate approximately 0.6 mile of 4-inch transmission pipeline replacing, in two sections, a like amount of 6-inch pipeline located in Athens County, Ohio.

5. To construct and operate approximately 1.6 miles of 24-inch transmission pipeline replacing a like amount of 16-inch pipeline located in Fairfield County, Ohio.

6. To construct and operate approximately 1.2 miles of 6-inch pipeline replacing, in three sections, a like amount of 8-inch pipeline located in Guernsey County, Ohio.

7. To construct and operate approximately 0.3 mile of 4-inch transmission pipeline replacing a like amount of 8-inch pipeline located in Tuscarawas and Stark Counties, Ohio.

8. To construct and operate approximately 3.4 miles of 8-inch transmission pipeline replacing in two sections a like amount of 10-inch and 12-inch pipeline located in Holmes and Ashland Counties, Ohio.

9. To construct and operate approximately 3.9 miles of 6-inch transmission pipeline replacing a like amount of 10-inch pipeline located in Wyandot County, Ohio.

10. To construct and operate approximately 0.2 mile of 2-inch and 1.6 miles of 3-inch transmission pipeline replacing, in two separate sections, a like amount of 4-inch and 8-inch pipeline located in Wayne County, Ohio.

11. To construct and operate approximately 0.2 mile of 6-inch pipeline replacing a like amount of 12-inch pipeline located in Ashland County, Ohio.

12. To construct and operate approximately 0.3 mile of 4-inch transmission pipeline replacing a like amount of 5-inch and 8-inch pipeline located in Medina County, Ohio.

13. To construct and operate approximately 0.4 mile of 12-inch transmission pipeline replacing a like amount of 6-inch pipeline located in Ashland County, Ohio.

14. To construct and operate approximately 0.3 mile of 4-inch pipeline replacing a like amount of 5-inch, 6-inch, and 8-inch pipeline located in Lorain County, Ohio.

15. To construct and operate approximately 0.2 mile of 3-inch transmission pipeline replacing a like amount of 6-inch pipeline located in Columbiana County, Ohio.

16. To construct and operate approximately 0.3 mile of 6-inch transmission pipeline replacing a like amount of 12-inch pipeline located in Butler County, Pa.

17. To construct and operate approximately 0.6 mile of 6-inch transmission pipeline and appurtenant measuring facilities, replacing 0.7 mile of 12-inch pipeline and existing measuring facilities, all located in Lawrence County, Pa.

18. To construct and operate approximately 0.5 mile of 10-inch transmission pipeline replacing a like amount of 8-inch pipeline and the construction and operation of approxi-

mately 1.5 miles of 8-inch transmission pipeline replacing, in two sections, a like amount of 10-inch pipeline, all located in Carroll and Harrison Counties, Ohio.

19. To construct and operate approximately 0.8 mile of 4-inch transmission pipeline replacing a like amount of 5-inch and 8-inch pipeline located in Jefferson County, Ohio.

20. To construct and operate approximately 0.7 mile of 2-inch pipeline replacing a like amount of 4-inch pipeline located in Columbiana County, Ohio.

21. To construct and operate approximately 0.2 mile of 2-inch transmission pipeline replacing a like amount of 8-inch pipeline located in Jefferson County, Ohio.

22. To construct and operate approximately 0.3 mile of 6-inch transmission pipeline replacing a like amount of 8-inch pipeline located in Belmont County, Ohio.

23. To construct and operate approximately 0.3 mile of 6-inch transmission pipeline replacing a like amount of 4-inch pipeline located in Monroe County, Ohio, and Wetzel County, W. Va.

24. To construct and operate approximately 11.1 miles of 36-inch transmission pipeline replacing two parallel 26-inch pipelines (each 11.1 miles in length) located in Braxton, Lewis and Upshur Counties, W. Va.

25. To construct and operate approximately 0.6 mile of 8-inch transmission pipeline replacing 0.4 mile of 10-inch pipeline and two multiple 10- and 12-inch river crossing lines, each less than 0.2 mile in length, located in Barbour County, W. Va.

26. To construct and operate approximately 0.2 mile of 2-inch transmission pipeline replacing a like amount of 12-inch pipeline located in Tucker County, W. Va.

27. To construct and operate approximately 0.3 mile of 4-inch transmission pipeline replacing a like amount of 6-inch pipeline located in Franklin County, Pa.

28. To construct and operate approximately 0.2 mile of 4-inch transmission pipeline replacing a like amount of 6-inch pipeline located in Adams County, Pa.

29. To construct and operate a natural gas interconnecting measuring and regulating facility in Lorain County, Ohio.

30. To construct and operate approximately 4.0 miles of 2-inch transmission pipeline and appurtenant measuring and regulating facilities, and the abandonment of approximately 3.0 miles of 6-inch pipeline located in Preston County, W. Va.

ABANDONMENT PROJECTS

31. To abandon approximately 5.4 miles of 16-, 12-, and 10-inch pipeline

and two 10-inch Ohio River crossings, each approximately 0.3 mile in length, and abandon 1.3 miles of 14-, 12-, 10-, and 8-inch transmission pipelines and two 8-inch and one 10-inch Big Sandy River crossings, each less than 0.2 mile in length, and abandon two associated delivery points to Columbia Gas of Kentucky, and appurtenant measuring facilities, all located in Wayne County, W. Va., and Boyd County, Ky.

32. To abandon approximately 6.5 miles of 10-inch and 6-inch transmission pipeline located in Marion and Delaware Counties, Ohio.

33. To abandon approximately 2.5 miles of 8-inch transmission pipeline located in Hancock County, W. Va.

34. To abandon approximately 5.2 miles of 8-inch transmission pipelines, in five separate sections, and 2.4 miles of 10-inch transmission pipeline, in two separate sections, all located in Washington County, Pa., and Brooke County, W. Va.

35. To abandon approximately 7.5 miles of 8- and 10-inch transmission pipeline located in Washington County, Pa., and Marshall and Ohio Counties, W. Va.

A summary of the estimated investment cost for Applicant's proposed construction projects is listed below. Applicant states that the total cost of the project would be financed from funds generated from internal sources.

SUMMARY OF ESTIMATED INVESTMENT COSTS FOR CONSTRUCTION OF PROJECTS PROPOSED HEREIN IS STATED TO BE AS FOLLOWS:

Project No.	Proposed Facilities		Investment costs
	Miles	Inches	
Replacements			
1	0.3	6	\$12,500
2	1.9	8	145,700
3	0.6	10	64,900
4	0.6	4	19,900
5	1.6	24	550,900
6	1.2	6	78,800
7	0.3	4	12,000
8	3.4	8	212,600
9	3.9	6	199,500
10	1.8	2 and 3	44,600
11	0.2	6	14,300
12	0.3	4	11,300
13	0.4	2	8,700
14	0.3	4	13,700
15	0.2	3	8,500
16	0.3	6	24,900
17	Measurement		14,600
18	0.6	6	61,300
19	2.0	8 and 10	149,700
20	0.8	4	46,200
21	0.7	2	17,400
22	0.2	2	11,500
23	0.3	6	21,900
24	0.3	6	185,600
25	11.1	36	5,724,700
26	0.6	8	98,800
27	0.2	2	9,500
28	0.3	4	20,000
28	0.2	4	18,000
Additions			
29	Measurement and regulation		9,700
30	Measurement and regulation		58,900
30	4.0 Mi.-2-inch and regulation		145,700
	Subtotal		8,016,300
	FERC filing fees		15,700
	Grand total		8,032,000

Any person desiring to be heard or to make any protest with reference to said application should on or before December 8, 1977, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc. 77-33949 Filed 11-25-77; 8:45 am]

[6740-02]

Federal Energy Regulatory Commission

[Docket No. ID-1723]

FRANK N. BIEN

Notice of Application; Correction

NOVEMBER 15, 1977.

First paragraph should read:
Take notice that on September 1, 1977, Frank N. Bien, filed an application pursuant to section 305(b) of the Federal Power Act to hold the following positions:

Director and Vice President, Beech Bottom Power Co., Inc., Electric Utility.

Director and Vice President, Ohio Electric Co., Electric Utility.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-34084 Filed 11-25-77; 8:45 am]

[6740-02]

Federal Energy Regulatory Commission

[Docket No. ER77-532]

GULF POWER CO.

Order Denying Motion for Reconsideration and Establishing Expedited Phased Proceeding

NOVEMBER 18, 1977.

On October 1, 1977, pursuant to the provisions of the Department of Energy Organization Act (DOE Act), Pub. L. 95-91, 91 Stat. 565 (August 4, 1977) and Executive Order No. 12009, 42 Fed. Reg. 46267 (September 15, 1977), the Federal Power Commission ceased to exist and its functions and regulatory responsibilities were transferred to the Secretary and the Federal Energy Regulatory Commission (FERC) which, as an independent commission within the Department of Energy, was activated on October 1, 1977.

The "savings provisions" of Section 705(b) of the DOE Act provide that proceedings pending before the FPC on the date the DOE Act takes effect shall not be affected and that orders shall be issued in such proceedings as if the DOE Act had not been enacted. All such proceedings shall be continued and further actions shall be taken by the appropriate component of DOE now responsible for the function under the DOE Act and regulations promulgated thereunder. The functions which are the subject of these proceedings were specifically transferred to the FERC by Section 402(a) (1) and (2) of the DOE Act.

The joint regulation adopted on October 1, 1977 by the Secretary and the FERC entitled "Transfer of Proceedings to the Secretary of Energy and the FERC," 10 CFR —, provided that this proceeding would be continued before the FERC. The FERC takes action in this proceeding in accordance with the above mentioned authorities.

On October 19, 1977, certain wholesale customers of Gulf Power (Cooperatives)¹ filed an application for rehearing of the September 30, 1977 order issued in this docket by the Federal Power Commission.² Cooperatives preliminarily argue that the Commission's September 30, 1977 order is final for the purpose of seeking rehearing

¹Previously identified in the September 30, 1977 order in this docket.

²The "Commission" when used in the context of an action taken prior to October 1, 1977 refers to the FPC; when used otherwise, the reference is to the FERC.

under Section 313(a) of the Federal Power Act. In support, they allege that denial of their application would lead to irreparable harm, since alleged anticompetitive contract provisions would become effective upon termination of the suspension period. However, in the affidavit attached to its rehearing application, the Cooperatives state that notice of termination of service at five delivery points was given prior to October 1, 1977. Furthermore, we believe that the expedited hearing procedure ordered below would avoid any serious detriment to the Cooperatives, while at the same time, providing for prompt analysis and disposition of the alleged anticompetitive issues on the merits. We believe that the Cooperatives have not demonstrated any immediate and irreparable harm that would require deviation from the holding in *FPC v. Metropolitan Edison Co.* 304 U.S. 375 (1938), which stands for the general proposition that Commission orders setting matters for hearing are interlocutory in nature and are not reviewable.³ Since our order of September 30 is interlocutory, no application for rehearing is permitted. However, we will treat the application as a motion for reconsideration.

In their application, Cooperatives again seek summary dismissal of Gulf Power's tariff provisions paragraph 9 and paragraph 9A. They also renew their request for a full five month suspension of the entire tariff. In the alternative, Cooperatives urge that a stay of the effective date of these provisions be granted pending the conclusion of this case, or failing that, a stay of such proposed tariff provisions be granted pending Cooperatives' filing within fifteen days thereafter a petition for review with the Court of Appeals. If such petition for review is then filed, Cooperatives propose that such stay by its terms shall remain in effect pending the outcome of such judicial review. Cooperatives argue that a stay is warranted based on the precedent of *Virginia Petroleum Jobbers Ass'n v FPC*, 259 F. 2d 921, 925 (1958).

Essentially, Cooperatives reargue the point that Gulf Power's proposed termination charge, notice of contract demand changes and notice of termination provisions are so clearly unreasonable as to warrant summary dismissal. They contend that such provisions constitute unilaterally filed exclusive dealing arrangements violative of antitrust policy and unlawful on their face.

On November 3, 1977, Gulf Power filed an answer to the Cooperative's motion to stay. Gulf Power asserts that a stay is unjustified since, based on the *Virginia Petroleum Jobbers* case, the Cooperatives cannot show ir-

reparable harm to themselves, likelihood of prevailing on the merits, lack of substantial harm to other parties, or that the stay would be in the public interest.⁴

We reaffirm our earlier conclusion that the reasonableness of the proposed termination provisions is appropriately the subject of a hearing. Furthermore, Cooperatives have presented no new arguments which would support their request for summary dismissal, a stay of proposed tariff provisions paragraphs 9 and 9A, or an extension of the suspension period. Therefore, our previous decision is hereby reaffirmed.

We are persuaded however, that some modification of our previous order is warranted. Cooperatives have expressed their concern that unless implementation of the challenged provisions is delayed, bulk power supply options may be adversely and permanently affected to their competitive detriment. The Cooperatives request a stay of the effective date of proposed tariff provisions paragraphs 9 and 9A. Four tests must be met before a stay will be issued, among them a showing of irreparable harm to the moving party in the absence of a stay.⁵ The competitive inquiry alleged by Cooperatives is too speculative at this stage to meet the *Virginia Petroleum Jobbers* test. A stay has not been justified. Still, our commitment to competition demands a speedy resolution of these issues.

In *New England Power Co. (NEPCO)*, Docket No. ER77-566, order issued September 30, 1977, the Commission dealt with a similar challenge to the notice provisions of NEPCO's filed tariff. There, expedited hearing procedures were implemented to consider NEPCO's challenged tariff provisions. Such expedited hearing procedures are appropriate for this proceeding and will be hereinafter established.

The Commission finds: (1) It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act that the Commission enter upon an expedited hearing concerning the lawfulness of Gulf Power Company's proposed tariff provisions paragraphs 9 and 9A, filed by Gulf Power on July 29, 1977 and establishing procedures for that hearing, all as hereinafter ordered.

(2) The motion for reconsideration filed by Cooperatives on October 19, 1977, contains no new facts or principles of law that were not considered by the Commission when it issued its order of September 30, 1977, or, upon such consideration, do not warrant

³ *Virginia Petroleum Jobbers Ass'n v. FPC*, 259 F. 2d 921, 925 (1958).

⁴ *Id.*

any change or modification to that order except as hereinafter ordered.

The Commission orders: (A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Section 405(a) of the Department of Energy Act and by the Federal Power Act, particularly Sections 205, 206, 301, 307, 308 and 309 thereof, and pursuant to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act (18 CFR, Chapter I), an expedited public hearing shall be held concerning the justness and reasonableness of revised tariff provisions paragraph 9 and paragraph 9A proposed by Gulf Power in this proceeding. This hearing will be designated as FERC Docket No. ER77-532 (Phase I).

(B) Procedures and dates established in the September 30, 1977 Order in this docket shall remain unaffected insofar as they relate to issues not delegated to Phase I. The hearing on these remaining issues shall be designated as FERC Docket No. ER77-532 (Phase II). A separate initial decision in Phase I shall be issued by the Presiding Administrative Law Judge to precede an initial decision in Phase II.

(C) Cooperatives and staff shall submit their discovery requests to Gulf Power on or before December 2, 1977. (Phase I).

(D) The Presiding Administrative Law Judge shall convene a prehearing conference in this proceeding on December 8, 1977, to hear and to rule upon objections, if any, to discovery requests. The Company shall complete production of requested discovery on or before December 22, 1977. (Phase I).

(E) Staff and intervenors shall file a prepared direct case, if any, by January 30, 1978. Prepared rebuttal testimony, if any, shall be filed on or before February 21, 1978. (Phase I).

(F) The Presiding Administrative Law Judge shall convene a hearing in this proceeding (Phase I) on March 7, 1978, at 10:00 a.m. (ET) in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426.

(G) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlements pursuant to section 1.18 of the Commission's Rules of Practice and Procedure.

(H) The motion for reconsideration filed by the Cooperatives on October 19, 1977, is hereby denied.

(I) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

⁵ See, 18 CFR. § 1.34(a)(1977).

By the Commission.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc. 77-34079 Filed 11-25-77; 8:45 am]

[6740-02]

[Docket No. ER78-25]

KANSAS CITY POWER & LIGHT CO.

Order Accepting Certain Rate Schedules Waiving Notice Requirements and Accepting for Filing and Suspending Proposed Transmission Rate Schedule

NOVEMBER 17, 1977.

On October 1, 1977, pursuant to the provisions of the Department of Energy Organization Act (DOE Act), Pub. L. 95-91, 91 Stat. 565 (August 4, 1977) and Executive Order No. 12009, 42 FR 46267 (September 15, 1977), the Federal Power Commission ceased to exist and its functions and regulatory responsibilities were transferred to the Secretary and the Federal Energy Regulatory Commission (FERC) which, as an independent commission within the Department of Energy, was activated on October 1, 1977.

The "savings provisions" of section 705(b) of the DOE Act provide that proceedings pending before the FPC on the date the DOE Act takes effect shall not be affected and that orders shall be issued in such proceedings as if the DOE Act had not been enacted. All such proceedings shall be continued and further actions shall be taken by the appropriate component of DOE now responsible for the function under the DOE Act and regulations promulgated thereunder. The functions which are the subject of these proceedings were specifically transferred to the FERC by section 402(a)(1) of the DOE Act.

The joint regulation adopted on October 1, 1977, by the Secretary and the FERC entitled "Transfer of Proceedings to the Secretary of Energy and the FERC," 10 CFR —, provided that this proceeding would be continued before the FERC. The FERC takes action in this proceeding in accordance with the above mentioned authorities.

On October 18, 1977, Kansas City Power & Light Co. (KCP&L) tendered for filing a supplement to the Company's municipal participation agreement with the City of Kansas City (City). The supplement provides for

an additional interconnection point and an increase in charges for firm power, reserve capacity, and standby service, bringing those rates up to levels of rates previously filed for droelectric power from Southwestern Power Administration. In addition, KCP&L is to provide 161 kV transmission service to the City to wheel 25 MW of hy-

The proposed rates for reserve capacity, standby service and firm power were filed previously. They were made effective by the proceedings in Dockets Nos. ER76-896 and ER76-184 respectively.

The transmission rate was also filed previously, in Dockets Nos. ER76-131 and ER76-552. In those proceedings, a Section 206 investigation was instituted. On or about December 14, 1976, the Presiding Administrative Law Judge granted the parties' Motion to Cancel Prehearing Conference and Hold Further Procedural Dates in Abeyance. The proceedings are in abeyance pending the Commission's final order in another KCP&L proceeding, Docket No. ER76-184, which litigates what is virtually the same issue as that in Docket Nos. ER76-131 and ER76-552, and, therefore, in the instant case.

KCP&L has requested waiver of the Commission's notice requirements to allow the rates to go into effect July 1, 1977, the date transmission service to the City began. No other service has been rendered since that date.

Notice of the filing was issued on October 27, 1977, with responses due on or before November 7, 1977. No responses have been received.

Commission review of KCP&L's filings indicates that it is in the public interest to grant waiver of the Commission's section 35.11 notice require-

ments, and accept for filing all rate schedules tendered. However, the filing relating to transmission service has not been shown to be in the public interest and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. Accordingly, the Commission will suspend that rate schedule's effectiveness for 1 day to become effective subject to refund on July 2, 1977, with the final rate to be subject to the outcome of the proceedings in Docket Nos. ER76-131 and ER76-552.

The Commission finds: (1) Good cause exists to waive the Commission's section 35.11 notice requirements.

(2) Good cause exists to accept KCP&L's proposed rate schedules, except the proposed rate schedule pertaining to transmission service.

(3) Good cause exists to accept for filing and suspend the effectiveness of KCP&L's rate schedule relating to transmission service as hereinafter ordered.

The Commission orders: (A) The section 35.11 notice requirements are hereby waived.

(B) KCP&L's submittals (except its rate schedule pertaining to transmission service) are hereby accepted for filing effective July 1, 1977.

(C) KCP&L's proposed rate schedule for transmission service is hereby accepted for filing and suspended for 1 day, to be effective July 2, 1977, subject to refund, pending the outcome of proceedings in Docket Nos. ER76-131 and ER76-552.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

LOIS D. CASHELL,
Acting Secretary.

ATTACHMENT A.—Kansas City Power & Light Co.
[Docket No. ER78-25]

Dated: (2) to (6) undated; (1) September 29, 1977.

Filed: October 18, 1977.

Designation	Effective date	Description
1. Supplement No. 6 to Rate Schedule FPC No. 54.....	July 1, 1977	Amendatory Agreement No. 2 to MPA.
2. Supplement No. 7 to Rate Schedule FPC No. 54.....	Do	Schedule A-MPA-1 Reserve Capacity.
3. Supplement No. 8 to Rate Schedule FPC No. 54.....	Do	Schedule B-MPA-1 Standby Service.
4. Supplement No. 9 to Rate Schedule FPC No. 54 (Supersedes Supp. No. 5 to R. S. FPC No. 54).	Do	Schedule C-MPA-2 Requisitioned Power & Accompanying Energy.
5. Supplement No. 10 to Rate Schedule FPC No. 54.....	Do	Schedule D-MPA-2 Economy Energy.
6. Supplement No. 11 to Rate Schedule FPC No. 54.....	July 2, 1977 ¹	Schedule E-MPA 161 kV Transmission Service.

¹Subject to refund.

[FR Doc. 77-34077 Filed 11-25-77; 8:45 am]

¹See Attachment A for designations and descriptions.

[6740-02]

[Docket No. CP78-70]

McCULLOCH INTERSTATE GAS CORP.**Application**

NOVEMBER 18, 1977.

Take notice that on November 10, 1977, McCulloch Interstate Gas Corporation (Applicant), 10880 Wilshire Boulevard, Los Angeles, Calif. 90024, filed in Docket No. CP78-70 an application pursuant to Section 7(c) of the Natural Gas Act and Sections 157.7(b) and 157.7(g) of the Regulations thereunder (18 CFR 157.7(b) and 157.7(g)), for a certificate of public convenience and necessity authorizing the construction, during the 12-month period commencing January 1, 1978, and operation of facilities to enable Applicant to take into its certificated main pipeline system natural gas which would be purchased from producers or other similar sellers thereof, and authorizing the construction and for permission and approval to abandon for the same period and operation of new or additional field compression and related metering and appurtenant facilities, all as more fully set forth in the application on file with the FERC and open to public inspection.

The stated purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in the construction of gas-purchase facilities to enable Applicant to connect its system with the facilities of an independent producer or other similar seller, authorized by the Commission to make a sale of gas to Applicant for resale in the interstate commerce, or the system of another natural gas company authorized to transport gas for the account of, or for the exchange of gas with Applicant, and to augment Applicant's ability to act with reasonable dispatch in the construction, relocation, operation and abandonment of facilities which would not result in changing Applicant's system saleable capacity or service from that authorized prior to the filing of the instant application.

Applicant states that the total cost of the proposed gas-purchase facilities would not exceed \$1,000,000 with no single project to exceed \$250,000, and that the total cost of its proposed construction, relocation, removal or abandonment of field compression facilities would not exceed \$500,000 with no single project to exceed \$125,000.

These facilities would be financed from working funds, supplemented, as necessary, by short-term loans, it is said.

Applicant states that it recognizes that the proposed budget-type authorization for the construction of gas-purchase facilities has an estimated total cost in excess of the amounts specified in subparagraph (1) of section 157.7(b) of the Commission's Regulations. Consequently, pursuant to subparagraph (2) of section 157.7(b) of the Commission's Regulations, Applicant requests waiver of the provisions of subparagraph (1) so as to allow for the total cost in excess of the amounts specified in subparagraph (1). Applicant asserts that primarily, the basis of such request for such waiver is predicated upon the fact that it is virtually unfeasible to consummate any viable single project involving gas-purchase facilities to connect additional gas supplies for the very small amount authorized by subparagraph (1) of section 157.7(b) of the Commission's Regulations.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 8, 1977, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Section 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and

approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-34080 Filed 11-25-77; 8:45 am]

[6740-02]

[Docket No. CP76-72]

PANHANDLE EASTERN PIPE LINE CO.**Order Granting Rehearing and Providing for Hearing**

NOVEMBER 18, 1977.

On October 1, 1977, pursuant to the provisions of the Department of Energy Organization Act (DOE Act), Pub. L. 95-91, 91 Stat. 565 (August 4, 1977) and Executive Order No. 12009, 42 FR 46267 (September 15, 1977), the Federal Power Commission ceased to exist and its functions and regulatory responsibilities were transferred to the Secretary and the Federal Energy Regulatory Commission (FERC) which, as an independent commission within the Department of Energy, was activated on October 1, 1977.

The "saving provisions" of section 705(b) of the DOE Act provide that proceedings pending before the FPC on the date the DOE Act takes effect shall not be affected and that orders shall be issued in such proceedings as if the DOE Act had not been enacted. All such proceedings shall be continued and further actions shall be taken by the appropriate component of DOE now responsible for the function under the DOE Act and regulations promulgated thereunder. The functions which are the subject of these proceedings were specifically transferred to the FERC by section 402(a)(1) of the DOE Act.

The joint regulation adopted on October 1, 1977, by the Secretary and the FERC entitled "Transfer of Proceedings to the Secretary of Energy and the FERC," 10 CFR —, provided that this proceeding would be contin-

ued before the FERC. The FERC takes action in this proceeding in accordance with the above mentioned authorities.

On April 7, 1977, the Commission¹ issued an order granting rehearing for the purpose of further consideration of its order in the above-styled proceeding issued on February 7, 1977.

On September 2, 1975, Panhandle Eastern Pipe Line Co. (Panhandle) filed in Docket No. CP76-72 an application, as supplemented November 28, 1975, and May 5, 1976, pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the acquisition by purchase from its wholly-owned subsidiary, Panhandle Western Gas Co. (Panhandle Western), and operation of a pipeline gathering system located within the Wattenberg field area of the Denver-Julesburg Basin, Weld County, Colo.

Panhandle Western installed the system and operated it for four years reselling the gas purchased from Amoco Production Co., *et al.* (Amoco), in intrastate commerce to Western Slope Gas Co. (Western Slope) for consumption in the Denver market area. Panhandle negotiated a gas purchase contract with Amoco and NorDen Limited Partnership (NorDen) dated November 4, 1970, as amended, covering certain acreage in the Denver-Julesburg Basin of which the Wattenberg field is a part. On July 22, 1971, Panhandle entered into an agreement with Amoco and NorDen under which certain of the completed wells were to be placed in production in order to evaluate their deliverability, with the testing and evaluation being considered a short-term intrastate sale. Panhandle assigned to Panhandle Western the right of the buyer to purchase gas under the contract for a four-year period limited to gas volumes of not more than 20,000 Mcf per day with an average of not less than 5,000 Mcf per day on an annual basis. Prior to July 22, 1971, Panhandle Western and Western Slope on June 9, 1971, had entered into a short-term gas sales contract whereby Panhandle Western agreed to sell on an intrastate basis for a four year term, gas it controlled in the Wattenberg Field for the purpose of testing the wells and reservoirs completed. The initial intrastate delivery by Panhandle Western to Western Slope occurred on August 14, 1971, and the agreement terminated on September 1, 1975. On August 15, 1975, Panhandle Western released and reassigned to Panhandle its gas purchase rights under the original November 4,

1970, gas sales agreement between Panhandle and NorDen and Amoco. Panhandle now proposes to acquire the subject facilities and to connect them to its existing interstate Colorado system so that the substantial gas reserves remaining can be produced and transported to Watkins Junction where the gas will be delivered for exchange purposes to Colorado Interstate Gas Co. (Colorado Interstate). Under an existing authorized arrangement, Colorado Interstate will redeliver 75 percent of the gas to Panhandle's interstate system at a point of interconnection between the two companies near Colorado Interstate's Lakin Compressor Station in Kearny County, Kans., with 25 percent of the volumes delivered by Panhandle at Watkins Junction being purchased by Colorado Interstate for its own use.

Pursuant to an agreement, dated August 15, 1975, Panhandle Western has agreed to sell to Panhandle the gathering system and associated right-of-way easements in the Wattenberg Field at a cost of \$1,247,101, the depreciated book value of the system and appurtenances of August 15, 1975. The subject facilities consist of 44.015 miles of pipeline (10.302 miles of 3-inch, 13.460 miles of 4-inch, 11.021 miles of 6-inch, and 9.232 miles of 8-inch pipeline), 26 measuring and regulating stations, other structures and liquid collection equipment. The cost of the proposed acquisition will be financed by Panhandle out of cash on hand and from funds generated through operations.

The ultimate recoverable reserves underlying the 22 test wells connected to Panhandle Western's subject gathering system are dedicated to Panhandle and none of said reserves are dedicated to Western Slope under the 4-year well test agreement. Panhandle has made \$10,000,000 in advance payments for a gas exploration and development program to Amoco through Panhandle Western and in return Panhandle obtained the dedication of the gas reserves underlying Amoco's interest in leases covering over 600,000 acres.

By settlement order issued August 30, 1974, in Docket No. RI73-108 the Commission approved the inclusion of the advances to Amoco and other producers in the Denver-Julesburg Basin as part of Panhandle's rate base. As a result of the development program, Panhandle obtained a commitment of 30,271,000 Mcf of gas reserves. During the 4-year testing program, approximately 6,962,000 Mcf of gas were sold to the intrastate market which benefited the customers of Western Slope although the money for the development program came from Panhandle's customers.

By order issued March 30, 1973, in Docket No. CP72-181 (49 FPC 823),

Panhandle was authorized to construct and operate facilities necessary to attach the Denver-Julesburg Basin supply, including the Wattenberg Field supply, to the system of Colorado Interstate at Watkins Junction and by separate order issued concurrently in Docket No. CP73-44 (49 FPC 806), Colorado Interstate was authorized to return 75 percent of the volumes delivered by Panhandle at Watkins Junction to Panhandle at a point on Colorado Interstate's line at the Lakin Compressor Station in Kansas, with 25 percent of the volumes delivered by Panhandle being sold to Colorado Interstate. With respect to the 25 percent sold to Colorado Interstate and the advance payments made by Panhandle to have the reserves developed, it was stated in the order in Docket No. CP72-181: "It is not in the overall public interest for the customers of one pipeline to have advance payments included in the cost of service of underlying rates charges to them, and then divert a portion of the gas developed pursuant to these advance payment contracts to the benefit of another pipeline's customers without reimbursement to offset the cost of advance payments. Accordingly, we shall require both Panhandle and CIG to present to us within 30 days a plan whereby Panhandle's customers will receive reimbursement for a fair share of the cost of the advance payments heretofore included in Panhandle's rates, to the extent that such advance payments were used to develop any gas included in the instant proceeding." (49 FPC 826).²

Consistent with Commission action in Docket Nos. CP72-181 and CP73-44 discussed above, the Federal Power Commission in the February 7, 1977, order in this docket directed Panhandle (1) to remove from its rate base that portion of the advance payments attributable to gas reserves developed and sold to Western Slope, and (2) to file within 30 days from the date the February 7, 1977, order an acceptable plan providing for refund to its jurisdictional ratepayers of amounts received resulting from the amount in the rate base of the advance payments attributable to the volumes of gas sold to Western Slope, together with appropriate interest on such amounts.

In its application for rehearing Panhandle takes issue with the Commission's February 7, 1977, order in this proceeding making the acquisition and operation of certain gathering facilities of Western Slope predicated upon the aforementioned conditions. Panhandle contends that the lack of basis

¹The "Commission" when used in the context of an action taken prior to October 1, 1977, refers to the FPC; when used otherwise, the reference is to the FERC.

²See also Columbia Gas Transmission Corp. Opinion No. 722 — FPC — issued March 7, 1975, in Docket Nos. RP71-18, et al. (mimeo), p. 9 and p. 11, ordering Paragraph (B).

for the latter conditions render them a nullity. Panhandle urges that the Commission failed to make any findings on the reasonableness of the Panhandle advances to Amoco. It therefore contends that the Commission cannot eliminate a part of the Amoco advance from Panhandle's rate base without first determining whether the advance is reasonable and appropriate "after affording Panhandle an opportunity to be heard on that issue".

It further alleges that the contention in the Commission's February 7, 1977, order that only 30.2 Bcf of gas reserves resulted from the advances is erroneous. It asserts that the 30.2 Bcf relates only to the gas reserves attributable to 22 wells from which gas was sold to Western Slope and that Panhandle obtained over 420 Bcf of proved and probably reserves in the Wattenberg Field Area as a result of its advance to Amoco. It stresses that the 6,962,000 Mcf of gas sold to Western Slope from the 30.2 Bcf attributable to the aforementioned 22 wells were solely for the purpose of testing and evaluating the new gas production in the Wattenberg Field.

Based upon the allegations contained in Panhandle's application, the Commission finds it appropriate to amend the Federal Power Commission's February 7, 1977, order to establish hearing procedures to provide Panhandle the opportunity to show that the subject advance payments are reasonable and appropriate and should be included in Panhandle's rate base without any offsets. More specifically, Panhandle should show that the diversion of gas, which was developed in part by Panhandle's advance payments, to Western Slope does not affect Panhandle's request for rate base treatment for the entire advance payment.

The Commission will further provide for a prehearing conference in order to discuss the evidentiary, procedural and other issues that may require attention prior to the formal hearing.

The Commission finds: (1) Good cause exists for granting rehearing of our order issued on February 7, 1977, in the above-styled proceeding for the purposes set forth in the context of this order.

(2) It is necessary to convene a formal hearing in order to develop facts and reasons to enable the Commission to determine whether all or a part of the advance payment made by Panhandle for the aforementioned Denver-Julesburg reserves should be incorporated into its rate-base.

(3) In view of the formal hearing that we have convened in this proceeding for the aforementioned purpose, good cause exists to extend the date for the filing of protest and petitions to intervene.

The Commission orders: (A) Rehearing for the purposes set forth in the

context of this order is hereby granted.

(B) Pursuant to the authority of the Natural Gas Act, particularly Sections 4, 5, 7 and 15 hereof the Commission's Rules of Practice and Procedure (18 CFR Chapter I, Subchapter E), a prehearing conference shall be held on January 10, 1978, commencing at 10 a.m. in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426 to clarify procedural, evidentiary and other issues that may be pertinent to the above-styled proceeding.

(C) An Administrative Law Judge, to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3, 5(d)), shall preside at the prehearing conference in this proceeding with authority to establish and change all procedural dates and to rule on such matters necessary for the expeditious determination of this proceeding as further provided for in the Commission's Rules of Practice and Procedure.

(D) Any person desiring to be heard or to participate in the formal hearing provided for in this order should on or before January 31, 1978, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestant parties to the proceeding. Any person wishing to become a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-34081 filed 11-25-77; 8:45 am]

[6740-02]

[Docket No. RP78-15]

TENNESSEE GAS PIPELINE CO.

Petition for Advance Approval of Flow-Through of Emergency Gas Supply and Transportation Costs

NOVEMBER 16, 1977.

Take notice that on November 9, 1977, Tennessee Gas Pipeline Co., a Division of Tenneco Inc. (Tennessee) tendered for filing a petition for advance approval to flow-through under its PGA provision the purchased gas cost and transportation cost associated with an emergency purchase to be made pursuant to section 2.68 of the Commission's Statement of General Policy and Interpretations.

Tennessee states that it has contracted with Intrastate Gathering Corp. (Intrastate) for an emergency purchase which will provide the Tennessee system with gas volumes of approximately 15,000 to 20,000 Mcf per day for a 60-day period at a price of \$2.244 per MMBtu.

Tennessee requests that the Commission grant its petition by November 23, 1977, since its agreement will terminate on such date if authorization has not been granted and Intrastate will enter into a gas sales agreement with another pipeline.

Any person desiring to be heard or to make any protest with reference to said petition should on or before November 30, 1977, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestant parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc. 77-34076 Filed 11-25-77; 8:45 am]

[6740-02]

[Docket No. CP78-62]

TRANSWESTERN PIPELINE CO.

Application

NOVEMBER 18, 1977.

Take notice that on November 7, 1977, Transwestern Pipeline Co. (applicant), P.O. Box 2521, Houston, Tex. 77001, filed in Docket No. CP78-62 an application pursuant to section 7(c) of the Natural Gas Act and section 157.7(b) of the Commission's regulations thereunder (18 CFR 157.7(b)) for a certificate of public convenience and necessity authorizing the construction during the calendar year 1977, and operation of facilities, to enable Applicant to take into its certificated main pipeline system natural gas which would be purchased from producers or other similar sellers thereof, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that the purpose of this budget-type application is to augment its ability to act with reasonable dispatch in connection to its pipeline system supplies of natural gas which

may become available from various producing areas generally coextensive with its pipeline system or the systems of other pipeline companies which may be authorized to transport gas for the account of or exchange gas with Applicant.

The application states that the total cost of the proposed facilities would not exceed \$8,500,000, and that the total cost of a single project would not exceed \$1,500,000, which cost would be initially financed utilizing existing corporate funds.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 8, 1977, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-34082 Filed 11-25-77; 8:45 am]

[6740-02]

[Docket No. CP78-72]

TRUNKLINE GAS CO.

Application

NOVEMBER 18, 1977.

Take notice that on November 10, 1977, Trunkline Gas Co. (applicant),

P.O. Box 1642, Houston, Tex. 77001, filed in Docket No. CP78-72 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the development and operation of a new underground gas storage reservoir located in East Carroll Parish and West Carroll Parish, La., in the vicinity of applicant's existing Epps compressor station and the construction and operation of certain facilities related to such development, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that the Epps field and South Epps field are currently depleted gas fields which have the reservoir characteristics required for a gas storage field. Applicant further states that a total of 56 injection-withdrawal wells and 13 observation wells is projected. Working storage capacity would be 25,000,000 Mcf, with the capability of withdrawing 250,000 Mcf per day at 400 psig wellhead working pressure, and with capability of injecting 125,000 Mcf per day at 1400 psig wellhead working pressure, it is indicated. Applicant states that all of the injected cushion gas of 27,640,000 Mcf would be recoverable, and that the injection would commence in the third year of development, and certain volumes of gas would be available for service at the end of the injection season of the third year of development.

It is stated that each of the two fields would have its own injection withdrawal and water disposal system, and that the gas from each field would flow to a central location where it would be dehydrated, measured and combined into one flow through approximately 8.5 miles of 24-inch pipeline to be constructed to Trunkline's mainline station at Epps, La., at which point it would enter Trunkline's mainline system. It is further stated that each well would have production equipment and flow measurement for operational data, and that there would be one transfer meter for the intercon-

necting pipelines and two dehydrators of 125,000 Mcf per day capacity each. The storage field would have all-weather roads to each well, a warehouse, office, pipe storage, microwave, and all necessary utilities, it is said.

The application states that presently there are six engine-driven reciprocating-type compressors installed for pipeline service at Epps compressor station, and that these six compressors consist of two 3,000-horsepower and four 2,000-horsepower units yielding a total of 14,000 horsepower. The application further states that the proposed project would require the modification of the compressor cylinders and piping for the two 3,000-horsepower compressors to provide a 1440 psi discharge pressure for injection service, and that a maximum rate and minimum pressure, the withdrawal service requires a total of 14,000 horsepower; therefore, the piping on the four remaining 2,000-horsepower compressors, along with the station yard piping, must be modified for two-stage operation and inter-stage cooling. It is indicated that after modification all six existing reciprocating compressors would continue to be available for pipeline service when not being utilized on the storage system. There are also three presently installed turbine-driven centrifugal-type compressors installed for pipeline service at Epps Compressor Station which would not be modified or utilized for this storage project, it is said.

Applicant indicates that the estimated cost of converting the Epps field and South Epps field to storage reservoirs (including allowance for funds used during construction) would be \$33,556,000, and that cushion gas, valued at applicant's current purchased gas costs, approximates \$22,112,000. Applicant proposes to finance this project from funds on hand and by short-term bank loans if and when required, it is said.

The following is applicant's Epps and South Epps storage fields proposed injection-withdrawal schedule by cycles:

Cycle	[In million cubic feet]				Maximum reservoir gas content
	Injection		Withdrawal		
	Daily	Annual	Daily	Annual	
1980-1981	50	10,000	50	4,700	20,780
1981-1982	75	15,000	100	9,500	31,080
1982-1983	100	20,000	150	14,400	41,580
1983-1984	125	25,000	200	19,500	52,180
1984-1985	125	25,000	200	19,500	57,680
1985-1986	125	25,240	250	25,000	63,420
1986-1987	125	25,000	250	25,000	63,420

Applicant states that the cost of service for the proposed storage field is 49.0 cents per Mcf, and that when completed, it would have a maximum

daily withdrawal rate of 250,000 Mcf per day.

Applicant asserts that the Epps storage project is necessary to help relieve

the projected shortage of natural gas supplies for high priority requirements during the winter month. In addition, Applicant's gas supply sources are changing, and the change in supply mix would occur in the near future, possibly as early as 1980, when Applicant would start importing substantial volumes of LNG pursuant to authorization granted in Docket No. CP74-138, et al., it is indicated. Applicant states that the Epps storage project would help assure the availability of LNG to serve high priority loads and would assist Applicant in meeting its requirements in the event of a temporary interruption of LNG service.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 9, 1977, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-34083 Filed 11-25-77; 8:45 am]

[6740-02]

[Docket No. ER77-588]

WASHINGTON WATER POWER CO.

Order Accepting for Filing and Suspending Rate Increase, Providing for Hearing, and Establishing Procedures

NOVEMBER 17, 1977.

On October 1, 1977, pursuant to the provisions of the Department of Energy Organization Act (DOE Act), Pub. L. 95-91, 91 Stat. 565 (August 4, 1977) and Executive Order No. 12009, 42 FR 46267 (September 15, 1977), the Federal Power Commission ceased to exist and its functions and regulatory responsibilities were transferred to the Secretary and the Federal Energy Regulatory Commission (FERC), which, as an independent commission within the Department of Energy, was activated on October 1, 1977.

The "savings provisions" of section 705(b) of the DOE Act provide that proceedings pending before the FPC on the date the DOE Act takes effect shall not be affected and that orders shall be issued in such proceedings as if the DOE Act had not been enacted. All such proceedings shall be continued and further actions shall be taken by the appropriate component of DOE now responsible for the function under the DOE Act and regulations promulgated thereunder. The functions which are the subject of these proceedings were specifically transferred to the FERC by section 402(a)(1) of the DOE Act.

The joint regulation adopted on October 1, 1977, by the Secretary and the FERC entitled "Transfer of Proceedings to the Secretary of Energy and the FERC," 10 CFR —, provided that this proceeding would be continued before the FERC. The FERC takes action in this proceeding in accordance with the above mentioned authorities.

On September 19, 1977, Washington Water Power Co. (applicant), submitted for filing a proposed rate increase for the twelve month period succeeding the proposed effective date of November 18, 1977. The proposed increase would be applicable to the Citizens Utilities Co., the City of Chewelah, Modern Electric Water Co., Pacific Power & Light Co. and the Village of Plummer; wholesale customers under the applicant's Federal Power Commission electric tariff. Both the present and the proposed rate schedules contain a flat demand charge and a two-step energy charge. The rates are subject to a power factor adjustment clause, a minimum bill, a reactive demand charge, and a high voltage discount. Neither the present nor the proposed rate schedules contain a fuel adjustment clause.

Notice of the original filing was issued on September 26, 1977, with

comments due on or before October 3, 1977. On October 3, 1977, the Citizens Utilities Co. (Citizens), filed a petition to intervene in this proceeding. On October 7, 1977, the Commission granted Citizens' petition to intervene.

Also, on October 3, 1977, the Idaho Public Utilities Commission filed a notice of intervention in this proceeding. On October 17, 1977, the Town of Plummer, Idaho (Town), filed a letter of protest. The Town states that it did not receive notice of the proposed increase, and that the proposed rate increase is designed so that the Town's customers would be unable to conserve sufficiently to avoid substantial increases in their electric bills.

Our review of the Applicant's filing indicates that the proposed rate increase, filed September 19, 1977, to be effective November 18, 1977, has not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. Accordingly, we will accept the proposed rate increase for filing and suspend its operation for one month to become effective on December 18, 1977, subject to refund.

The Commission finds: (1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of the proposed rate increase filed September 19, 1977, by Washington Water Power Co., establish procedures for that hearing, and that the proposed rate increase be accepted for filing, suspended, and the use thereof deferred, all as hereinafter ordered.

The Commission orders: (A) The protest filed by the Town of Plummer, Idaho, on October 17, 1977, has been considered by the Commission in determining the appropriate action to be taken, but will not serve to make the protestant a party to the proceeding.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the DOE Act and by the Federal Power Act, particularly sections 205, 206, 301, 308, and 309 thereof, and pursuant to the Commission's rules of practice and procedure and the regulations under the Federal Power Act (18 CFR chapter I), a public hearing shall be held concerning the justness and reasonableness of the rate increase proposed by Washington Water Power Co., in this proceeding.

(C) Pending such hearing and decision thereon, the proposed increased rates and charges originally filed by Washington Water Power Co., on September 19, 1977, we hereby accepted for filing, suspended, and the use thereof deferred until December 18, 1977, when they shall become effective subject to refund.

(D) The Federal Energy Regulatory Commission staff shall serve topsheets in this proceeding on or before February 17, 1978.

(E) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose shall preside at a prehearing conference in this proceeding to be held on March 17, 1978, at 10 a.m. in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. Said Law Judge is authorized to establish all procedural dates and to rule upon all motions (except petitions to intervene, motions to consolidate and sever, and motions to dismiss) as provided for in the Commission's rules of practice and procedure.

(F) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

LOIS D. CASHELL,
Acting Secretary.

[FR Doc. 77-34078 Filed 11-25-77; 8:45 am]

[6560-01]

**ENVIRONMENTAL PROTECTION
AGENCY**

[FRL 820-5; OPP-50342]

AMCHEM PRODUCTS, INC.

Issuance of Experimental Use Permit

The Environmental Protection Agency (EPA) has issued an experimental use permit to the following applicant. Such permit is in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

No. 264-EUP-54. Amchem Products, Inc., Ambler, Pa. 19002. This experimental use permit allows the use of 3,711 pounds of the herbicide 2,3,6-trichlorophenylacetic acid, sodium salt in lakes and ponds to evaluate control of hydrilla and egeria. A total of 154 acres is involved; the program is authorized only in the States of Florida, Georgia, Louisiana, South Carolina, and Texas. This experimental use permit is effective from October 11, 1977 to October 11, 1978. This experimental use permit is being issued with the limitations that water to be treated will be a minimum of 10 miles from any area where it will be used for irrigation or potable water purposes; and treated areas will be posted as such and be restricted from fishing and the taking of shell fish, where applicable, until residues of the active ingredient have dropped below 0.01 part per million.

Interested parties wishing to review the experimental use permit are referred to room E-315, Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M Street SW., Washington, D.C. 20460. It is suggested that such interested persons call 202-755-4851 before visiting the EPA Headquarters Office, so that the ap-

propriate permit may be made conveniently available for review purposes. This file will be available for inspection from 8:30 a.m. to 4 p.m. Monday through Friday.

(Sec. 5, Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 89 Stat. 751; (7 U.S.C. 136(a) et seq.))

Dated: November 18, 1977.

DOUGLAS D. CAMPT,
Acting Director,
Registration Division.

[FR Doc. 77-34016 Filed 11-25-77; 8:45 am]

[6560-01]

[FRL 820-4; OPP-50344]

AMERICAN CYANAMID CO.

Issuance of Experimental Use Permit

The Environmental Protection Agency (EPA) has issued an experimental use permit to the following applicant. Such permit is in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

No. 241-EUP-84. American Cyanamid Co., Princeton, N.J. 08540. This experimental use permit allows the use of 128 pounds of the herbicide N-(1-ethylpropyl)-3,4-dimethyl-2,6-dinitrobenzenamine on sunflowers as a preplant incorporated application to evaluate control of annual grasses and certain broadleaf weeds. A total of 48 acres is involved; the program is authorized only in the States of California, Iowa, Minnesota, Missouri, North Carolina, North Dakota, South Dakota, and Texas. The experimental use permit is effective from February 1, 1978, to February 1, 1979. A temporary tolerance for residues of the active ingredient in or on sunflowers has been established.

Interested parties wishing to review the experimental use permit are referred to Room E-315, Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M Street SW., Washington, D.C. 20460. It is suggested that such interested persons call 202-755-4851 before visiting the EPA Headquarters Office, so that the appropriate permit may be made conveniently available for review purposes. This file will be available for inspection from 8:30 a.m. to 4 p.m. Monday through Friday.

(Sec. 5, Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 89 Stat. 751; 7 U.S.C. 136(a) et seq.))

Dated: November 18, 1977.

DOUGLAS D. CAMPT,
Acting Director,
Registration Division.

[FR Doc. 77-34015 Filed 11-25-77; 8:45 am]

[6560-01]

[FRL 820-3; OPP-50345]

ELANCO PRODUCTS CO.

Issuance of Experimental Use Permit

The Environmental Protection Agency (EPA) has issued an experimental use permit to the following applicant. Such permit is in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

No. 1471-EUP-53. Elanco Products Co., Indianapolis, Ind. 46206. This experimental use permit allows the use of 4,240 pounds of the herbicide oryzalin on soybeans to evaluate control of various annual grasses and broadleaf weeds. A total of 7,420 acres is involved; the program is authorized only in the States of Alabama, Arkansas, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New York, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, and Virginia. The experimental use permit is effective from November 1, 1977 to July 19, 1978. A permanent tolerance for residues of the active ingredient in or on soybeans has been established (40 CFR 180.304).

Interested parties wishing to review the experimental use permit are referred to Room E-315, Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M Street SW., Washington, D.C. 20460. It is suggested that such interested persons call 202-755-4851 before visiting the EPA Headquarters Office, so that the appropriate permit may be made conveniently available for review purposes. This file will be available for inspection from 8:30 a.m. to 4 p.m. Monday through Friday.

(Sec. 5, Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 89 Stat. 751; 7 U.S.C. 136(a) et seq.))

Dated: November 18, 1977.

DOUGLAS D. CAMPT,
Acting Director,
Registration Division.

[FR Doc. 77-34013 Filed 11-25-77; 8:45 am]

[6560-01]

[FRL 820-2; OPP-50343]

PENNWALT CORP.

Issuance of Experimental Use Permit

The Environmental Protection Agency (EPA) has issued an experimental use permit to the following applicant. Such permit is in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

No. 4581-EUP-28. Pennwalt Corp., King of Prussia, Pa. 19406. This experimental use

permit allows the use of the remaining supply of approximately 5,114 pounds of the insecticide mixture of 0,0-diethyl-0-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate and aromatic petroleum solvent to evaluate control of a variety of insects in residential, industrial food processing, and business sites and on ornamental trees, shrubs, and turf; this use was authorized in a previous experimental use permit. The program is authorized in the 48 contiguous States, Hawaii, and the District of Columbia. The experimental use permit is effective from October 14, 1977 to October 14, 1978.

Interested parties wishing to review the experimental use permit are referred to room E-315, Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M Street SW., Washington, D.C. 20460. It is suggested that such interested persons call 202-755-4851 before visiting the EPA Headquarters Office, so that the appropriate permit may be made conveniently available for review purposes. This file will be available for inspection from 8:30 a.m. to 4 p.m. Monday through Friday.

(Sec. 5, Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 89 Stat. 751; 7 U.S.C. 136(a) et seq.).)

Dated November 18, 1977.

DOUGLAS D. CAMPT,
*Acting Director,
Registration Division.*

[FR Doc. 77-34014 Filed 11-25-77; 8:45 am]

[6560-01]

[FRL 820-7]

**NATIONAL DRINKING WATER ADVISORY
COUNCIL**

Open Meeting

Under section 10(a)(2) of Pub. L. 92-423, "The Federal Advisory Committee Act," notice is hereby given that a meeting of the National Drinking Water Advisory Council established under Pub. L. 93-523, the "Safe Drinking Water Act," will be held at 9 a.m. on December 14, 1977, and at 8:30 a.m., December 15, 1977, in the Ramada-O'Hare Inn, 6600 Mannheim Road, Des Plaines, Ill. 60018.

The purpose of this meeting will be to discuss the regulation of organic constituents found in drinking water; develop a rationale for standard setting; review EPA's proposed underground injection control regulations; and exchange information with State program officials responsible for implementing the safe drinking water programs in their States.

Both days of the meeting will be open to the public. The Council encourages the hearing of outside statements and allocates a portion of time for public participation. Any outside parties interested in presenting an oral

statement should petition the Council in writing. The petition should include the general topic of the proposed statement and the petitioner's telephone number.

Any person who wishes to file a written statement can do so before or after a Council meeting. Accepted written statements will be recognized at Council meetings.

Any member of the public wishing to attend the Council meeting, present an oral statement, or submit a written statement should contact Patrick Tobin, Executive Secretary for the National Drinking Water Advisory Council, Office of Water Supply (WH-550), Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460. The telephone number is area code 202-426-8877.

THOMAS C. JORLING,
*Assistant Administrator for
Water and Hazardous Materials.*

NOVEMBER 21, 1977.

[FR Doc. 77-34012 Filed 11-25-77; 8:45 am]

[6560-01]

[FRL 820-11]

**SCIENCE ADVISORY BOARD EXECUTIVE
COMMITTEE MEETING**

Open Meeting

As required by Pub. L. 92-463, notice is hereby given that a meeting of the Executive Committee of the Science Advisory Board will be held beginning at 9 a.m., December 12 and 13, 1977, in room 1101 West Tower, U.S. Environmental Protection Agency, Waterside Mall, 401 M Street SW., Washington, D.C.

This meeting is a regularly scheduled meeting of the Committee. The Committee will be briefed on selected Agency activities and will discuss plans to respond to the several requirements of the Environmental Research Development and Demonstration Authorization Act of 1978 (Pub. L. 95-155), long-range and anticipatory environmental research needs, SAB plans to select and review existing environmental regulations, and items of interest to members.

The meeting is open to the public. Any member of the public wishing to attend or obtain additional information should contact Dr. Richard M. Dowd, Executive Secretary, Executive Committee, Science Advisory Board, 202-755-0263 by close of business December 9, 1977.

RICHARD M. DOWD,
*Staff Director,
Science Advisory Board.*

NOVEMBER 18, 1977.

[FR Doc. 77-34009 Filed 11-25-77; 8:45 am]

[6560-01]

[FRL 819-7]

**SCIENCE ADVISORY BOARD, ENVIRONMENTAL
HEALTH ADVISORY COMMITTEE**

Meeting

Under Pub. L. 92-463, notice is hereby given that a meeting of the Environmental Health Advisory Committee of the Science Advisory Board will be held at 9 a.m. on December 12, 1977, in Conference Room A (room 1112), Crystal Mall Building No. 2, 1921 Jefferson Davis Highway, Arlington, Va.

The principal purpose of the meeting will be to provide advice and consultation on draft documentation relating to health effects of benzene which the U.S. Environmental Protection Agency has referred to the Committee for review, and specifically (1) a draft report entitled, "Benzene Health Effects Assessment," external review draft, October 1977; (2) a preliminary draft entitled, "Human Exposure to Atmospheric Benzene," Stanford Research Institute, October 1977; and (3) an external review draft entitled, "Carcinogen Assessment Group's Preliminary Report on Population Risk to Ambient Benzene Exposures," undated. The draft documents are intended for utilization, by the Agency, in connection with the listing of benzene as a hazardous air pollutant under section 112 of the Clean Air Act, as amended (42 FR 29332). The agenda will also include brief reports and informational items of current interest to the members.

The meeting will be open to the public. Any member of the public wishing to attend or submit a paper should contact the Secretariat, Science Advisory Board (A-101), U.S. Environmental Protection Agency, Washington, D.C. 20460, by close of business December 6, 1977. Please ask for Mrs. Ilene Stein or Ms. Barbara Robinson. The telephone number is 703-557-7720.

RICHARD M. DOWD,
*Staff Director,
Science Advisory Board.*

NOVEMBER 18, 1977.

[FR Doc. 77-34010 Filed 11-25-77; 8:45 am]

[6560-01]

[FRL 819-8]

**SCIENCE ADVISORY BOARD, ENVIRONMENTAL
MEASUREMENTS ADVISORY COMMITTEE**

Open Meeting

Pursuant to Pub. L. 92-463, notice is hereby given that a meeting of the Environmental Measurements Advisory Committee will be held beginning at 9 a.m. on December 15, 1977, in the

Main Conference Room, Building 209 of the EPA facility in the GSA Raritan Depot, located on Woodbridge Avenue, Edison, N.J. 08817.

This is the ninth meeting of the Committee. The agenda includes current activities of the Science Advisory Board; presentations by laboratory staff on current environmental monitoring technology involving analytical measurements of toxic compounds, detection and quantification of viruses and pathogens, and bioassay techniques; and member items of interest. Visits to air, water, and bioassay mobile monitoring laboratories will be made.

The meeting is open to the public. Any member of the public wishing to attend or obtain additional information should contact Dr. Joel Fisher, Acting Executive Secretary, Environmental Measurements Advisory Committee, 703-557-7710 by close of business December 9, 1977.

RICHARD M. DOWD,
Staff Director,
Science Advisory Board.

NOVEMBER 17, 1977.

[FR Doc. 77-34011 Filed 11-25-77; 8:45 am]

[6560-01]

[FRL 820-6 and OPP-42021C]

STATE OF NEW HAMPSHIRE

State Plan for Certification of Commercial and Private Applicators of Restricted Use Pesticides; Approval Status

Section 4(a)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136 et seq.), and the implementing regulations of 40 CFR Part 171, require each State desiring to certify applicators to submit a plan for such purpose, subject to approval by the Environmental Protection Agency (EPA). On August 24, 1976, the New Hampshire State plan was approved contingent upon promulgation of additional regulations implementing the legislation. Notice of contingent approval was published in the FEDERAL REGISTER on September 21, 1976 (41 FR 41154). The contingent approval was later extended until October 21, 1977, to allow New Hampshire time necessary to hold public hearing on changes in regulation. Notice of an extension of the contingent approval was published in the FEDERAL REGISTER on September 13, 1977 (42 FR 45944). On October 4, 1977, regulations necessary to implement the legislation were promulgated. Having reviewed these regulations and finding that all requisite legal authorities required by FIFRA and 40 CFR Part 171 are now enacted and promulgated, the Regional Administrator, EPA, Region I, hereby gives notice that the New Hampshire

State plan is now a fully approved State plan.

Dated: November 17, 1977.

WILLIAM R. ADAMS, Jr.,
Regional Administrator,
Region I.

[FR Doc. 77-34017 Filed 11-25-77; 8:45 am]

[6712-01]

FEDERAL COMMUNICATIONS
COMMISSION

[Report No. 885]

COMMON CARRIER SERVICES INFORMATION

Applications Accepted for Filing

NOVEMBER 21, 1977.

The applications listed herein have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any of these applications, if upon further examination, it is determined they are defective and not in conformance with the Commission's rules and regulations or its policies.

Final action will not be taken on any of these applications earlier than 31 days following the date of this notice, except for radio applications not requiring a 30-day notice period (see § 309(c) of the Communications Act), applications filed under part 68, applications filed under part 63 relative to small projects, or as otherwise noted. Unless specified to the contrary, comments or petitions may be filed concerning radio and section 214 applications within 30 days of the date of this notice and within 20 days for part 68 applications.

In order for an application filed under part 21 of the Commission's rules (Domestic Public Radio Services) to be considered mutually exclusive with any other such application appearing herein, it must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which the subsequent application is in conflict) as having been accepted for filing. In common carrier radio services other than those listed under part 21, the cut-off date for filing a mutually exclusive application is the close of business 1 business day preceding the day on which the previously filed application is designated for hearing. With limited exceptions, an application which is subsequently amended by a major change will be considered as a newly filed application for purposes of the cut-off rule. (See § 1.227(b)(3) and 21.30(b) of the Commission's rules.)

For the Federal Communications Commission.

WILLIAM J. TRICARICO,
Acting Secretary.

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

- 20202-CD-P-(2)-78 Pass Word, Inc. (KMM697) C.P. for additional repeater facilities to operate on 2121.4 MHz at Loc. No. 1: 9.3 miles east of Spokane, Mica Peak; 2171.4 MHz Control to be located at Loc. No. 3: 1303 West First Avenue, Spokane, Wash.
- 20203-CD-P-(2)-78 Rodney J. Bacon d.b.a. Coeur D'Alene Answering Service (KUO646) C.P. for additional repeater facilities to operate on 2113.6 MHz at a new site described as Loc. No. 2 to be located 9.3 miles east of Spokane, Mica Peak; 2163.6 MHz Control at a new site described as Loc. No. 3: 213 North Fourth Street, Coeur D'Alene, Idaho.
- 20249-CD-TC-(2)-78 Telecom Corp., consent to transfer of control from Arthur S. Walder, Transferor, to Gary T. Cromack, and Clayton D. Cromack, Transferees. Station: KWU244, KUC920, Shelburne, Mass.
- 20259-CD-P-78 Contact of Farmington, Inc. (new) C.P. for a new 1-way station to operate on 158.70 MHz; 2.5 miles SSW of Farmington, N. Mex.
- 20251-CD-AL-(2)-78 Paul D. Jones and Jon N. Farrington d.b.a. Council Bluffs Mobilephone, consent to assignment of license from Paul D. Jones and Jon N. Farrington d.b.a. Council Bluffs Mobilephone, Assignor to ATS Mobile Telephone, Inc., Assignee. Stations: KTS229, KTS234, Bluffs, Iowa.
- 20253-CD-P-78 Neil E. Stone d.b.a. Stone's Mobile Radio and Dial-A-Page (new) C.P. for a new 1-way station to operate on 152.24 MHz; 511 North Atlantic Avenue, Thief River Falls, Minn.
- 20254-CD-P-78 Neil E. Stone d.b.a. Stone's Mobile Radio and Dial-A-Page (new) C.P. for a new 2-way station to operate on 152.15 MHz; 511 Atlantic Avenue, North, Thief River Falls, Minn.
- 20255-CD-P-(9)-78 R.C.S., Inc. (KMD689) C.P. for additional facilities to operate on 454.050, 454.300 MHz at Loc. No. 1: Tasa-jera Peak, 7 miles NNW of San Luis Obispo; 454.050, 454.300 MHz at Loc. No. 4: Tepusquet Peak, Approx. 13¼ miles ESE of Santa Maria, Calif.
- 20256-CD-P-78 Empire Paging Corp. (KEA256) C.P. to change antenna system and relocate facilities operating on 152.03 MHz to be located 930 Old Bridge Turnpike, East Brunswick, N.J.
- 20257-CD-P-(2)-78 Tel-Page Corp. (KEC941) C.P. to relocate facilities operating on 454.075, 152.09 MHz to be located at a new site described as Loc. No. 3: One Lincoln First Square, Rochester, N.Y.
- 20258-CD-P-78 Tel-Page Corp. (KEJ894) C.P. to relocate facilities operating on 152.21 MHz at a new site described as Loc. No. 2: One Lincoln First Square, Rochester, N.Y.
- 20259-CD-P-78 Tel-Page Corp. (KGI787) C.P. to relocate facilities operating on 152.24 MHz at Loc. No. 1 to be located at One Lincoln First Square, Rochester, N.Y.
- 20260-CD-P-78 Tel-Page Corp. (KEC518) C.P. to relocate facilities operating on 43.58 MHz to be located One Lincoln First Square, Rochester, N.Y.
- 20261-CD-P-78 Chandler S. Lynch d.b.a. Midtown Business Center (new) C.P. for a

new 1-way station to operate on 158.70 MHz; 2022 Avenue A, Kearney, Nebr.

20262-CD-TC-(7)-78 Patterson Anserphone Communications Enterprises, Inc., consent to transfer of control from Ferebee Land Patterson, Transferor to Hilda S. Patterson, executrix of Estate Ferebee Land Patterson, deceased, Transferee. Stations: KIG841, Butner; KIY409, KRH661, Raleigh, N.C.; KFL931, KRH658, High Point, N.C.; KIY758, KRH657, Durham, N.C.

20271-CD-P-78 Telear Communications, Inc. (new) C.P. for a new 1-way station to operate on 152.24 MHz; 8 miles south of Cheyenne, Wyo.

CORRECTIONS

21304-CD-P-77 Western Electronic & Communications, Wilson J. Trahan and Ralph E. Antles d.b.a. (KWH307) correct entry to read (new). All other particulars to remain as reported on PN No. 858 dated May 16, 1977.

20226-CD-P-(2)-78 Communication Equipment & Service Inc. (KQZ768) correct entry to read additional facilities to operate on 454.175 MHz at Loc. No. 1 to be located at 1010 College Road, Fairbanks; 152.24 MHz (base) at a new site described as Loc. No. 2: 0.5 mile east of State Highway No. 2, North Pole, Alaska.

21215-CD-TC-(8)-78 Telephone Communications, Inc., correct entry to change the State from Green Bay, Wyo. to Green Bay, Wis. All other particulars remain as reported on PN No. 884 dated November 14, 1977.

POINT TO POINT MICROWAVE RADIO SERVICE

IL-324-CF-R-78 American Telephone & Telegraph Co. (WBB275) Chicago, Ill., renewal of developmental radio station license expiring November 10, 1977, Term: November 10, 1977 to November 10, 1978.

IL-325-CF-R-78 Same (WBB276) Mattoon, Ill., renewal of developmental radio station license expiring November 10, 1977, Term: November 10, 1977 to November 10, 1978.

IL-326-CF-78 Same (WBB277) Grant Park, Ill., renewal of developmental radio station license expiring November 10, 1977, Term: November 10, 1977 to November 10, 1978.

AR-351-CF-P-78 Southwestern Bell Telephone Co. (KYJ47) 715 Louisiana Street, Little Rock (Pulaski), Ark., Lat. 34°44'30" N., Long. 92°16'20" W. C.P. to add frequency 6404.8H MHz toward High Point, Ark.

TX-338-CF-P-78 Same (KKB37) 1116 Houston St., Ft. Worth (Tarrant), Tex., Lat. 32°44'57" N., Long. 97°19'43" W. C.P. to change frequencies on 5937.8V, 5997.1V and 6056.4V MHz to 6034.2H, 6093.5H and 6152.8H MHz toward Joshua Rs, Tex., replace transmitters and antennas.

TX-339-CF-P-78 Same (KKB41) Joshua Rs 2 miles NW. of Joshua (Johnson), Tex., Lat. 32°28'59" N., Long. 97°24'25" W. C.P. to change frequencies 6189.8V, 6249.1V and 6308.4V MHz to 6286.2V, 6345.5V and 6404.8V MHz toward Ft. Worth, Tex., and 6204.7V, 6264V and 6323.6V MHz to 6286.2H, 6345.5H and 6404.8H MHz toward Covington, Tex., replace transmitters and antennas.

TX-340-CF-P-78 Same (KKB45) 1.2 miles NE. of Covington (Hill), Tex., Lat. 32°11'20" N., Long. 97°14'15" W. C.P. to change frequencies 5952.6V, 6011.9V, 6071.2V MHz to 6034.2V, 6093.5V, 6152.8V MHz toward Joshua Rs, Tex., and

5937.8H, 5997.1H, 6056.4H MHz to 6034.2H, 6093.5H, 6152.8 MHz toward Hillsboro, Tex., move and replace antennas, replace transmitters.

TX-341-CF-P-78 Same (KKB46) 215 East Franklin, Hillsboro (Hill), Tex., Lat. 32°00'43" N., Long. 97°07'36" W. C.P. to change frequencies 6189.8H, 6249.1H, 6308.4H MHz to 6286.2V, 6345.5V, 6404.8V MHz toward Covington, Tex., and 6204.7H, 6264H, 6323.3 MHz toward West, Tex., replace transmitters, move and replace antennas and increase structure height.

TX-342-CF-P-78 Same (KKB47) 3 miles SW. of West (McLennan), Tex., Lat. 31°46'27" N., Long. 97°08'12" W. C.P. to increase structure height and change frequencies 5952.6H, 6011.9H, 6071.2H MHz to 6034.2V, 6093.5V, 6152.8V MHz toward Hillsboro, Tex., change 5937.8V, 5997.1V, 6056.4V MHz to 6034.2H, 6093.5H, 6152.8H MHz toward Waco, Tex., replace transmitters, move and replace antennas.

TX-343-CF-P-78 Southwestern Bell Telephone Co. (KKB49) 10th and Washington, Waco (McLennan), Tex., Lat. 31°33'14" N., Long. 97°08'13" W. C.P. to change frequencies 6189.8V, 6249.1V, 6308.4V MHz to 6345.5V, 6286.2V, 6404.8V MHz toward West, Tex., change 6204.7H, 6264H MHz to 6212H, 6330.7H MHz toward Bruceville, Tex., replace transmitters, move and replace antennas.

TX-344-CF-P-78 Same (KVD98) 1.3 mile SE. of Bruceville (Falls), Tex., Lat. 31°18'09" N., Long. 97°13'36" W. C.P. to change frequencies 5952.6H, 6011.9H MHz to 5960V, 6078.6V MHz toward Waco, Tex., change 5937V, 5997.1V to 5960H, 6078.6H MHz toward Temple, Tex., replace transmitters and antennas.

TX-345-CF-P-78 Same (KVD97) 117 North First Street, Temple (Bell), Tex., Lat. 31°05'54" N., Long. 97°20'28" W. C.P. to change frequencies 6189.8V, 6249.1V MHz to 6212H, 6330.7H MHz toward Bruceville, Tex., replace antennas and transmitters.

LA-346-CF-P-78 South Central Bell Telephone Co. (KTF66) 1.5 mile SE. of Maxie (Acadia), La., Lat. 30°18'27" N., Long. 92°22'52" W. C.P. to add frequency 3910H MHz toward Lafayette, La., and change polarization from horizontal to vertical on frequencies 3750, 3830, 3910, 3990, 4070, 4150 MHz toward Fenton, La.

LA-347-CF-P-78 Same (KTF67) 3.4 miles SE. of Fenton (Jefferson Davis), La., Lat. 30°20'10" N., Long. 92°52'39" W. C.P. to add frequency 3870V MHz and, change polarization from horizontal to vertical on 3710, 3790, 3950 MHz toward Maxie, La.

LA-347-CF-P-78 Same (KVU60) 315 Division St., Lake Charles (Calcasieu), La., Lat. 30°13'51" N., Long. 93°12'57" W. C.P. to add frequency 3910H MHz toward Fenton, La.

AR-352-CF-P-78 Southwestern Bell Telephone Co. (WHB32) High Point, 2.4 miles NW. of Roland, High Point Mountain (Pulaski), Ark., Lat. 34°55'54" N., Long. 92°31'13" W. C.P. to add a new point of communication on 6034.2H MHz on azimuth 303.1°, and 6152.8V MHz toward Little Rock, Ark.

AR-353-CF-P-78 Same (KRR61) 11 miles W. of Morrilton, Petit Jean (Conway), Ark., Lat. 35°09'07" N., Long. 92°56'01" W. C.P. to add a new point of communication on 6286.2V MHz toward High Point, Ark. and 6286.2H MHz toward Dardanelle, on azimuth 122.9° and 302.3° respectively.

AR-354-CF-P-78 Same (New) Dardanelle, Skyline Dr. and Marina Way, Norristown

(Pope), Ark., Lat. 35°16'30" N., Long. 93°10'17" W. C.P. for a new station on frequencies 6034.2V MHz toward Petit Jean, Ark. and 6034.2H MHz toward Harmony, Ark., on azimuth 122.2° and 308.8° respectively.

AR-355-CF-P-78 Southwestern Bell Telephone Co. (new) 1 mile S of Harmony, (Johnson) Ark. Lat. 35°31'47" N., Long. 93°33'38" W. C.P. for a new station on frequencies 6386.2V MHz on azimuth 128.5 degrees toward Dardanelle, Ark. 6286.2H MHz on azimuth 257.2° toward Mulberry Ark.

AR-356-CF-P-78 Same (new) Mulberry 7 miles W of Cecil, (Franklin) Ark. Lat. 35°26'30" N., Long. 94°01'44" W. C.P. for a new station on frequencies 6034.2V MHz on azimuth 076.9° toward Harmony Ark., 6034.2H MHz on azimuth 259.9° toward Fort Smith, Ark.

AR-357-CF-P-78 Same (WBB314) 101 No. 13th Fort Smith, (Sebastian) Ark. Lat. 35°23'03" N., Long. 94°25'04" W. C.P. to add a new point of communication on frequency 6286.2V MHz on azimuth 079.7° toward Mulberry, Ark. and increase structure Hgt.

NM-358-CF-P-78 Mountain States Telephone & Telegraph Co. (KLU55) 4 miles NW of Hwy. 285 & 111 Tres Pledras, (Taos) N. Mex. Lat. 36°39'00" N., Long. 105°58'18" W. C.P. to add a new point of communication on frequencies 2170H 2171.7H MHz on azimuth 116.3° toward Taos, North, N. Mex.

NM-359-CF-P-78 Same (new) Taos North .25 ml. N of Jct. 150 & 230 Arroyo Seco, (Taos) N. Mex. Lat. 36°29'57" N., Long. 105°35'41" W. C.P. for a new station on frequencies 2120H 2121.7H MHz toward Tres Piedra, N. Mex. on azimuth 296.5°.

AK-373-CF-MP-78 Copper Valley Telephone Cooperative, Inc. (WCG225) Glenn Highway mile 188.3 Glennallen, Alaska Lat. 62°06'32" N., Long. 145°29'13" W. MP of 1786-CF-P-77 to replace transmitters on 2178.2H MHz toward Copper Ctr., Alaska.

AK-374-CF-MP-78 Same (WCG226) 2.8 miles S on Richardson Hwy. Copper Center, Alaska. Lat. 61°54'58" N., Long. 145°17'30" W. MP of 1787-CF-P-77 to replace transmitters on 2128.2H MHz toward Glennallen, 2121.6V MHz toward Edgerton, Alaska and increase power output toward Edgerton, Alaska.

AK-375-CF-MP-78 Same (WCG227) Edgerton 4.45 miles north-northeast of Tonsina, Alaska Lat. 61°42'48" N., Long. 145°07'55" W. MP of 1788-CF-P-77 to change frequency 2171.6V MHz toward Copper Center, Alaska, replace transmitters and increase power output.

AK-377-CF-P-78 RCA Alaska Communications, Inc. (new) Junction of Front St. and Steadman Ave. Nome, Alaska Lat. 64°29'50" N., Long. 165°24'05" W. C.P. for a new station on frequency 2167.2V MHz toward Anvil Mtn., Alaska on azimuth 339.6°.

AK-378-CF-MP-78 Same (WAU241) Anvil Mtn. 3.5 miles NNW of Nome, Alaska Lat. 64°33'52" N., Long. 165°22'11" W. MP of 2367-CF-P-75 on frequency 2117.2V MHz toward Nome, Alaska on azimuth 191.4°.

AR-379-CF-P-78 Southwestern Bell Telephone Co. (KKB55) 725 S Church St. Jonesboro, (Craighead) Ark. Lat. 35°50'11" N., Long. 90°42'17" W. C.P. to add a new point of communication on frequencies 6256.5V 6375.2V MHz on azimuth 103.0° toward Caraway, Ark., correct coordinates and increase structure height.

AR—380-CF-P-78 Same (new) Missouri & Chicago St. Caraway, (Craighead) Ark., Lat. 35°45'44" N., Long. 90°18'55" W. C.P. to for a new station on frequencies 6004.5H 6123.1H MHz on azimuth 283.2 degrees toward Jonesboro, Ark., 6004.5V MHz on azimuth 064.0° toward Blytheville, Ark., 6004.5 MHz on azimuth 168.9° toward Gilmore, Ark.

AR—381-CF-P-78 Same (new) 322 So 2 St. Blytheville, (Mississippi) Ark. Lat. 35°55'29" N., Long. 89°54'14" W. C.P. for a new station on frequencies 6256.5H MHz on azimuth 244.2° toward Caraway, Ark., 2112H MHz on azimuth 238.3° toward Dell, Ark.

AR—382-CF-P-78 Same (new) 2d & Main St. Dell, (Mississippi) Ark. Lat. 35°51'19" N., Long. 90°02'31" W. C.P. for a new station on frequency 2162H MHz on azimuth 058.2° toward Blytheville, Ark.

AR—383-CF-P-78 Same (new) 2.5 miles E. of Gilmore, (Crittenden) Ark. Lat. 35°25'26" N., Long. 90°14'03" W. C.P. for a new station on frequencies 6256.5H MHz on azimuth 348.9° toward Caraway, Ark., 2112H MHz on azimuth 039.0° toward Joiner, Ark., 21152.V MHz on azimuth 047.2° toward Wilson, Ark.

AR—384-CF-P-78 Same (new) Hwy 61 5 miles NE of Joiner, (Mississippi) Ark. Lat. 35°30'45" N., Long. 90°08'47" W. C.P. for a new station on frequency 2162H MHz on azimuth 219.1° toward Gilmore, Ark.

AR—385-CF-P-78 Same (new) Madison Ave. & Hwy. 61 Wilson, (Mississippi) Ark. Lat. 35°34'01" N., Long. 90°02'42" W. C.P. for a new station on frequency 2165.2V MHz on azimuth 227.3° toward Gilmore, Ark.

GA—386-CF-P-78 Southern Bell Telephone & Telegraph Co. (KIP48) 304 Pine Ave. Albany, (Lougherty) Ga. Lat. 31°34'40" N., Long. 84°09'17" W. C.P. to change frequency 6345.5H to 6197.2V MHz toward Piney Grove, Ga. and replace transmitters.

GA—387-CF-P-78 Same (KJH67) Piney Grove 7.6 miles SSW of Leslie, (Lee) Ga. Lat. 31°50'47" N., Long. 84°06'13" W. C.P. to change frequencies 6063.8H to 5974.8V MHz toward Albany, Ga., 5974.8V to 5945.2H MHz toward Andersonville, Ga. and replace transmitters.

NH—312-CF-MP-78 Yankee Microwave (KYZ 85) Mount Washington, (Sargents Purchase) N.H. (Lat. 44°16'13" N.,—Long. 71°1'13" W.): Construction permit to add 6019.3H MHz toward Littleton, N. H., on azimuth 278.8°.

SD—322-CF-P-78 Mountain Microwave (WAY 26) 2 miles NW of Redfield, S. Dak. (Lat. 44°54'40" N.,—Long. 98°31'55" W.): Construction permit to move receive antenna station location 11305V, 11465V, and 11625V MHz toward Aberdeen, S. Dak., on azimuth .4°.

WV—304-CF-P-78 Western Maryland Communications, Inc. (KQX 32) Cacapon Mtn., 2.0 miles West of Ridge, W. Va. (Lat. 39°37'03" N.,—Long. 78°20'48" W.): Construction permit to replace transmitter(s)—6345.5H MHz toward Iron's Mtn., W. Va.

CORRECTIONS

AR—229-CF-P-78 Southwestern Bell Telephone Co. (WQP87) S end of Kenilworth Avenue, Fayetteville, (Washington) Ark. Lat. 36°04'17" N., Long. 94°08'25" W. Correct entry to read: C.P. for new station on frequency 6286.2V MHz on azimuth 002.9° toward Rogers, Ark.

AR—230-CF-P-78 Same (new) 700 W. Walnut, Rogers, (Benton) Ark. Lat. 36°19'58" N., Long. 94°07'27" W. Correct entry to read: CP for new station on frequency 6034.2H MHz on azimuth 182.9° toward Fayetteville, Ark.

[FR Doc. 77-34116 Filed 11-25-77; 8:45 am]

[6714-01]

FEDERAL DEPOSIT INSURANCE CORPORATION

[27360]

PRIVACY ACT OF 1974

Changes to Systems of Records

Under the Privacy Act of 1974, the Federal Deposit Insurance Corporation (the "FDIC") is required to publish notice of all systems of records it maintains. 5 U.S.C. 552(e)(4), 88 Stat. 1896, 1899-1900. Pursuant to this requirement, on August 31, 1977, the FDIC published notice in the FEDERAL REGISTER (42 FR 43948) of the adoption of two new systems of records and the revision of its existing systems of records. A review of this published notice has indicated a need to clarify the language of some of the systems. Also, as a result of recent regional office moves, it is necessary to correct addresses contained in the appendix to the systems of records. Finally, it is necessary to make corrections in certain of the systems to reflect recent internal FDIC reorganizations and, as a consequence, to accurately reflect the appropriate system managers.

Because these changes reflect merely corrections or internal FDIC restructuring and the changes have no substantive effect on the public, public participation would serve no useful purpose. Accordingly, the Board of Directors adopted the changes with an immediate effective date.

In consideration of the foregoing, the published notices of the FDIC's systems of records are amended as follows:

1. In the Municipal Securities Principals and Representative System (30-64-0016), on the second column of page 43954, the paragraph entitled *Record source categories*, which read as follows:

Individuals on whom the records are maintained as well as municipal securities dealers described in Categories of individuals covered by the system and Federal, State, local, and foreign governmental authorities and self-regulatory agencies which regulate the securities industry.

is revised to read as follows:

Individuals on whom the records are maintained, as well as municipal securities dealers (as such dealers are described in "Categories of individuals covered by the system" above), and

Federal, State, local, and foreign governmental authorities and self-regulatory agencies which regulate the securities industry.

2. In the Medical Records and Emergency Contract Information System (30-64-0017), on the first column of page 43955, under the paragraph entitled *System manager(s) and address*, "Office of Employee Relations" is changed to "Office of Personnel Management".

3. In Appendix A to the system of records, at page 43955, the address for the FDIC's Boston Regional Office is changed to read:

Boston Regional Office, FDIC, 60 State Street, 17th Floor, Boston, Mass. 02109.

4. In Appendix A to the systems of records, at page 43955, the address for the FDIC's Memphis Regional Office is changed to read as follows:

Memphis Regional Office, FDIC, 1 Commerce Square, suite 1800, Memphis, Tenn. 38103.

By order of the Board of Directors, September 30, 1977.

For the Federal Deposit Insurance Corporation.

ALAN R. MILLER,
Executive Secretary.

[FR Doc. 77-34111 Filed 11-25-77; 8:45 am]

[6730-01]

FEDERAL MARITIME COMMISSION

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Certificates Revoked

Notice of voluntary revocation is hereby given with respect to certificates of financial responsibility (oil pollution) which had been issued by the Federal Maritime Commission, covering the below indicated vessels, pursuant to Part 542 of Title 46 CFR and section 311(p)(1) of the Federal Water Pollution Control Act, as amended.

Certificate No.	Owner-Operator and vessels
01007	B. Holter-Sorensen & Co.: <i>Holthorn</i> .
01010	Dampskibsselskabet Produce (The Steamship Co. Produce, Ltd.): <i>Providence</i> .
01017	Westfal-Larsen & Co. A/S: <i>Berganger, Saga Stream</i> .
01035	Ove Skou: <i>Benny Skou, Lotte Skou</i> .
01039	Den Norske Amerikalnje A/S: <i>Kongsjord</i> .
01077	H. M. Wrangell & Co. A/S: <i>Hoi Kung</i> .
01087	Dampskibsselskabet Torm A/S: <i>Torm Gunhild</i> .
01150	Chevron Transport Corp.: <i>T. L. Lenzen</i> .
01185	Aksjeselskapet Kosmos: <i>Jawaga</i> .
01192	Odd Bergs Tankrederi A/S: <i>Kollskegg</i> .
01207	Agdesidens Rederi A/S, Morlands Rederi A/S, Morland Shipping Co. A/S, Morlands Tankrederi A/S: <i>Fjordaaas</i> .
01320	Friedrich A. Detjen: <i>Saar</i> .
01343	Hamburg-Sudamerikanische Dampfschiffahrts-Gesellschaft Eggert & Am-sinck: <i>Polar Paraguay, Polar Brasil</i> .
01530	Herm. Dauelsberg, Bremen: <i>Oclavia</i> .
01617	Breeze Shipping Co., Ltd.: <i>Southern Breeze</i> .

- 01758 Chotin Transportation Inc.: *ETT-112*.
 01815 Suisse Atlantique: *Yguazu*.
 01857 OHG I FA Bernhard Schulte. *Moritz Schulte*.
 01893 Silver Line Ltd.: *Silver Etrik*.
 01905 Ben Line Steamers Ltd.: *Benallow, Benlomon*.
 01931 Brigantine Transport Corp.: *Johannes Maersk*.
 01947 Transportes Armadora S.A.: *Historic Colocotronis*.
 01982 AB Svenska Ostasiatiska Kompaniet: *Hokkaido*.
 01999 Rederiaktiebolaget Motortank: *Markland*.
 02000 Rederiaktiebolaget Svenska Lloyd: *Valencia*.
 02008 Rederiet For M/S Victoria: *Victoria*.
 02153 Vale Do Rio Doce Navegacao S.A.: *Doce Golfo*.
 02182 Flanigan, Loveland Shipping Co., S.A. & Intercontinent Tankers, Inc.: *Challenge*.
 02183 Tanker Ventures S.A.: *Venture*.
 02184 Titan Tankers, Inc.: *Intercontinent*.
 02198 Peninsular & Oriental Steam Navigation Co.: *Strathlauder*.
 02245 Blue Star Line, Ltd.: *New Zealand Star*.
 02419 Far Eastern Shipping Ltd.: *Federal SI Clair*.
 02451 Afros Shipping Co. Ltd.: *Apollonian*.
 02497 Transworld Drilling Co.: *Drilling Tender No. III, Drilling Tender No. II, Drilling Tender No. I*.
 02505 Bamburg Shipping Co. Ltd.: *Cheviol*.
 02551 Ellerman Lines Ltd.: *City of Colombo, City of Sparth, City of Canberra*.
 02715 Allied Towing Corp.: *ATC-202, ATC-2001*.
 02727 Societe Maritime Des Petroles BP: *Amboise*.
 02734 Italia Societa Per Axioni Di Navigazione: *Amboise*.
 02850 Maritime Lloyd Inc.: *Seaboard*.
 02975 Venture Shipping (Managers) Ltd.: *Ancient Giant*.
 03067 Vickers Towing Co., Inc.: *Nita Vickers, Ellen, Leslie, Dwight, Boy, Barbara*.
 03216 Salenrederierna AB: *Foglaro*.
 03289 Det Forenede Dampskibsselskab A/S: *Nopal Spray*.
 03321 Marunouchi Kisen K. K.: *Alaska Maru*.
 03322 Daiichi Chuo Kisen Kabushiki Kaisha: *Darwin Maru*.
 03354 Eastern Princess Shipping Corp., Inc.: *Eastern Princess*.
 03418 Daiichi Senpaku K. K.: *Nisshin Maru*.
 03441 Japan Line K. K.: *Japan Hyacinth*.
 03459 Meiji Kaun K. K.: *Messen Maru*.
 03483 Sankyo Kaun Kabushiki Kaisha: *Kyokai Maru*.
 03484 Sanko Kisen K. K.: *Tenko Maru*.
 03526 Uwajima Shosen K. K.: *Shinkai Maru*.
 03614 A/S Kristian Jebsens Rederi: *Altnes*.
 03692 Marmac Corp.: *B-12*.
 03708 Puget Sound Tug & Barge Co.: *98, 95, 51, 50*.
 03823 Eldorado Compania Naviera S.A.: *Anna, Prometheus Shipping Corp., Prometheus*.
 03997 Baltika Schiffahrtsgesellschaft Reith & Co.: *Wilhi Reith*.
 04012 Lib-Ore Steamship Co. Inc.: *Dispatcher, Pathfinder, Discoverer*.
 04037 C. F. Bean Corp.: *Barge 605*.
 04060 Port Arthur Towing Co.: *Palco 58, Palco 410, MS 15, Palco 420*.
 04172 Eklof Marine Corp.: *Esso Barge No. 18*.
 04255 Intercity Barge Co. Inc.: *Intercity No. 15*.
 04226 National Marine Service Inc.: *NMS No. 88, LTC No. 50, LTC No. 49*.
 04230 James Fisher and Sons Ltd.: *Braith Fisher*.
 04275 Intercounty Construction Corp.: *Steel Deck Barge (550)*.
 04289 Dixie Carriers Inc.: *ETT-115, ETT-116*.
 04503 Okutsu Suisan Kabushiki Kaisha: *Zenko Maru No. 51*.
 04546 Mr. Toshikazu Miki: *Kyowamaru No. 11*.
 04652 Astrocielo Compania Naviera S.A.: *Points*.
 04788 Traverse Shipping, Inc.: *Peril/efki*.
 04817 Ocean Oil Voyages, Inc.: *Golar Betty*.
 04873 Compania Espanola De Petroleos S.A.: *Victoria*.
 04884 Hall Corp. Shipping Ltd.: *Frobisher Transport*.
 04924 Naptha Barge Co.: *Panama, Suez*.
 04939 Panoean Shipping Terminal Inc.: *Post Enterprise, Post Endeavour, Post Chaser, Post Charger, Post Champion, Post Challenge, Post Runner*.
 04950 Partenreederei M.V. Nordseesand: *Nordseesand*.
 05047 PPG Industries, Inc.: *B-724*.
 05098 Esso Tankers Inc.: *Esso Nicaragua, Esso Parents*.
 05122 Sanyu Kisen K. K.: *Nchiyu Maru*.
 05155 Buitema Dock & Dredge Co.: *BD 1*.
 05183 Leth & Co.: *Scharhorn*.
 05331 Northland Shipping ('62) Co. Ltd.: *Northland Prince*.
 05520 Union Carbide Corp.: *LCT 104, CC-105*.
 05591 Caribbean Charterers Operators Ltd.: *Caribbean Archuna*.
 05624 Pertamina: *Permina Samudra IX*.
 05736 Flota Cubana De Pesca: *Cubanacan*.
 05756 CIA Nationale De Navigation: *Pluviose*.
 06012 Tensei Kisen K. K.: *Tosei Maru*.
 06025 Sanpan Towing Co., Inc.: *Molly M, Debbie Lee*.
 06075 Matuna Fisheries Ltd.: *Matuna Mariner*.
 06340 Daikyo Tanker K. K.: *Daikyo Maru*.
 06374 Daii Maritime Co., Ltd.: *Ta Peng No. 1, Chieh Hsing*.
 06648 Dietrich Sander Bereederung G.m.b.H.: *Hede*.
 06818 Grobus-Reederei G.m.b.H., Hamburg: *S.A. Kuneneland*.
 07019 Allied Shipping International Corp.: *Angeltique, Kyma, Akritas*.
 07051 Rextar Shipping Ltd.: *Rextar*.
 07230 Hassel Trading Corp.: *Silver Clipper, Federal Bulker, Silver Zephyr, Silver Pagoda, Seastar, Silver Shelton, Seaborne, Seaservice, Sealtransport, Hercules Bulker, Silver Longevity, Mexican Gulf*.
 07261 Chancery Shipping Corp., Inc.: *Alba*.
 07348 K/S A/S Sea-Team & Co.: *Suecia Team, Seonia Team, Scandia Team, Norvegia Team, London Team, Anglia Team*.
 07401 Naviera De Exportacion Agricola, S.A.: *Bentmar*.
 07550 Erato Shipping, Inc.: *Suzeric*.
 07649 Perama Navigation Co., Ltd.: *Perama*.
 07874 Sanmarco Vrontados S. A.: *Bangla Polyreni*.
 07934 Ship Operators of Florida, Inc.: *Martha*.
 08039 Diamond River Co., Ltd.: *Diamond River*.
 08057 Carmel Transport Corp.: *Stoll Castle*.
 08183 St. Ta Sicillana Tanker Spa: *Erminia Prima*.
 08234 Burmah Oil Tankers, Ltd.: *Burmah Spar, Burmah Onyx*.
 08474 Knossos Shipping, Inc.: *Argo Castor*.
 08475 Thessaly Shipping, Inc.: *Argo Pollux*.
 08709 Bibby Freighters, Ltd.: *Allantic Bridge*.
 08882 Caminos Transmares Navegacion S.A.: *PN: Audacious*.
 08894 Maritime Coastal Containers, Ltd.: *Berg-Jack*.
 08884 Arctic Shipping Singapore (PTE) Ltd.: *Theben, Toyo, Tatra*.
 08994 Tranquility Shipping & Trading Corp.: *S.A.: Petrola XXXI*.
 08996 Iphigenia Shipping & Trading Corp.: *Petrola XXXVI*.
 09031 Union Mechlint Corp.: *359, 363*.
 09054 A/S Geir: *Enigheden*.
 09078 Norland Shipping Co., Inc.: *Stoll Nor-ness*.
 09080 Surrey Shipping Co., Ltd.: *Shackelford*.
 09082 Trans Maritime Shipping S.A.: *Oriental Garnet*.
 09137 Arne Teigens Rederi A/S: *Toralfjord, Hai Hing*.
 09150 J.S.K. Shipping Corp., Inc.: *Scherazade*.
 09159 Sequoia Corp.: *Clear Lake*.
 09198 Caribbean Sea Carriers, Ltd.: *Eugenia G*.
 09229 Globetrotter Maritime Co., Ltd.: *Skym-nos*.
 09337 Reefer Express Co. N.V.: *Frio Express*.
 09353 K/S A/S Vapore & Co.: *Nopal Shore*.
 09502 Great Circle Shipping Corp.: *Caribbean Arrow*.
 09574 Meridian Line, S.A.: *Tara Sea*.
 09693 Luna Steamship S.A.: *Ocean Prospect*.
 09765 Compania De Navegacion Palmitta S.A.: *Palmitta*.
 09798 Partrederiet TT Hemland: *Hemland*.
 09828 Manson-Osberg-Chemm: *BC-46*.
 09894 Jaime Emilio Nunez: *Jaime*.
 09908 Freight Chartering Co., Ltd.: *Thelma*.
 09917 Petroleum Products of Delaware, Inc.: *CBC-651*.

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc. 77-34023 Filed 11-25-77; 8:45 am]

[6749-02]

[Docket Nos. AR64-1, etc.]

HUGOTON-ANADARKO AREA, ET AL

Order Directing Disbursement of Refunds;
Correction

SEPTEMBER 30, 1977.

Hugoton-Anadarko Area, Docket Nos. AR64-1, et al. Southern Louisiana Area, Docket Nos. AR61-2, et al. Other Southwest Area, Docket Nos. AR67-1, et al. Texas Gulf Area, Docket Nos. AR64-2, et al. Issued July 14, 1977. Page 4 of Appendix, delete line 25, referring to Trans-Ocean Oil, Inc.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-34085 Filed 11-25-77; 8:45 am]

[6210-01]

FEDERAL RESERVE SYSTEM**FEDERAL OPEN MARKET COMMITTEE****Domestic Policy Directive of October 17-18, 1977**

In accordance with §271.5 of its rules regarding availability of information, there is set forth below the Committee's Domestic Policy Directive issued at its meeting held on October 17-18, 1977.

The information reviewed at this meeting suggests that growth in real output of goods and services slowed in the third quarter, mainly because of a reduction in the rate of inventory accumulation. In September industrial production expanded, returning to about the level reached in July, and employment increased substantially. The unemployment rate edged down to 6.9 percent, but remained near the level prevailing since April. The dollar value of total retail sales declined after having risen appreciably in July and August. The wholesale price index for all commodities, which had declined on balance since May, advanced in September; average prices of farm products and foods changed little following three months of sharp decreases, and average prices of industrial commodities rose more than in the immediately preceding months. So far this year the index of average hourly earnings has advanced at about the same pace as it had on the average during 1976.

Pressure on the dollar in foreign exchange markets emerged at the end of September, and the dollar has declined against most major foreign currencies and particularly against the Japanese yen. In August the U.S. foreign trade deficit widened; the July-August average was somewhat above the second-quarter rate.

M-1 and M-2 expanded somewhat more in September than in August, and increased substantially further in early October. Inflows to banks of time and savings deposits increased little in September from the reduced rate in August, while inflows to non-bank thrift institutions remained strong. Short-term interest rates have risen further in recent weeks, and yields on longer term market securities have increased.

In light of the foregoing developments, it is the policy of the Federal Open Market Committee to foster bank reserve and other financial conditions that will encourage continued economic expansion and help resist inflationary pressures, while contributing to a sustainable pattern of international transactions.

Growth of M-1, M-2, and M-3 within ranges of 4 to 6½ percent, 6½ to 9 percent, and 8 to 10½ percent, respectively, from the third quarter of 1977 to the third quarter of 1978 appears to be consistent with these objectives. These ranges are subject to reconsideration at any time as conditions warrant.

At this time, the Committee seeks to maintain about the prevailing money market conditions during the period im-

The record of policy actions of the Committee for the meeting of October 17-18, 1977, is filed as part of the original document. Copies are available on request to the Board of Governors of the Federal Reserve System Washington, D.C. 20551

mediately ahead, provided that monetary aggregates appear to be growing at approximately the rates currently expected, which are believed to be on a path reasonably consistent with the longer-run ranges for monetary aggregates cited in the preceding paragraph. Specifically, the Committee seeks to maintain the weekly-average Federal funds rate at about 6½ percent, so long as M-1 and M-2 appear to be growing over the October-November period at annual rates within ranges of 3 to 8 percent and 5½ to 9½ percent, respectively. If, giving approximately equal weight to M-1 and M-2, it appears that growth rates over the two-month period are approaching or moving beyond the limits of the indicated ranges, the operational objective for the weekly-average Federal funds rate shall be modified in an orderly fashion within a range of 6¼ to 6¾ percent.

If it appears during the period before the next meeting that the operating constraints specified above are proving to be significantly inconsistent, the Manager is promptly to notify the Chairman who will then decide whether the situation calls for supplementary instructions from the Committee.

By order of the Federal Open Market Committee, November 18, 1977.

ARTHUR L. BROIDA,
Secretary.

[FR Doc. 77-34075 Filed 11-25-77; 8:45 am]

[6210-01]

ROCK CREEK BANCSHARES, INC.**Formation of Bank Holding Company**

Rock Creek Bancshares, Inc., Burlington, Kans., has applied for the Board's approval under 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 80 percent or more of the voting shares of The Peoples National Bank and Trust Co., Burlington, Kans. The factors that are considered in acting on the application are set forth in 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than December 15, 1977.

Board of Governors of the Federal Reserve System, November 18, 1977.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc. 77-34071 Filed 11-25-77; 8:45 am]

[6210-01]

SUBURBAN BANCORPORATION**Acquisition of Bank**

Suburban Bancorporation, Hyattsville, Md., has applied for the Board's approval under 3(a)(3) of the Bank

Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of the successor by merger to The Peoples National Bank of Hancock, Hancock, Md. The factors that are considered in acting on the application are set forth in 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Richmond. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than December 21, 1977.

Board of Governors of the Federal Reserve System, November 21, 1977.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc. 77-34072 Filed 11-25-77; 8:45 am]

[6210-01]

TRAVERSE COUNTY INVESTMENT CORP.**Formation of Bank Holding Company**

Traverse County Investment Corp., Wheaton, Minn., 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 85 percent or more of the voting shares of State Bank of Wheaton, Wheaton, Minn. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than December 19, 1977.

Board of Governors of the Federal Reserve System, November 21, 1977.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc. 77-34073 Filed 11-25-77; 8:45 am]

[1610-01]

GENERAL ACCOUNTING OFFICE**REGULATORY REPORTS REVIEW****Receipt of Report Proposal**

The following request for clearance of a report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO, on November 21, 1977. See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this notice in the FEDERAL REGISTER is to inform the public of such receipt.

The notice includes the title of the request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed ICC request are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed request, comments (in triplicate) must be received on or before December 16, 1977, and should be addressed to Mr. John M. Lovelady, Assistant Director, Regulatory Reports Review, United States General Accounting Office, Room 5033, 441 G Street NW., Washington, D.C. 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-275-3532.

INTERSTATE COMMERCE COMMISSION

The ICC requests an extension without change clearance of Designation of Agents—Motor Carriers and Brokers, Form BOC-3. This form is filed by ICC regulated carriers to designate an agent to accept service of legal process on behalf of a carrier from any court in any action brought against the carrier in the state named. An agent must be named for each state in or through which a carrier operates. The information is on file for use by the public. Designations are submitted on occasion as changes occur in operating authority or agent redesignation. Designations are mandatory under the Interstate Commerce Act. The ICC estimates that 17,000 carriers hold this authority and that approximately 4,360 responses are received annually and reporting time averages 15 minutes per response.

NORMAN F. HEYL,
Regulatory Reports
Review Officer.

[FR Doc. 77-34103 Filed 11-25-77; 8:45 am]

[6802-22]

GENERAL SERVICES ADMINISTRATION

REGIONAL PUBLIC ADVISORY PANEL ON ARCHITECTURAL AND ENGINEERING SERVICES

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of a meeting on Architectural and Engineering Services, Region 9, December 12, from 9 a.m. through 4:15 p.m., Room No. 2575, on the 25th floor, Tishman Building, 525 Market Street, San Francisco, Calif. The meeting will be devoted to the initial steps of the procedures for screening and evaluating the qualifications

of architect-engineers under consideration for selection to furnish professional services for proposed Federal Correctional Institute, Camarillo, Calif. The meeting will be open to the public.

T. E. HANNON,
Regional Administrator.

[FR Doc. 77-34139 Filed 11-25-77; 8:45 pm]

[4110-02]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

ADVISORY COUNCIL ON FINANCIAL AID TO STUDENTS

Cancellation of Public Meeting

Notice is hereby given that the meeting of the Advisory Council on Financial Aid to Students scheduled for December 1, and 2, 1977, at the Channel Inn, Washington, D.C., has been cancelled.

The next meeting of this Advisory Council will be announced in the FEDERAL REGISTER as soon as details can be arranged.

Signed in Washington, D.C., on November 22, 1977.

WARREN T. TROUTMAN,
OE Delegate.

[FR Doc. 77-34110 Filed 11-25-77; 8:45 am]

[4110-02]

COOPERATIVE EDUCATION PROGRAM

Amendment to Notice of Closing Date for Receipt of Applications for Fiscal Year 1978

The Office of Education is amending the Closing Date Notice for the Cooperative Education Program published in the FEDERAL REGISTER on October 12, 1977 (42 FR 55004). Applications for fiscal year 1978 will be subject to the Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a), and the existing regulations governing the Cooperative Education Program (45 CFR Part 182), except where these regulations are inconsistent with the program legislation (20 U.S.C. 1133-33b), as revised by the Education Amendments of 1976, e.g., the increase in the maximum period of Federal funding, from 3 to 5 years, coupled with a descending schedule of Federal participation in each additional year of funding; increase in the maximum permissible Federal grants to institutions; and dropping of the requirement that federally supported programs must enroll only full time students. The October 12 Closing Date Notice stated that applications would be based on the proposed rules published on September 9, 1977.

The Office of Education is taking this step as a result of a substantial

number of comments received regarding the proposed rules. It is unlikely that a final regulation could be published in sufficient time to meet the January 16, 1978 closing date for receipt of applications.

(20 U.S.C. 1133-33b.)

Dated: November 21, 1977.

(Catalog of Federal Domestic Assistance Number 13.510; Cooperative Education Program.)

ERNEST L. BOYER,
U.S. Commissioner of Education.

[FR Doc. 77-34112 Filed 11-25-77; 8:45 am]

[4110-02]

STRENGTHENING DEVELOPING INSTITUTIONS PROGRAM; ADVANCED INSTITUTIONAL DEVELOPMENT PROGRAM

Closing Date for Receipt of Applications for Fiscal Year 1978

Notice is hereby given that pursuant to the authority contained in section 304 of Title III of the Higher Education Act of 1965, as amended (20 U.S.C. 1054), applications are being accepted from institutions of higher education for grants under the Advanced Institutional Development Program (20 U.S.C. 1051 et seq.). This program is authorized to make grants to 2-year and 4-year, public and private, developing institutions of higher education. These grants provide Federal financial assistance for strengthening the academic quality and administrative capability of developing institutions of higher education which have both the desire and potential to make a substantial contribution to the higher education resources of the Nation but which are struggling for survival and are isolated from the main currents of academic life.

Closing date: January 26, 1978.

A. *Application forms and information*—Further information and application forms may be obtained from the Advanced Institutional Development Branch, Division of Institutional Development, Bureau of Higher and Continuing Education, Office of Education, 400 Maryland Avenue SW. (Regional Office Building 3, room 3058), Washington, D.C. 20202.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

B. *Applications sent by mail*—An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: Advanced 13.454A, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date. In an effort to prevent the late arrival of applications due to unforeseen circumstances,

the Office of Education suggests that applicants consider the use of registered or certified mail as explained below.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 23, 1978 as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

C. Hand-delivered applications.—An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. (Washington, D.C. time), except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

D. Program information.—In formulating proposals, potential applicants should be aware of the amount of funds available for the Advanced Institutional Development Program for fiscal year 1978. A total of \$68,000,000 is requested and will be distributed as follows:

The program will award approximately 20 to 26 new grants to 4-year developing colleges and universities and approximately 9 to 12 new grants to 2-year developing colleges. The grants will range in size from \$1,000,000 to \$3,500,000 and will cover a period of 3 to 5 years. Applications for new grants will be accepted from (1) institutions not currently in the program and (2) grantees whose grants expire on or before December 31, 1978. All grants will be new awards; no funds are reserved for continuation awards.

The above statement with regard to the expected distribution of funds is basically for informational purposes and does not bind the Office of Education except as may be required by the applicable statute and regulation.

E. For further information contact.—Dr. Anita F. Allen, Chief, Advanced Institutional Development Branch, Division of Institutional Development, Bureau of Higher and Continuing Education, 7th and D Streets SW.,

Washington, D.C. 20202. Telephone 202-245-9754.

F. Applicable regulations.—The regulations applicable to this program are the Strengthening Developing Institutions Program Regulations (45 CFR Part 169) and the Office of Education General Provisions Regulations (45 CFR Part 100a).

(20 U.S.C. 1054.)

Dated: November 22, 1977.

(Catalog of Federal Domestic Assistance Number 13.454A: Strengthening Developing Institutions.)

ERNEST L. BOYER,
U.S. Commissioner of Education.
[FR Doc. 77-34113 Filed 11-25-77; 8:45 am]

[4210-01]

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT**

[Docket No. D-77-496]

ACTING REGIONAL ADMINISTRATOR

Delegation of Authority

The officers appointed to the following listed positions in Region IX (San Francisco) are hereby designated to serve as Acting Regional Administrator, Region IX (San Francisco), during the absence of the Regional Administrator with all the powers, function, and duties redelegated or assigned to the Regional Administrator: *Provided*, That no officer is authorized to serve as Acting Regional Administrator unless all other officers whose titles precede his in this designation are unable to act by reason of absence or there is vacancy in the said listed position.

1. Deputy Regional Administrator.
2. Regional Counsel.
3. Assistant Regional Administrator for Administration.
4. Assistant Regional Administrator for Indian Programs.
5. Assistant Regional Administrator for Community Planning and Development.

(Delegation effective May 4, 1962, 27 FR 4319; Interim Order II, 31 FR 815, January 21, 1966.)

This designation supersedes the designation effective January 10, 1977.

Effective date: November 10, 1977.

EMMA D. MCFARLIN,
Regional Administrator,
Region IX (San Francisco).

[FR Doc. 77-34094 Filed 11-25-77; 8:45 am]

[4210-01]

Federal Disaster Assistance Administration
[Docket No. NFD-582; FDAA-540-DR]

ARIZONA

Major Disaster and Related Determinations

AGENCY: Federal Disaster Assistance Administration, HUD.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Arizona (FDAA-540-DR), dated November 4, 1977, and related determinations.

DATED: November 4, 1977.

FOR FURTHER INFORMATION CONTACT:

Frank J. Muckenaupt, Chief, Program Support Staff, Federal Disaster Assistance Administration, Department of Housing and Urban Development, Washington, D.C. 20410, 202-634-7825.

NOTICE: Pursuant to the authority vested in the Secretary of Housing and Urban Development by the President under Executive Order 11795 of July 11, 1974, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285; and by virtue of the Act of May 22, 1974, entitled "Disaster Relief Act of 1974" (88 Stat. 143); notice is hereby given that on November 4, 1977, the President declared a major disaster as follows:

I have determined that the situation in certain areas of the State of Arizona resulting from severe storms and flooding beginning about October 6, 1977, is of sufficient severity and magnitude to warrant a major disaster declaration under Pub. L. 93-288. I therefore declare that such a major disaster exists in the State of Arizona.

Notice is hereby given that pursuant to the authority vested in the Secretary of Housing and Urban Development under Executive Order 11795, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285, I hereby appoint Mr. Robert C. Stevens, FDAA Region IX, to act as the Federal Coordinating Officer for this declared major disaster.

I do hereby determine the following areas to have been adversely affected by this declared major disaster.

The Counties of:

Pima, Pinal, Santa Cruz.

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance.)

THOMAS P. DUNNE,
Administrator, Federal Disaster
Assistance Administration.

[FR Doc. 77-34092 Filed 11-25-77; 8:45 am]

[4210-01]

[Docket No. NFD-583; FDAA-541-DR]

GEORGIA

Major Disaster and Related Determinations

AGENCY: Federal Disaster Assistance Administration, HUD.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Georgia (FDAA-451-DR), dated November 7, 1977, and related determinations.

DATED: November 7, 1977.

FOR FURTHER INFORMATION CONTACT:

Frank J. Muckenaupt, Chief, Program Support Staff, Federal Disaster Assistance Administration, Department of Housing and Urban Development, Washington, D.C. 20410, 202-634-7825.

NOTICE: Pursuant to the authority vested in the Secretary of Housing and Urban Development by the President under Executive Order 11795 of July 11, 1974, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285; and by virtue of the Act of May 22, 1974, entitled "Disaster Relief Act of 1974" (88 Stat. 143); notice is hereby given that on November 7, 1977, the President declared a major disaster as follows:

I have determined that the situation in certain areas of the State of Georgia resulting from the collapse of the Kelley Barnes Lake Dam and resultant flooding beginning about November 6, 1977, is of sufficient severity and magnitude to warrant a major disaster declaration under Pub. L. 93-288. I therefore declare that such a major disaster exists in the State of Georgia.

Notice is hereby given that pursuant to the authority vested in the Secretary of Housing and Urban Development under Executive Order 11795, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285, I hereby appoint Mr. Thomas P. Credle, FDAA Region IV, to act as the Federal Coordinating Officer for this declared major disaster.

I do hereby determine the following area to have been adversely affected by this declared major disaster.

The county of Stephens.

(Catalog of Federal Domestic Assistance No. 14.701. Disaster Assistance.)

THOMAS P. DUNNE,
Administrator, Federal
Disaster
Assistance Administration.

[FR Doc. 77-34093 Filed 11-25-77, 8:45 am]

[4310-84]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM 32089 and 32095]

NEW MEXICO

Applications

NOVEMBER 16, 1977.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Co., has applied for one 4½-inch and one 12¾-inch natural gas pipeline rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T 29 N., R. 7 W.,
Sec. 18, lot 8 and SE¼SW¼,
Sec. 19, lot 5.
T 29 N., R. 8 W.,
Sec. 13, S½S½,
Sec. 14, S½S½ and N½SE¼,
Sec. 15, SE¼SW¼ and S½SE¼,
Sec. 22, NE¼NE¼,
Sec. 23, NW¼NW¼,
Sec. 24, N½NE¼ and NE¼NW¼.
T 31 N., R. 10 W.,
Sec. 20, lots 11 and 14,
Sec. 29, lot 3.

These pipelines will convey natural gas across 3,539 miles of public lands in Rio Arriba and San Juan Counties, N. Mex.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the applications should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 6770, Albuquerque, N. Mex. 87107

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc. 77-34062 Filed 11-25-77; 8:45 am]

[4318-84]

[NM 32043, 32044 and 32047]

NEW MEXICO

Applications

NOVEMBER 16, 1977.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Southern Union Gathering Co., has applied for five 4-inch natural gas pipeline rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T 31 N., R. 11 W.,
Sec. 6, lots 1, 2 and SW¼NE¼
T 32 N., R. 11 W.,
Sec. 31, SE¼SE¼,
Sec. 33, SW¼NW¼ and N½SW¼
T 31 N., R. 12 W.,
Sec. 12, lots 2, 10, 11 and 12.
Sec. 14, lot 10.
Sec. 23, lot 2

These pipelines will convey natural gas across 2,094 miles of public lands in San Juan County, N. Mex.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the applications should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 6770, Albuquerque, N. Mex. 87107.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc. 77-34063 Filed 11-25-77, 8:45 am]

[4310-84]

[Wyoming 56791 amendment]

WYOMING

Application

NOVEMBER 17, 1977.

Notice is hereby given that pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Colorado Interstate Gas Co. of Colorado Springs, Colo., filed an amendment to its pending application for a right-of-way to construct a 16-inch pipeline for the purpose of transporting natural gas across the following described public lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T 17 N., R. 117 W.,
Secs. 18, 28 and 34,
T 17 N., R. 118 W.,
Sec. 14.

The pipeline will transport natural gas from a well in section 19, T. 17 N., R. 118 W., Uinta County into their existing main line in Section 19, T. 15 N., R. 109 W., Sweetwater County, Wyo.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management,

P.O. Box 1869, Rock Springs, Wyo. 82901.

HAROLD G. STINCHCOMB,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc. 77-34064 Filed 11-25-77; 8:45 am]

[4310-84]

Bureau of Land Management

AREA MANAGERS, ELKO DISTRICT, NEV.

Delegation of Authority in General

Under authority of Bureau Order 701, dated July 23, 1964, and as amended, and subject to the limitations in Part III of that order, the Area Managers administering the Elko and Wells Resource Areas of the Elko District, Nev., are authorized to act on the following matters within their respective areas of responsibility in accordance with existing policies and regulations of the Department, and under direct supervision of the Elko District Manager:

DELEGATIONS OF AUTHORITY IN
SPECIFIC MATTERS

* * * * *

SEC. 3.3 *Fiscal affairs.* * * *

(d) *Trespass.* Determine liability and issue notice of trespass; recommended as to acceptance of settlement.

* * * * *

SEC. 3.6 *Minerals.* * * *

(m) Oil and Gas exploration operations.
(n) Geothermal Resource exploration operations.

* * * * *

SEC. 3.7 *Range management.* * * *

(a) Grazing District Administration.
(1) Process applications for the issuance of licenses and permits to graze or trail livestock.
(2) Permits or cooperative agreements to construct and maintain range improvements and determine the value of such improvements.
(3) Expenditure of funds appropriated by Congress or contributed by individuals, associations, advisory boards, or others for the construction, purchase, or maintenance of range improvements.

* * * * *

(d) Soil and moisture conservation including control of Halogeton glomeratus.

(e) Controlled brush burning in accordance with plans and specifications approved by the State Director.

(f) Protection of wild free-roaming horses and burros.

* * * * *

SEC. 3.8 *Forest management.* * * *

(a) Disposition of forest products including sales of timber not exceeding \$1,000 in value.

* * * * *

SEC. 3.9 *Land use.* * * *

(g) Disposition of materials other than forest products, not exceeding \$2,000 in value.

(z) *Recreation.* All actions relating to recreation management and protection pursuant to 43 CFR 6000 through 6290.

* * * * *

SEC. 3.10 *Designation of Action Officials.* * * *

(a) Area Managers may, by written order, designate qualified employees of the Resource Area to perform the functions of the Area Manager in his absence.

(b) Each employee who serves in an acting capacity shall document that service on Form 1203-1.

The District Manager may at any time temporarily reserve, restrict, or withhold any portion of the above delegated authority through use of Form 1213-1 District Office Authority and Responsibility Guide.

This order will become effective December 15, 1977, and revokes previous delegation published July 17, 1974 (39 FR 27335).

Dated: November 16, 1977.

E. A. MOORE,
District Manager.

[FR Doc. 77-34021 Filed 11-25-77; 8:45 am]

[1505-01]

Bureau of Land Management

[A-061179 and AA-6661-A]

ALASKA NATIVE CLAIMS SELECTION

Application

Correction

In FR Doc 77-30931 appearing at page 564546 in the issue of Wednesday, October 26, 1977, the following changes should be made:

1. In the first column under the center heading, "Seward Meridian (Surveyed)" the fourth line should read,

"sec. 5, lots 3, 14 to 17, inclusive,"

2. The last three lines under the center heading, "Seward Meridian (Surveyed)" should read,

"NW¼NW¼NE¼NW¼SW¼,
NW¼SE¼NW¼SW¼,
NE¼SW¼SW¼.
Containing 2,654.35 acres"

3. In the second column, paragraph three, the word, "surface" should be corrected to read, "subsurface".

[4310-10]

Office of the Secretary

RENEWAL OF ADVISORY COMMITTEE

This notice is published in accordance with the provisions of section 7(a) of the Office of Management and Budget Circular A-63 (Revised). Pursuant to the authority contained in section 14(a) of the Federal Advisory Committee Act (Pub. L. 92-463), I have determined that renewal of the Outer Continental Shelf Advisory Board is necessary and in the public interest.

The Office of Management and Budget has concurred in the renewal of this Committee.

Further information regarding this renewal may be obtained from Alan D. Powers, Director, Office of OCS Program Coordination, U.S. Department of the Interior, Washington, D.C. 20240, telephone 202-343-9311.

Dated: November 18, 1977.

CECIL D. ANDRUS,
Secretary of the Interior.

[FR Doc. 77-34065 Filed 11-25-77; 8:45 am]

[6820-35]

LEGAL SERVICES CORPORATION

BOARD OF DIRECTORS COMMITTEE ON
APPROPRIATIONS AND AUDIT

Meeting

A meeting of the Board of Directors Committee on Appropriations and Audit will be held on Thursday, December 8, 1977, at the offices of the Corporation, 733 15th Street NW., Washington, D.C.

The meeting will begin at 10:30 a.m. The agenda will include consideration of the Corporation's fiscal year 1979 budget request, annual audit report, status and proposed use of investment income, status of fiscal year 1977 budget, and allocation of fiscal year 1978 budget.

The meeting is open to the public.

THOMAS EHRLICH,
President.

[FR Doc. 77-34106 Filed 11-25-77; 8:45 am]

[6920-35]

BOARD OF DIRECTORS COMMITTEE ON
PROVISION OF LEGAL SERVICES

Meeting

A meeting of the Committee on Provision of Legal Services of the Legal Services Corporation Board of Directors will be held on Thursday, December 8, 1977, at the Ramada Inn of Rosslyn, 1900 North Fort Myer Drive, Arlington, Va.

The meeting will begin at 8 p.m. and will be for the purpose of considering

proposed uses of the Corporation's investment income and such other business as may arise.

The meeting is open to the public.

THOMAS EHRLICH,
President.

[FR Doc. 77-34107 Filed 11-25-77; 8:45 am]

[6820-35]

BOARD OF DIRECTORS

Meeting

A meeting of the Board of Directors of the Legal Services Corporation will be held on Friday and Saturday, December 9-10, 1977, at the Ramada Inn of Rosslyn, 1900 North Fort Myer Drive, Arlington, Va.

The meeting will begin at 9 a.m. on both days. The agenda will include matters relating to the Corporation's budget, an annual audit report, proposed use of investment income, regulations, revisions of the bylaws that were published on August 26, 1977 (42 FR 43100), the Delivery Systems Study, discussion of conflicts between community poverty groups, bilingual assistance, the progress of the Corporation's authorization legislation, and other issues concerning the Corporation and its activities.

The meeting is open to the public.

THOMAS EHRLICH,
President.

[FR Doc. 77-34108 Filed 11-25-77; 8:45 am]

[4110-89]

NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

NOTICE OF MEETING

Notice is hereby given, pursuant to Pub. L. 92-463, that the next meeting of the National Advisory Council on the Education of Disadvantaged Children will be held in Tucson, Ariz., from December 7 through December 10, 1977. Site visits are scheduled from December 7-9, and a full Council meeting will be held on December 10 from 9 a.m. to 2 p.m. (Specific locations to be announced at a later date.)

The National Advisory Council on the Education of Disadvantaged Children is established under section 148 of the Elementary and Secondary Act (20 U.S.C. 2411), to advise the President and the Congress on the effectiveness of compensatory education to improve the educational attainment of disadvantaged children.

The purpose of the site is for the Council's Committee on Indian Education to visit the Papago tribe (December 7-8), to gather material to finalize its report and for the full Council to

visit Title I and bilingual education programs in Tucson (December 9).

The full Council meeting (December 10), is being held to discuss and review the progress of individual committee reports.

The entire meeting will be open to the public. Because of limited space, all persons wishing to attend should call for reservations by December 1, 1977, area code 202-724-0114.

Records shall be kept of all Council proceedings and shall be available for public inspection at the Office of the National Advisory Council on the Education of Disadvantaged Children located at 425 Thirteenth Street NW., Suite 1012, Washington, D.C. 20004.

Signed at Washington, D.C., on November 23, 1977.

PAUL F. KELLER,
Acting Executive Director.

[FR Doc. 77-34176 Filed 11-25-77; 8:45 am]

[8025-01]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area No. 1360; Amdt. No. 2]

ALABAMA

Declaration of Disaster Loan Area

The above numbered Declaration (see 42 FR 42421), and amendment No. 1 (see 42 FR 52588), are amended by extending the filing date for physical damage until the close of business on December 30, 1977, and for economic injury until the close of business on July 31, 1978.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: September 16, 1977.

A. VERNON WEAVER,
Administrator.

[FR Doc. 77-34067 Filed 11-25-77; 8:45 am]

[8025-01]

[License No. 05/05-0117]

CONTROL DATA CAPITAL CORP.

Issuance of a Small Business Investment Company License

On March 24, 1977, a notice was published in the FEDERAL REGISTER (42 FR 16010) stating that an application had been filed by Control Data Capital Corp., 8100 34th Avenue South, Bloomington, Minn. 55420, with the Small Business Administration (SBA), pursuant to § 107.102 of the regulations governing small business investment companies (13 CFR 107.102 (1976)) for a license as a small business investment company. Subsequent to the publication of the initial notice, Control Data Corp., which was reported as the sole shareholder of Control Data Capital

Corp., decided to have a wholly owned subsidiary, Commercial Credit Co., be the sole shareholder of Control Data Capital Corp. There has been no change in the officers, directors, and plan of operations of Control Data Capital Corp., as a result of the change in its sole shareholder.

Interested parties were given until close of business April 8, 1977, to submit their comments to SBA. No comments were received.

Notice is hereby given that, pursuant to Section 301(c) of the Small Business Investment Act of 1958, as amended, after having considered the application and all other pertinent information, SBA issued License No. 05/05-0117 on October 19, 1977, to Control Data Capital Corp., to operate as a small business investment company.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies.)

Dated: November 21, 1977.

PETER F. McNEISH,
*Deputy Associate
Administrator for Investment.*

[FR Doc. 77-34066 Filed 11-25-77; 8:45 am]

[8025-01]

[Declaration of Disaster Loan Area No. 1401]

NORTH CAROLINA

Declaration of Disaster Loan Area

As a result of the President's declaration, I find that Ashe, Avery, Buncombe, Burke, Caldwell, Madison, McDowell, Mitchell, Polk, Watauga, Wilkes, and Yancey Counties and adjacent counties within the State of North Carolina, constitute a disaster area because of damage resulting from severe storms and flooding beginning about November 4, 1977. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on January 9, 1978, and for economic injury until the close of business on August 9, 1978, at:

Small Business Administration, District Office, 230 South Tryon Street, suite 700, Charlotte, N.C. 28202.

or other locally announced locations.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008.)

Dated: November 17, 1977.

A. VERNON WEAVER,
Administrator.

[FR Doc. 77-34068 Filed 11-25-77; 8:45 am]

[1505-01]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30, Revision 15; Amdt. 14]

FIELD OFFICES**Designation To Conduct Program Activities***Correction*

In FR Doc. 77-32951 appearing at page 59153 in the issue for Tuesday, November 15, 1977, in the text of the amendment to the delegation of authority, the title reads "Part IV—Procurement Assistance Program (PA)". It should have read "Part VI—Procurement Assistance Program (PA)".

[8025-01]

[Declaration of Disaster Loan Area No. 1402]

VIRGINIA**Declaration of Disaster Loan Area**

As a result of the President's declaration, I find that Grayson, Lee, Pulaski, Smyth, and Washington Counties and adjacent counties within the State of Virginia constitute a disaster area because of damage resulting from severe storms and flooding beginning about October 31, 1977. Eligible persons, firms, and organizations may file applications for loans for physical damage until the close of business on January 12, 1978, and for economic injury until the close of business on August 14, 1978, at:

Small Business Administration, District Office, Federal Building, room 3015, 400 North Eighth Street, Richmond, Va. 23240.

or other locally announced locations.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008.)

Dated: November 17, 1977.

A. VERNON WEAVER,
Administrator.

[FR Doc. 77-34114 Filed 11-25-77; 8:45 am]

[4910-14]

DEPARTMENT OF TRANSPORTATION**Coast Guard**

[CGD 77-216]

MARINE SANITATION DEVICES**Waiver of the Type I MSD Installation Date**

On November 11, 1977, the Commandant of the U.S. Coast Guard with the concurrence of the Administrator of the Environmental Protection Agency (EPA) waived the applicability of §§ 159.5(c)(2) and 159.7(c)(2) of the Marine Sanitation Device (MSD) regulations. This waiver was granted under the authority of section 312(c)(2) of the Federal Water Pollution Control Act, which empowers the Secretary of Transportation, who has delegated this authority to the Commandant, to waive the applicability of any standards and regulations after consultation with the Administrator of the EPA. The applicable provisions of this waiver are as follows:

If a firm commitment for the purchase and placement of a Type I MSD in an existing vessel is made prior to January 30, 1978, but difficulties are encountered in achieving placement of the device in the existing vessel; and placement of the device, in operable condition, is accomplished by January 30, 1979, the existing vessel will be deemed

to have the MSD "installed" by January 30, 1978, and therefore be equipped with the device so as to be in compliance with 33 CFR Part 159 and 40 CFR Part 140.

This waiver allows an owner or operator of an existing vessel who orders a Type I MSD by January 30, 1978, and installs it in an operable condition by January 30, 1979, to have that device considered installed by January 30, 1978, for the purpose of the incentive provisions in §§ 159.5(c)(2) and 159.7(c)(2). Any owner of an existing vessel who complies with this waiver provision will be allowed to operate his vessel after January 30, 1980, with an installed, operable Type I MSD instead of the Type II or III MSD's that would otherwise be required.

The owner or operator must have a purchase order, purchase agreement, or other evidence of a firm commitment from an MSD manufacturer or distributor, which is dated on or before January 30, 1978. Evidence of this commitment must be kept on the vessel or otherwise be readily available upon request from any Coast Guard boarding officer as long as the Type I device remains installed.

The Coast Guard considers this waiver necessary because sufficient numbers of Type I MSD's appropriate for smaller vessels have only recently become available. There is also a backlog of production and delivery of Type I MSD's and yard availability is limited, making timely installation difficult.

A list of Coast Guard certified Type I MSD's follows.

NOTICES

MANUFACTURER	DEVICE	MODEL NUMBER	CERTIFICATION NUMBER	SYSTEM DESCRIPTION	CAPACITY
Electrod Corporation P. O. Box 99 Clarksburg, Ohio 44024	Lectra/San Lectra/San Lectra/San Lectra/San Lectra/San	12 VDC 32 VDC 12 VDC 24 VDC 32 VDC	159.15/1001/1/I 159.15/1001/2/I 159.15/1001/3/I 159.15/1001/4/I 159.15/1001/5/I	Small vessel physical/ chemical	4 persons/day 4 persons/day 4 persons/day 4 persons/day 4 persons/day
Calley Maritime Marine Products P. O. Box 1417 Biviera Beach, FL 33404	Delta Marine Head	12 VDC 24 VDC 32 VDC	159.15/1040/1/I 159.15/1040/2/I 159.15/1040/3/I	Small vessel physical/ chemical	2 persons/day
International Water Saving Systems, Inc. P. O. Box 56 587 Green St. Braithwaite, MA 02184	Neutromatic IWSS System 1000 IWSS System 1000A	350 1000 1000A	Certifications Suspended	Small vessel physical/ chemical	4 uses/hr. 4 persons 4 persons
Manafield Secretary, Inc. 150 First Street Purrysville, Ohio 44864	Monotron 764	TDX 764	159.15/1014/7/I 159.15/1002/1/I	Small vessel Flo-thru small vessel - for use with monomatic toilets only	

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MANUFACTURER	DEVICE	MODEL NUMBER	CERTIFICATION NUMBER	SYSTEM DESCRIPTION	CAPACITY
Baylor Company P. O. Box 36326 Houston, Texas 77036	Lykes SHSD 14,900	Lykes SHSD 14,900	159.15/1037/1/1	Combinator/chlorinator	15,000 gpd
Clear Water, Inc. Division of Lahare Industries 227 N. Main Street Walworth, Wisconsin 53184		Sani-System 600	159.15/1015/6/1	Large vessel physical/ chemical with filtration	750 gal/day (25 persons)
General American Research Division of GMX 7449 Natchez Avenue Miles, Illinois 60648		HSS-1	159.15/1012/2/1	Large vessel macerator-sterilizer	System sized according to need
Koehler-Dayton P. O. Box 509 New Britain, Conn. 06050	Enviro-Mac Enviro-Mac II	13-702145	159.15/1013/2/1 159.15/1013/3/1	Large vessel physical/ chemical system	72 gal/hr. (15 persons)
Marland Environmental Systems, Inc. P. O. Box 9 Walworth, Wisconsin 53184	Marine Sanitation Devices	HSS-PT MTT-3 MTT-4	159.15/1008/1/1 159.15/1008/2/1 159.15/1008/3/1	Large vessel physical/ chemical. Large vessel unitized physical/chemical. Large vessel physical/ chemical system for use with existing holding tanks.	2000, 3000, 4 4000 gal/day sizes 1000 gal/day 1000 gal/day
Sigma Treatment Systems 603 Denn St. Brooklyn, N.Y. 11219	STS-1	STS-1	159.15/1046/1/1	Large vessel physical/ chemical system	1000 gal/day

[4810-31]

DEPARTMENT OF THE TREASURY**Bureau of Alcohol, Tobacco, and Firearms**

[Notice No. 77-314; Reference: ATF O 1100.78A]

**DELEGATION TO THE ASSISTANT DIRECTOR
(REGULATORY ENFORCEMENT)****Delegation Order**

1. *Purpose.* This order delegates certain authorities, now vested in the Director by regulations in 27 CFR Part 240, to the Assistant Director (Regulatory Enforcement), and provides for redelegation to Regulatory Enforcement personnel, Headquarters and field.

2. *Cancellation.* ATF O 1100.78, Delegation Order—Delegation to the Assistant Director (Regulatory Enforcement) of Authorities of the Director in 27 CFR Part 240, Wine, dated March 10, 1977, (42 FR 15395) is canceled.

3. *Background.* Under current regulations, the Director has authority to take final action on matters relating to the approval of activities at regulated bonded wine cellars. It has been administratively determined that certain authorities now vested in the Director by regulations in 27 CFR Part 240, Wine, belong at and should be delegated to a lower organizational level.

4. *Delegations.* Pursuant to the authority vested in the Director, Bureau of Alcohol, Tobacco, and Firearms, by Treasury Department Order No. 221, dated June 6, 1972, and by 26 CFR 301.7701-9, there is hereby delegated to the Assistant Director (Regulatory Enforcement) the authority to take final action on the following matters relating to 27 CFR Part 240, Wine:

(a) To prescribe all forms required by regulations including bonds, applications, notices, reports, returns, and records, under 27 CFR 240.2 and 27 CFR 240.905.

(b) To approve applications to establish premises for the operation of bonded wine cellars with limited capacity, under 27 CFR 240.120.

(c) To approve other operations, not specifically provided in regulations, to be conducted on bonded wine cellar premises by proprietors provided the operations are conducted in a manner that will not jeopardize the revenue or conflict with wine operations or be contrary to law, under 27 CFR 240.134.

(d) To approve the manner of construction of fences or walls which surround the wine spirits storage tanks premises located outside of buildings, under 27 CFR 240.166.

(e) To receive obsolete formulas that are no longer of any use and are surrendered by proprietors, under 27 CFR 240.213.

(f) To approve other materials or methods for plats, under 27 CFR 240.271.

(g) To approve letter applications by successors to adopt the approved ATF F 698 Supplemental, Formula and Process for Wine, of predecessors, under 27 CFR 240.290a.

(h) To approve the use of other acids to correct natural deficiencies, under 27 CFR 240.364, 27 CFR 240.404, and 27 CFR 240.1052.

(i) To approve statements of processes described on ATF F 698 Supplemental for production of Flor sherry wine, or riders to the formulas, under 27 CFR 240.385.

(j) To approve formulas and processes described on ATF F 698 Supplemental for production of special natural wine, or riders to the formulas, under 27 CFR 240.441.

(k) To approve, pursuant to CFR 240.441, formulas described on ATF F 698 Supplemental filed pursuant to 27 CFR 240.446 for production of essences on bonded wine cellar premises for use in the production of special natural wine.

(l) To approve essences, not made on bonded wine cellar premises, for use in the production of special natural wine, under 27 CFR 240.447.

(m) To approve formulas and processes described on ATF F 698 Supplemental for production of agricultural wine, or riders to the formulas, under 27 CFR 240.465.

(n) To approve formulas and processes described on ATF F 698 Supplemental for production of wine other than standard wine, or riders to the formulas, under 27 CFR 240.482.

(o) To approve, pursuant to 27 CFR 240.482, formulas or riders to formulas described on ATF F 698 Supplemental for the production of all wine products specified under 27 CFR 240.485a.

(p) To approve statements of process described on ATF F 698 Supplemental for production of effervescent wine, or riders to the formulas, under 27 CFR 240.513.

(q) To approve the use of filter aids which contain active chemical ingredients or which have been so treated that they may alter the character of the wine, under 27 CFR 240.528 and 27 CFR 240.1052.

(r) To approve test procedures for the determination of carbon dioxide in still wine, under 27 CFR 240.534.

(s) To approve, pursuant to 27 CFR 240.940, letterhead applications submitted under 27 CFR 240.942 for exceptions to construction and equipment requirements.

(t) To approve, pursuant to 27 CFR 240.941, letterhead applications submitted under 27 CFR 240.942 for exceptions to methods of operation requirements.

(u) To cancel for use in the production, cellar treatment, or finishing of wine (including distilling material), any approved material which is removed from the Food and Drug Administration list of products generally recognized as safe, under 27 CFR 240.1051.

(v) To approve the use of other materials or methods not specifically authorized in regulations for treatment of wine, under 27 CFR 240.1052.

5. *Redelegation.* (a) The authority in paragraph 4a above may be redelegated to Regulatory Enforcement personnel in Bureau Headquarters not lower than the position of branch chief.

(b) The authorities in subparagraphs 4b through 4v above may be redelegated to Regulatory Enforcement personnel in Bureau Headquarters not lower than the position of ATF specialist.

(c) The authorities in paragraphs 4b, 4d, and 4f above may be redelegated to regional regulatory administrators, who may redelegate these authorities to regional Regulatory Enforcement personnel not lower than the position of Chief, Technical Services, or area supervisor.

Effective date: This order becomes effective on November 21, 1977.

Dated: November 21, 1977.

REX D. DAVIS,
Director.

[FR Doc. 77-33906 Filed 11-25-77; 8:45 am]

[4810-22]

[T.D. 77-280]

Customs Service

**CANCELLATION WITH PREJUDICE OF
CUSTOMHOUSE BROKER LICENSE 2980**

NOVEMBER 22, 1977.

Notice is hereby given that the Commissioner of Customs on November 22, 1977, pursuant to section 641, Tariff Act of 1930, as amended (19 U.S.C. 1641), and § 111.51(b) Customs Regulations, as amended, upon the specific request of William F. Joffroy, Nogales, Ariz., canceled with prejudice individual customhouse broker's license No. 2980 issued to him on October 22, 1956, for Customs District No. 25 (San Diego). The Commissioner's decision is effective as of November 22, 1977.

ROBERT E. CHASEN,
Commissioner of Customs.

[FR Doc. 77-34109 Filed 11-25-77; 8:45 am]

NOTICES

[4810-22]

Customs Service

QUOTAS

Proposed Change of Position Relating To Conversion of Local Time to Eastern Standard Time in Determining Quota Priority and Status After Opening of a Quota Period

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Notice of proposed change of position.

SUMMARY: This document proposes to change the Customs position with respect to the procedure for converting local time to Eastern Standard Time as the basis for determining when entries of merchandise subject to quota are presented or officially accepted in establishing quota priority and status after the opening of a quota period. This change is being considered because the present procedure may give an advantage to East Coast importers. Under the proposal, the local time at the port of entry of the merchandise would be used to determine the priority and standing of entries.

DATES: Comments must be received on or before January 27, 1978.

ADDRESS: Comments should be addressed to the Commissioner of Customs, Attention: Regulations and Legal Publications Division, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229.

FOR FURTHER INFORMATION CONTACT:

William D. Slyne, Duty Assessment Division, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229, 202-566-2957.

SUPPLEMENTARY INFORMATION:**BACKGROUND**

An import quota is a control on the quantity of merchandise which may be imported into the United States during a specified period of time. Import quotas ordinarily are established by legislation or by Presidential proclamations pursuant to specific legislation and thereafter are included in the Tariff Schedules of the United States. The Customs Service administers two types of import quotas: absolute and tariff-rate.

Absolute quotas limit the quantity of merchandise that may enter the United States during a specified period of time. When an absolute quota is filled, further entries are prohibited during the remainder of the quota period.

Tariff-rate quotas permit a specified quantity of imported merchandise to

be entered at a reduced rate of duty during the quota period. There is no limit on the amount of the quota product that may be imported at any time, but quantities entered during the quota period in excess of the quota for that period are subject to higher duty rates.

To insure that all importers have an equal opportunity to enter merchandise that is subject to quota, part 132 of the Customs Regulations (19 CFR Part 132) sets forth applicable rules and procedures. Section 132.3 of the Customs Regulations provides that entries and withdrawals of merchandise subject to quota shall be accepted only during official office hours, except as otherwise provided. In accordance with § 132.11 of the Customs Regulations, the quota priority (the precedence of one entry over another) and the quota status (the standing which entitles merchandise to be entered under a quota) of merchandise subject to an absolute quota are determined as of the time of presentation of the entry to Customs in proper form. The quota priority and quota status of merchandise subject to tariff-rate quotas are determined as of the time of official acceptance of an entry.

To secure to each importer the rightful quota priority and status, the period of time during which a quota is in effect is the same for all parts of the United States. Quotas are opened and closed simultaneously at all ports of entry. Therefore, after a quota opens, the time that entries of merchandise subject to an absolute quota are presented to Customs at a port of entry and the time entries of merchandise subject to a tariff-rate quota are accepted by Customs at a port of entry determine their priority. These entries are reported to Customs Service Headquarters so that it can be determined when a particular quota is filled. Under a long standing administrative procedure, the Customs Service has been converting local time at the ports of entry to Eastern Standard Time to determine quota priority and status. Accordingly, the time of entry of quota merchandise at a West Coast port is converted to Eastern Standard Time. This allows Customs to administer quotas on a "first-come, first-served" basis.

It has come to the attention of the Customs Service that this procedure may favor East Coast importers over West Coast importers. Because East Coast Customs offices open 3 hours before those on the West Coast, East Coast importers may file entries 3 hours before West Coast importers for merchandise subject to quotas not filled at the opening of the quota period. Therefore, the Customs Service has determined that converting local time to Eastern Standard Time may not be equitable.

PROPOSED CHANGE

The Customs Service proposes to change its position by determining quota priority and status, after the opening of a quota period, on the basis of the local time at the ports of entry at which entries and warehouse withdrawals for consumption of quota-class merchandise are presented or accepted.

AUTHORITY

This change is proposed under the authority of R.S. 251, as amended (19 U.S.C. 66), section 624, 46 Stat. 759 (19 U.S.C. 1624), and 77A Stat. 14 (General Headnote 11, Tariff Schedules of the United States, 19 U.S.C. 1202). Notice of this proposed change in position is being published for public comment pursuant to § 177.10(c)(2) of the Customs Regulations (19 CFR 177.10(c)(2)).

COMMENTS

Before adopting this proposal, consideration will be given to any written comments submitted to the Commissioner of Customs. Comments submitted will be available for public inspection in accordance with § 103.8(b) of the Customs Regulations (19 CFR 103.8(b)) during regular business hours at the Regulations and Legal Publications Division, Headquarters, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229.

DRAFTING INFORMATION

The principal author of this document was Norman W. King, Regulations and Legal Publications Division, U.S. Customs Service. However, personnel from other offices of the Customs Service participated in its development, both on matters of substance and style.

LEONARD LEHMAN,
Acting Commissioner of
Customs.

[FR Doc. 77-34119 Filed 11-25-77; 8:45 am]

[4810-40]

Office of the Secretary

[Dept. Circular Public Debt Series—No. 29-77]

NOVEMBER 22, 1977.

1. INVITATION FOR TENDERS

1.1. The Secretary of the Treasury, under the authority of the Second Liberty Bond Act, as amended, invites tenders for approximately \$2,750,000,000 of U.S. securities, designated Treasury Notes of December 31, 1981, Series L-1981 (CUSIP No. 912827 HG 0). The securities will be sold at auction with bidding on the basis of yield. Payment will be required at the

price equivalent of the bid yield of each accepted tender, the interest rate on the securities and the price equivalent of each accepted bid will be determined in the manner described below. Additional amounts of these securities may be issued for cash to Federal Reserve Banks as agents of foreign and international monetary authorities.

2. DESCRIPTION OF SECURITIES

2.1. The securities will be dated December 7, 1977, and will bear interest from that date, payable on a semiannual basis on June 30, 1978, and each subsequent 6 months on December 31 and June 30 until the principal becomes payable. They will mature December 31, 1981, and will not be subject to call for redemption prior to maturity.

2.2. The income derived from the securities is subject to all taxes imposed under the Internal Revenue Code of 1954. The securities are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, any possession of the United States, or any local taxing authority.

2.3. The securities will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

2.4. Bearer securities with interest coupons attached, and securities registered as to principal and interest, will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000, and \$1,000,000. Book-entry securities will be available to eligible bidders in multiples of those amounts. Interchanges of securities of different denominations and of coupon, registered and book-entry securities, and the transfer of registered securities will be permitted.

2.5. The Department of the Treasury's general regulations governing U.S. securities apply to the securities offered in this circular. These general regulations include those currently in effect, as well as those that may be issued at a later date.

3. SALE PROCEDURES

3.1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to 1:30 p.m., e.s.t., Wednesday, November 30, 1977. Noncompetitive tenders as defined below will be considered timely if postmarked no later than Tuesday, November 29, 1977.

3.2. Each tender must state the face amount of securities bid for. The minimum bid is \$1,000 and larger bids must be in multiples of that amount. Competitive tenders must also show the

yield desired, expressed in terms of an annual yield with two decimals, e.g., 7.11%. Common fractions may not be used. Noncompetitive tenders must show the term "noncompetitive" on the tender form in lieu of a specified yield. No bidder may submit more than one noncompetitive tender and the amount may not exceed \$1,000,000.

3.3. All bidders must certify that they have not made and will not make any agreements for the sale or purchase of any securities of this issue prior to the deadline established in Section 3.1. for receipt of tenders. Those authorized to submit tenders for the account of customers will be required to certify that such tenders are submitted under the same conditions, agreements, and certifications as tenders submitted directly by bidders for their own account.

3.4. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and primary dealers, which for this purpose are defined as dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions in and borrowings on such securities, may submit tenders for account of customers if the names of the customers and the amount for each customer are furnished. Others are only permitted to submit tenders for their own account.

3.5. Tenders will be received without deposit for their own account from commercial banks and other banking institutions; primary dealers, as defined above; Federally-insured savings and loan associations; States, and their political subdivisions or instrumentalities; public pension and retirement and other public funds; international organizations in which the United States holds membership; foreign central banks and foreign states; Federal Reserve Banks; and Government accounts. Tenders from others must be accompanied by a deposit of 5% of the face amount of securities applied for (in the form of cash, maturing Treasury securities or readily collectible checks), or by a guarantee of such deposit by a commercial bank or a primary dealer.

3.6. Immediately after the closing hour, tenders will be opened, followed by a public announcement of the amount and yield range of accepted bids. Subject to the reservations expressed in Section 4, noncompetitive tenders will be accepted in full at the weighted average price (in three decimals) of accepted competitive tenders, and competitive tenders with the lowest yields will be accepted to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary.

After the determination is made as to which tenders are accepted, a coupon rate will be established, on the basis of a $\frac{1}{4}$ of one percent increment, which results in an equivalent average accepted price close to 100.000 and a lowest accepted price above the original issue discount limit of 99.000. That rate of interest will be paid on all of the securities. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price equivalent to the yield bid. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. If the amount of noncompetitive tenders received would absorb all or most of the offering, competitive tenders will be accepted in an amount sufficient to provide a fair determination of the yield. Tenders received from Government accounts and Federal Reserve Banks will be accepted at the weighted average price of accepted competitive tenders.

3.7. Competitive bidders will be advised of the acceptance or rejection of their tenders. Those submitting noncompetitive tenders will only be notified if the tender is not accepted in full or when the price is over par.

4. RESERVATIONS

4.1. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders in whole or in part, to allot more or less than the amount of securities specified in Section 1, and to make different percentage allotments to various classes of applicants when the Secretary considers it in the public interest. The Secretary's action under this Section is final.

5. PAYMENT AND DELIVERY

5.1. Settlement for allotted securities must be made or completed on or before Wednesday, December 7, 1977, at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt, wherever the tender was submitted. Payment must be in cash; in other funds immediately available to the Treasury; in Treasury bills, note or bonds (with all coupons detached) maturing on or before the settlement date but which are not overdue as defined in the general regulations governing United States securities; or by check drawn to the order of the institution to which the tender was submitted, which must be received at such institution no later than:

(a) Monday, December 5, 1977, if the check is drawn on a bank in the Federal Reserve District of the institution to which the check is submitted (the

Fifth Federal Reserve District in case of the Bureau of the Public Debt), or (b) Friday, December 2, 1977, if the check is drawn on a bank in another Federal Reserve District.

Checks received after the dates set forth in the preceding sentence will not be accepted unless they are payable at the applicable Federal Reserve Bank. Payment will not be considered complete where registered securities are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. When payment is made in securities, a cash adjustment will be made to or required of the bidder for any difference between the face amount of securities presented and the amount payable on the securities allotted.

5.2. In every case where full payment is not completed on time, the deposit submitted with the tender, up to 5 percent of the face amount of securities allotted, shall, at the discretion of the Secretary of the Treasury, be forfeited to the United States.

5.3. Registered securities tendered as deposits and in payment for allotted securities are not required to be assigned if the new securities are to be registered in the same names and forms as appear in the registrations or assignments of the securities surrendered. When the new securities are to be registered in names and forms different from those in the inscriptions or assignments of the securities presented, the assignment should be to "The Secretary of the Treasury for (securities offered by this circular) in the name of (name and taxpayer identifying number)." If new securities in coupon form are desired, the assignment should be to "The Secretary of the Treasury for coupon (securities offered by this circular) to be delivered to (name and address)." Specific instructions for the issuance and delivery of the new securities, signed by the owner or authorized representative, must accompany the securities presented. Securities tendered in payment should be surrendered to the Federal Reserve Bank or Branch or to the Bureau of the Public Debt, Washington, D.C. 20226. The securities must be delivered at the expense and risk of the holder.

5.4. If bearer securities are not ready for delivery on the settlement date, purchasers may elect to receive interim certificates. These certificates shall be issued in bearer form and shall be exchangeable for definitive securities of this issue, when such securities are available, at any Federal Reserve Bank or Branch or at the Bureau of the Public Debt, Washington, D.C. 20226. The interim certificates must

be returned at the risk and expense of the holder.

5.5. Delivery of securities in registered form will be made after the requested form of registration has been validated, the registered interest account has been established, and the securities have been inscribed.

6. GENERAL PROVISIONS

6.1. As fiscal agents of the United States, Federal Reserve banks are authorized and requested to receive tenders, to make allotments as directed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of securities on full-paid allotments, and to issue interim certificates pending delivery of the definitive securities.

6.2. The Secretary of the Treasury may at any time issue supplemental or amendatory rules and regulations governing the offering. Public announcement of such changes will be promptly provided.

DAVID MOSSO,
Fiscal Assistant Secretary.

[FR Doc. 77-34070 Filed 11-25-77; 8:45 am]

[7035-01]

INTERSTATE COMMERCE COMMISSION

[Notice No. 5351]

ASSIGNMENT OF HEARINGS

NOVEMBER 22, 1977.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the official docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

- MC 113855 (Sub-No. 376), International Transport, Inc., now being assigned February 22, 1978 (1 day), at Omaha, Nebr., in a hearing room to be later designated.
- MC 25869 (Sub-No. 135), Nolte Bros., Truck Line, Inc., now being assigned February 23, 1978 (2 days), at Omaha, Nebr., in a hearing room to be later designated.
- MC 113382 (Sub-No. 18), Nelsen Bros., Inc., now being assigned January 27, 1978 (1 day), at Omaha, Nebr., in a hearing room to be later designated.
- MC-F-13284, Mid-America Express, Inc.—Purchase (Portion)—Sooner Express, Inc., now being assigned February 28, 1978 (2 days), at Omaha, Nebr., in a hearing room to be later designated.
- MC 126118 (Sub-No. 38), Crete Carrier Corp., now being assigned March 2, 1978

(2 days), at Omaha, Nebr., in a hearing room to be later designated.

MC 63973 (Sub-No. 17), Kaler Freight Lines, Inc., now assigned December 12, 1977, at Des Moines, Iowa, is canceled and application dismissed.

FD 27620 *Maine Central Railroad Co. v. Amoskeag Co., Frederick C. Dumaine & Dumaines* and FD 27621 *Amoskeag Co.—Control—Maine Central Railroad Co.*, now being assigned December 7, 1977, for hearing at the offices of the Interstate Commerce Commission, Washington, D.C.

MC-C 9754 *Carolina Coach Co., Inc. v. Hopkins Motor Coach, Inc.*, and MC 48315 (Sub-No. 7), now assigned December 12, 1977, at Salisbury, Md., will be held in the Old Federal Savings & Loan Bank, 306 Carroll Street.

MC 134906 *Cape Air Freight, Inc.*, and MC 134906 (Sub-Nos. 1, 2, 3, 4, 5, 6, and 7), *Cape Air Freight, Inc.*, now assigned December 6, 1977, at Louisville, Ky., will be held in the Stouffers Inn, Hunt Room, 2d Floor, 2d and Broadway.

MC 2860 (Sub-No. 163), *National Freight, Inc.*, now assigned December 12, 1977, at Atlanta, Ga., will be held in room 305, 1252 West Peachtree Street NW.

MC 141804 (Sub-No. 66), *Western Express*, now being assigned February 6, 1978, for hearing at the offices of the Interstate Commerce Commission, Washington, D.C.

MC 139112 (Sub-No. 13), *Calex Express, Inc.*, now being assigned February 1, 1978, for hearing at the offices of the Interstate Commerce Commission, Washington, D.C.

MC 124211 (Sub-No. 294), *Hilt Truck Line, Inc.*, now being assigned February 8, 1978, for prehearing conference at the offices of the Interstate Commerce Commission, Washington, D.C.

MC 106398 (Sub-No. 777), *National Trailer Convoy, Inc.*, now being assigned January 31, 1978, for prehearing conference at the offices of the Interstate Commerce Commission, Washington, D.C.

MC 124947 (Sub-No. 61), *Machinery Transports, Inc.*, now being assigned February 2, 1978, for hearing at the offices of the Interstate Commerce Commission, Washington, D.C.

MC 9859 (Sub-No. 4), *Kane-Transfer Co.*, now being assigned December 5, 1977, for continued hearing at the offices of the Interstate Commerce Commission, Washington, D.C.

MC 124511 (Sub-No. 31), *John F. Oliver*, now assigned December 5, 1977, at Indianapolis, Ind., will be held in the Conference Room, 402 Old Federal Building, 46 East Ohio Street.

MC 118130 (Sub-No. 77), *South Eastern Xpress, Inc.*, now being assigned February 22, 1978 (1 day), for hearing in Dallas, Tex., in a hearing room to be later designated.

MC 136168 (Sub-No. 15), *Wilcon Certified Express, Inc.*, now being assigned February 23, 1978 (1 day), for hearing in Dallas, Tex., in a hearing room to be later designated.

MC 116915 (Sub-No. 32), *Eck Miller Transportation Corp.*, now being assigned February 24, 1978 (1 day), for hearing in Dallas, Tex., in a hearing room to be later designated.

MC 135797 (Sub-No. 78), *J. B. Hunt Transport, Inc.*, now being assigned February 27, 1978 (2 days), for hearing in Dallas, Tex., in a hearing room to be later designated.

MC 129068 (Sub-No. 38), Griffin Transportation, Inc., now being assigned March 1, 1978 (3 days), for continued hearing in Dallas, Tex., in a hearing room to be later designated.

MC 125433 (Sub-No. 106), F-B Truck Line Co., now being assigned November 29, 1977 (1 day), at Portland, Oreg., and will be held in Room 103, Pioneer Court House, 555 Southwest Yamhill Street.

MC 143041, Byron G. Davenport, d.b.a. Drilling & Mining International, now assigned November 29, 1977, at Denver, Colo., is cancelled and application dismissed.

MC FC-77100, Gilbert Transport, Inc., Houston, Tex., transferee and Hunt Transportation, Inc., Omaha, Nebr., transferor, now assigned December 14, 1977, at Dallas, Tex., is canceled and application dismissed.

MC 61445 (Sub-No. 6), Contractors Transport Corp., application dismissed.

NANCY L. WILSON,
Acting Secretary.

[FR Doc. 77-34129 Filed 11-25-77; 8:45 am]

[7035-01]

[Notice No. 2]

SPECIAL PROPERTY BROKERS

NOVEMBER 22, 1977.

The following applicants seek to participate in the property broker special licensing procedure under 49 CFR 1045A authorizing operations as a broker at any location, in arranging for the transportation by motor vehicle, in interstate or foreign commerce, of property (except household goods), between all points in the United States including Alaska and Hawaii. Any interested person shall file an original and (1) copy of a verified statement in opposition limited in scope to matters regarding applicant's fitness within 30 days after this notice. Statements must be mailed to:

Broker Entry Staff, room 2379, Interstate Commerce Commission, Washington, D.C. 20423.

Opposing parties shall serve (1) copy of the statement in opposition concurrently upon applicant's representative, or applicant if no representative is named.

If an applicant is not otherwise informed by the Commission, it may commence operation 45 days after this notice.

B-77-31, filed November 22, 1977. Applicant: FLEETWAY MOTOR FREIGHT, INC., 23 East 39th Street, New York, N.Y. 10016. Applicant's representative: Stanley L. Goodman, 277 Park Avenue, New York, N.Y. 10017.

By the Commission.

NANCY WILSON,
Acting Secretary.

[FR Doc. 77-34128 Filed 11-25-77; 8:45 am]

sunshine act meetings

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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[6320-01]

1

CIVIL AERONAUTICS BOARD.

NOTICE OF ADDITION OF ITEM TO THE
NOVEMBER 22, 1977 MEETING AGENDA.

TIME AND DATE: 9:30 a.m., November 22, 1977.

PLACE: Room 1027, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT: 4a. Board review of staff denial of Relvas Travel's request for waiver of advance purchase requirement for 4 New York-Lisbon ABC flights. (BOR)

STATUS: Open.

PERSON TO CONTACT:

Phyllis T. Kaylor, The Secretary,
202-673-5068.

SUPPLEMENTARY INFORMATION: Item 4a concerns a filing by Relvas Travel Center. On November 14, 1977, Relvas Travel requested a waiver of the advance purchase requirements of Part 371 in order to sell four ABC's between New York and Lisbon until 15 days prior to departure. On November 15, 1977, the staff denied Relvas' request, and by letter dated November 16, Relvas requested Board review. Because the passenger lists for these flights must be filed between November 16 and November 26, 1977, and because Relvas must know whether a waiver has been granted, the Board must meet as soon as possible. Accordingly the following Members have voted that agency business requires that the Board meet on this item on less than seven days' notice and that no earlier announcement of the meeting was possible:

Chairman Alfred E. Kahn

Vice Chairman Richard J. O'Melia
Member G. Joseph Minetti
Member Lee R. West
Member Elizabeth E. Bailey

[S-1909-77 Filed 11-23-77; 8:45 am]

[6320-01]

2

CIVIL AERONAUTICS BOARD.

Notice of deletion of item from the November 22, 1977, meeting agenda.

TIME AND DATE: 9:30 a.m., November 22, 1977.

PLACE: Room 1027, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT: 26. Dockets 27844 and 27924, Caribbean International Airways Ltd., d.b.a. Caribbean Airways, and Laker Airways, limited foreign air carrier permits. (Memo No. 5921-B, OGC, BIA.)

STATUS: Open.

PERSON TO CONTACT:

Phyllis T. Kaylor, The Secretary,
202-673-5068.

SUPPLEMENTARY INFORMATION: The staff had indicated that it would have prepared for the Board's consideration on November 22, 1977, material regarding item 26. The necessary material will not be available before the November 22, 1977 meeting. Consequently, it is necessary to delete item 26 from the November 22, 1977 meeting, and to reschedule this item in the future when the material is ready for Board consideration. Accordingly, the following Members have voted that agency business requires the deletion of item 26 from the November 22, 1977 agenda and that no earlier announcement of the deletion was possible:

Chairman Alfred E. Kahn
Vice Chairman Richard J. O'Melia
Member G. Joseph Minetti
Member Lee R. West
Member Elizabeth E. Bailey

[S-1910-77 Filed 11-23-77; 8:45 am]

[6320-01]

3

CIVIL AERONAUTICS BOARD.

Notice of Deletion and addition of items in the November 22, 1977 agenda.

TIME AND DATE: 9:30 a.m., November 22, 1977.

PLACE: Room 1027, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT: (Deletion.) 8. Docket 31568. Revisions to refund rules proposed by United (BFR). (Addition.) 8a. Dockets 31612, 31638, 31640, and 31655, refiled "Super-Jackpot" fares to Las Vegas proposed by TWA. (Memo No. 7477-B, BFR.)

STATUS: Open.

PERSON TO CONTACT:

Phyllis T. Kaylor, The Secretary,
202-673-5068.

SUPPLEMENTARY INFORMATION: The staff had originally indicated that it would have prepared for the Board's consideration on November 22, 1977, material on Docket 31568, revisions to refund rules proposed by United. The staff now reports that the necessary material will not be ready before the November 22, 1977 meeting. Consequently, it is necessary to delete item 8 from the November 22, 1977 meeting and to reschedule this item in the future when the material is ready for Board consideration. Accordingly, the following Members have voted that agency business requires the deletion of item 8 from the November 22, 1977 agenda and that no earlier announcement of the deletion was possible:

Chairman Alfred E. Kahn
Vice Chairman Richard J. O'Melia
Member G. Joseph Minetti
Member Lee R. West
Member Elizabeth E. Bailey

The tariff in question was filed on October 25, 1977 for effectiveness November 24, 1977. Complaints, answers, and amendments to the complaints were filed by November 17, 1977. The Board's staff analyzed the tariff filing, the complaints, answer and all other relevant matters, and submitted its recommendation to the Board on November 21, 1977. If the Board desires to suspend the tariff pending investigation, it must act by November 23, 1977, or lose the authority to do so under section 1002(g) of the Federal Aviation Act of 1958. Action by November 22, 1977, is necessary to allow time to prepare an appropriate order. Accordingly, the following Members have voted that agency business requires the addition of item 8a. to the November 22, 1977 agenda and that no earlier announcement of the the addition was possible:

Chairman Alfred E. Kahn
Vice Chairman Richard J. O'Melia

Member G. Joseph Minetti
Member Lee R. West
Member Elizabeth E. Bailey

[S-1911-77 Filed 11-23-77; 8:45 am]

[6714-01]

4

FEDERAL DEPOSIT INSURANCE CORPORATION.

TIME AND DATE: 1 p.m., November 30, 1977.

PLACE: Telephone conference call originating from Room 6108, FDIC Building, 550 17th Street NW., Washington, D.C.

STATUS: Partially open/partially closed.

MATTERS TO BE CONSIDERED:

Appeal, pursuant to the Freedom of Information Act, from the Corporation's earlier denial of a request for the list of "problem" banks.

By vote of the Board of Directors pursuant to subsections (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (d)(1) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (d)(1)), and on the basis of the Board's determination that the public interest does not require consideration of the items in a meeting open to public observation, the following items will be considered in closed session:

Application for consent to merge and establish branches:

Landmark Bank of Tampa, Tampa, Fla., an insured State nonmember bank, for consent to merge under its charter and title with Landmark Bank of North Tampa, Hillsborough County (P.O. Tampa), Fla., also an insured State nonmember bank, and for consent to establish the sole office of the latter as a branch of the resultant bank.

Application for consent to merge, establish branches, and redesignate the main office location:

Barnett Bank of West Delray Beach, Palm Beach County (P.O. Delray Beach), Fla., an insured State nonmember bank, for consent to merge under its charter, and with the title "Barnett Bank of Delray Beach," with Barnett Bank of Delray Beach, National Association, Delray Beach, Fla.; for consent to establish the two offices of the latter as branches of the resultant bank; and for consent to redesignate the present main office site of Barnett Bank of Delray Beach, National Association, as the main office of the resultant bank.

Barnett Bank of Anastasia Island, St. Augustine, Fla., an insured State nonmember bank, for consent to

merge under its charter, and with the title "Barnett Bank of St. Johns County," with Barnett Bank of St. Augustine, National Association, St. Augustine, Fla.; for consent to establish the two offices of the latter as branches of the resultant bank; and for consent to redesignate the main office location to the present site of Barnett Bank of St. Augustine, National Association.

Application for consent to a purchase and assumption transaction and for consent to establish branches:

Provident Savings Bank, Jersey City, N.J., an insured mutual savings bank, for consent to purchase the assets of and assume the liability to pay deposits made in The First National Bank of Dunellen, Dunellen, N.J., and for consent to establish the two offices of the latter as branches of the resultant bank.

Recommendation regarding liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 43,292-L—Franklin National Bank, New York, N.Y.

CONTACT PERSON FOR MORE INFORMATION:

Alan R. Miller, Executive Secretary, 202-389-4446.

[S-1914-77 Filed 11-23-77; 2:04 pm]

[6714-01]

5

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of change in subject matter of agency meeting.

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its open meeting held at 11 a.m. on November 22, 1977, the Corporation's Board of Directors determined, on motion of Chairman George A. LeMaistre, seconded by Director John G. Heimann (Comptroller of the Currency), that Corporation business required its addition of the following matters to the agenda for that meeting, on less than seven days' notice to the public: (1) resolution adopting a revised salary rate schedule for lithographic and printing positions and (2) resolutions ratifying in authentic acts certain documents relating to the liquidation of International City Bank and Trust Co., New Orleans, La., and to the receivership of Republic National Bank of Louisiana, New Orleans, La. The Board also voted to withdraw from consideration a recommendation regarding the approval of a personal services contract in connection with the

bank stock loan survey. The Board further determined that no earlier notice of these changes in the subject matter of the meeting was practicable.

Dated: November 22, 1977.

For the Federal Deposit Insurance Corporation.

ALAN R. MILLER,
Executive Secretary.

[S-1921-77 Filed 11-23-77; 3:07 pm]

[6740-02]

6

NOVEMBER 23, 1977.

FEDERAL ENERGY REGULATORY COMMISSION.

TIME AND DATE: November 30, 1977, 10 a.m.

STATUS: Open.

MATTERS TO BE CONSIDERED: (Agenda). Note, items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION:

Kenneth F. Plumb, Secretary, telephone 202-275-4166.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda. However, all public documents may be examined in the Office of Public Information, room 1000.

GAS AGENDA, 11TH MEETING, NOVEMBER 30, 1977, REGULAR MEETING, 10 A.M.

RP-1.—Docket No. RP-77-94, Western Gas Interstate Co.

RP-2.—Docket No. RP-77-114, Western Transmission Corp.

RP-3.—Docket No. RP-77-104, Ft. Branch Natural Gas Co. v. Texas Eastern Transmission Corp.

RP-4.—Docket No. RP-76-148, Gas Gathering Corp.

RP-5.—Reserved.

RP-6.—Reserved.

RP-7.—Reserved.

RP-8.—Reserved.

RP-9.—Docket Nos. RP-76-10 (PGA No. 77-5) and RP74-61 (PGA No. 77-5), Arkansas Louisiana Gas Co.

RP-10.—Docket No. RP-73-77 (PGA 78-1) et al., Alabama-Tennessee Natural Gas Co., et al.

RP-11.—Docket Nos. RP-78-14 and RP78-15, Tennessee Gas Pipeline Co.

RP-12.—Reserved.

RP-13.—Reserved.

RP-14.—Reserved.

RP-15.—Docket Nos. RP-71-107 and RP72-127, Northern Natural Gas Co.

CI-1.—Docket No. CI-77-701, the City of Perryton, Tex., Docket No. CI77-799, Falcon Petroleum Co.; Amoco Production Co.

CI-2.—Docket No. CI-77-123, Gulf Oil Corp.

CI-3.—Reserved.
 CI-4.—Reserved.
 CI-5.—Reserved.
 CI-6.—Docket Nos. CP-75-104, CP75-81, CP75-16, High Island Offshore System (successor in interest to Texas Offshore Pipeline System, Inc.; Amtex Offshore Pipeline Co.; and Natural Gas Pipeline Co. of America.
 CP-1.—Docket No. CP-76-462, et al., Southern Union Gas Co., et al.; Docket No. CP77-565, Western Gas Interstate Co. Docket No. G-18545, Cities Service Gas Co.
 CP-2.—Docket No. CP-77-584, Texas Eastern Transmission Corp.
 CP-3.—Docket No. CP-77-653, Panhandle Eastern Pipe Line Co., Trunkline Gas Co., and United Gas Pipe Line Co., Docket No. CP78-46, Natural Gas Pipeline Co. of America.
 CP-4.—Docket No. CP-78-56, National Fuel Gas Supply Corp.
 CP-5.—Reserved.
 CP-6.—Reserved.
 CP-7.—Reserved.
 CP-8.—Docket No. CP-77-607, City of Marietta, Tex., Applicant, Natural Gas Pipeline Co. of America. Respondent.
 CP-9.—Docket No. CP-77-632, City of Holly Springs Gas System, Holly Springs, Miss., Applicant, Southern Transmission Corp. Respondent; Docket No. CP77-633, City of Pontotoc Gas System, Pontotoc, Miss., Applicant; Southern Transmission Corp., Respondent; Docket No. CP77-643, City of New Albany Gas System, New Albany, Miss., Applicant, Southern Transmission Corp., Respondent.
 CP-10.—Docket No. CP77-424, Midwest Natural Gas Corp., Applicant, Texas Gas Transmission Corp., Respondent.
 CP-11.—Reserved.
 CP-12.—Reserved.
 CP-13.—Reserved.
 CP-14.—Docket No. CP77-623, Columbia Gas Transmission Corp., Columbia Gulf Transmission Co.; Docket No. CP78-31, Tennessee Gas Pipeline Co., a Division of Tenneco, Inc.
 CP-15.—Docket No. CP77-240, Transcontinental Gas Pipe Line Corp.
 CP-16.—Docket No. CP77-628, Texas Gas Transmission Corp.
 CP-17.—Docket No. CP78-4, Transcontinental Gas Pipe Line Corp.
 CP-18.—Docket No. CP77-617, Texas Gas Transmission Corp.
 CP-19.—Reserved.
 CP-20.—Reserved.
 CP-21.—Reserved.
 CP-22.—Docket No. CP77-448, NGP-LNG, Inc.; Docket No. CP77-449, Natural Gas Pipeline Co. of America.
 CP-23.—Reserved.
 CP-24.—Reserved.
 CP-25.—Reserved.
 CP-26.—Docket No. CP77-193, Northern Natural Gas Co.
 CP-27.—Docket No. CP76-285, et al., Mountain Fuel Resources, Inc.
 CP-28.—Docket No. CP77-253, Panhandle Eastern Pipe Line Co.; Docket No. CP77-274, Michigan Consolidated Gas Co.; Docket No. CP78-8, Michigan Wisconsin Pipe Line Co.

CP-29.—Reserved.
 CP-30.—Reserved.
 CP-31.—Reserved.
 CP-32.—Docket No. RP77-102, Public Service Co., of North Carolina, Inc.; Piedmont Natural Gas Co., Inc., North Carolina, Natural Gas Corp., v. Transcontinental Gas Pipe Line Corp.

GAS AGENDA, 11TH MEETING, NOVEMBER 30, 1977, REGULAR MEETING

CAG-1.—Midwestern Gas Transmission Co.
 CAG-2.—Docket No. RP72-32 (PGA77-2a), Kansas Nebraska Natural Gas Co.
 CAG-3.—Docket No. RP72-149 (PGA78-1), Mississippi River Transmission Corp.
 CAG-4.—Docket No. RP78-6, Natural Gas Pipeline Co. of America.
 CAG-5.—Docket No. RP77-98, Natural Gas Pipeline Co. of America.
 CAG-6.—Docket Nos. CI77-586 and CI77-41, Mobil Oil Corp.
 CAG-7.—Docket No. CI73-402, et al., Midwestern Gas Transmission Co.
 CAG-8.—Docket No. CP77-546, Southwest Gas Corp.
 CAG-9.—Docket No. CP77-608, Natural Gas Pipeline Co. of America.
 CAG-10.—Docket No. CP77-263, Northwest Pipeline Corp.; Docket No. CP77-625, RMNG Gathering Co.
 CAG-11.—Docket No. CP77-121, Natural Gas Pipeline Co. of America and United Gas Pipe Line Co.
 CAG-12.—Docket No. CP77-564, Natural Gas Pipeline Co. of America.
 CAG-13.—Docket No. CP73-224, Kansas-Nebraska Natural Gas Co., Inc.
 CAG-14.—Docket No. CP76-460, Natural Gas Pipeline Co. of America.
 CAG-15.—Docket No. RP77-58, Mid Louisiana Gas Co.

MISCELLANEOUS AGENDA, 11TH MEETING, NOVEMBER 30, 1977, REGULAR MEETING

M-1.—Docket No. RM77-20, Pipeline Transportation Rate Schedules.
 M-2.—Docket No. RM74-16, Natural Gas Companies' Annual Report of Proved Domestic Gas Reserves: FPC Form No. 40.

MISCELLANEOUS AGENDA, 11TH MEETING, NOVEMBER 30, 1977, REGULAR MEETING

CAM-1.—Massachusetts Electric Co.
 CAM-2.—Savannah Electric and Power Co.
 CAM-3.—Lake Superior District Power Co.

POWER AGENDA, 11TH MEETING, NOVEMBER 30, 1977, REGULAR MEETING

ER-1.—Docket No. ER78-1, The Kansas Power and Light Co.
 ER-2.—Docket No. ER78-44, New England Power Co.
 ER-3.—Docket Nos. ER77-422, ER78-20 and ER78-49, Public Service Company of Oklahoma, Oklahoma Gas and Electric Co.
 ER-4.—Docket Nos. ER77-593, ER77-596, ER77-626, ER77-633, ER77-634, and ER78-38, Northern States Power Company of Minnesota.
 ER-5.—Docket Nos. E-7738 and E-7784, Boston Edison Co.
 ER-6.—Docket No. E-8176, Southern California Edison Co.
 ER-7.—Docket Nos. E-9068, E-9118 and E-9497, Ohio Edison Co.
 ER-8.—Docket No. ER77-483, Virginia Electric and Power Co.
 ER-9.—Docket No. ER77-278, Arkansas Power and Light Co.

P-1.—Project No. 2640, Flambeau Paper Company and Capital Cities Media, Inc.
 P-2.—Project No. 2613, Bates Manufacturing Co. and Augusta Development Corp.
 P-3.—Project No. 2389, Economic Development Corp. of Augusta and Augusta Development Corp.

POWER AGENDA, 11TH MEETING, NOVEMBER 30, 1977, REGULAR MEETING

CAP-1.—Docket No. ER78-32, Indianapolis Power and Light Co.
 CAP-2.—Project No. 2079—California, Placer County Water Agency.
 CAP-3.—Project No. 2387, Holyoke Gas and Electric Department.
 CAP-4.—Project No. 2780, Solano Irrigation District.
 CAP-5.—Docket No. ER77-522, Kansas City Power and Light Co.

KENNETH F. PLUMB,
 Secretary.

[S-1922-77 Filed 11-23-77; 3:40 pm]

[6720-01]

7

FEDERAL HOME LOAN BANK BOARD.

TIME AND DATE: At the conclusion of the open meeting to be held at 9:30 a.m., on November 30, 1977.

PLACE: 320 First Street NW., Room 630, Washington, D.C.

STATUS: Closed meeting.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Robert Marshall [202-376-3012].

MATTERS TO BE CONSIDERED: Application for Permission to Convert from Federal Mutual to State-Chartered Stock Form No. 103, November 22, 1977.

[S-1906-77 Filed 11-23-77; 8:45 am]

[6720-01]

8

FEDERAL HOME LOAN BANK BOARD.

TIME AND DATE: 9:30 a.m., November 30, 1977.

PLACE: 320 First Street NW., Room 630, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Robert Marshall, 202-376-3012.

MATTERS TO BE CONSIDERED:

Application to increase accounts of an insurable type (merger); cancellation of membership and insurance—United Savings & Loan Association of Palestine, Palestine, Ill., into Illinois Guarantee Savings & Loan Association, Effingham, Ill.

SUNSHINE ACT MEETINGS

Consideration of holding company request for authority to incur debt—The Leavell Company, El Paso, Tex.

Branch office application—Humboldt Federal Savings & Loan Association, Eureka, Calif.

RSU application—First Federal Savings & Loan Association of Boise, Boise, Idaho.

Limited facility application—California Federal Savings & Loan Association, Los Angeles, Calif.

Application for service corporation activity—SLH, Inc., Hawaii joint RSU project, Honolulu, Hawaii.

Application for loan agency office—Santa Fe Federal Savings & Loan Association, San Bernardino, Calif.

Application for conversion from a Federal savings & loan association to a State-chartered mutual savings bank—First Federal Savings & Loan Association of Salem, Salem, Oreg.

Branch office application—Community Federal Savings & Loan Association, Ramsey, N.J.

Change of office location application—City Federal Savings & Loan Association, Elizabeth, N.J.

Branch office application—Fidelity Federal Savings & Loan Association, Glendale, Calif.

Service corporation application—Leader Federal Savings & Loan Association, Memphis, Tenn.

Increase in accounts of an insurable type (merger); cancellation of membership and insurance and transfer of stock applications—Home Savings & Loan Association, Henderson, N.C., into Home Savings & Loan Association, Rocky Mount, N.C.

Branch office application—First Federal Savings & Loan Association of Flint, Flint, Mich.

[S-1907-77 Filed 11-23-77; 8:45 am]

[6210-01]

9

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

TIME AND DATE: 10 a.m., Wednesday, November 30, 1977. The closed portion of the meeting will commence at the conclusion of the open discussion.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20551.

STATUS: Part of the meeting will be open; part will be closed.

MATTERS TO BE CONSIDERED:

OPEN PORTION

1. Proposed amendments to regulations D (reserves of member banks) and Q (interest on deposits) to accommodate the Treasury Department's program for investing Treasury tax and loan deposits in open-end notes issued by depository institutions.

2. Routine extension and modification of existing consumer credit report forms that expire at the end of 1977.

3. Annual survey of the trust assets of insured commercial banks.

4. Proposed clarifying amendment to regulation 2 (truth in lending) regarding application of the right of rescission to open-end credit plans.

5. Any agenda items carried forward from a previously announced meeting.

CLOSED PORTION

1. Proposed negotiation of a competitive purchase of furnishings for the Martin Building podium project and/or of a competitive sale of certain existing furnishings.

2. Any agenda 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: November 22, 1977.

GRIFFITH L. GARWOOD,

Deputy Secretary of the Board.

[S-1908-77 Filed 11-23-77; 8:45 am]

[4410-01]

10

PAROLE COMMISSION. National Commissioners. (the four Commissioners presently maintaining offices at Washington, D.C., headquarters).

TIME AND DATE: Tuesday, December 6, 1977; 9:30 a.m.

PLACE: Room 338, Federal Home Loan Bank Board Building, 320 First Street NW., Washington, D.C. 20537.

STATUS: Closed pursuant to 5 U.S.C. 552b(c)(10) and 28 CFR 16.205(b)(1).

MATTERS TO BE CONSIDERED: Referrals from regional directors of approximately 25 cases in which inmates of Federal prisons have applied for parole or are contesting revocation of parole or mandatory release.

CONTACT PERSON FOR MORE INFORMATION:

Lee H. Chait, Analyst, 202-724-3094.

[S-1915-77 Filed 11-23-77; 2:04 pm]

[7905-01]

11

RAILROAD RETIREMENT BOARD.

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: Nov. 23, 1977.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 9:30 a.m., November 29, 1977.

CHANGES IN THE MEETING: Additional item to be considered at the portion of the meeting closed to the public:

(6) Appeal from referee's denial of disability annuity application, Denis M. Stewart.

CONTACT PERSON FOR MORE INFORMATION:

R. F. Butler, Secretary of the Board, telephone 312-387-4920.

[S-1913-77 Filed 11-23-77; 2:04 pm]

[7910-01]

12

RENEGOTIATION BOARD.

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 42 FR 59473, November 17, 1977.

PREVIOUSLY ANNOUNCED DATE AND TIME OF MEETING: Tuesday, November 29, 1977, 10 a.m.

CHANGES IN MEETING: Addition of Matters 9 through 12 to the previously announced agenda.

MATTERS TO BE CONSIDERED:

9. Segmentation.

10. Withdrawal of Grant of Commercial Exemption Shell Oil Co., Fiscal year ended December 31, 1973.

11. Court of Claims case: Commander Industries, Inc. v. United States, Court of Claims Nos. 288-75, 289-75 and 290-75.

12. Request for Terms, Bromfield Corp., Fiscal year ended July 21, 1968.

STATUS: Matter 9 is open to public observation, Matters 10 through 12 are closed to public observation.

CONTACT PERSON FOR MORE INFORMATION:

Kelvin H. Dickinson, Assistant General Counsel-Secretary, 2000 M Street NW., Washington, D.C. 20446, 202-254-8277.

Dated: November 22, 1977.

GOODWIN CHASE,
Chairman.

[S-1912-77 Filed 11-23-77; 10:01 am]

[7910-01]

13

RENEGOTIATION BOARD.

DATE AND TIME: Thursday, December 1, 1977; 1:30 p.m.

PLACE: Conference Room, 4th Floor, 2000 M St. NW., Washington, D.C. 20446.

STATUS: Closed to public observation.

MATTER TO BE CONSIDERED: Division Meeting concerning:

Mason & Hanger-Silas Mason Co., Inc., Fiscal years ended December 31, 1968, 1969 and 1970.

CONTACT PERSON FOR MORE INFORMATION:

SUNSHINE ACT MEETINGS

60631

Kelvin H. Dickinson, Assistant General Counsel-Secretary, 2000 M Street NW., Washington, D.C. 20446, 202-254-8277.

Dated: November 23, 1977.

HARRY R. VAN CLEVE,
Division Chairman.

[S-1918-77 Filed 11-23-77; 2:42 pm]

[7910-01]

14

RENEGOTIATION BOARD.

DATE AND TIME: Monday, December 5, 1977; 2:30 p.m.

PLACE: Conference Room, 4th Floor, 2000 M Street NW., Washington, D.C. 20446.

STATUS: Closed to public observation.

MATTER TO BE CONSIDERED: Special Board Meeting concerning: Review of Organizational and Operational Developments at the Regional Boards.

CONTACT PERSON FOR MORE INFORMATION:

Kelvin H. Dickinson, Assistant General Counsel-Secretary, 2000 M Street NW., Washington, D.C. 20446, 202-254-8277.

Dated: November 24, 1977.

GOODWIN CHASE,
Chairman.

[S-1919-77 Filed 11-23-77; 2:42 pm]

[7910-01]

15

RENEGOTIATION BOARD.

DATE AND TIME: Tuesday, December 6, 1977; 10 a.m.

PLACE: Conference Room, 4th Floor, 2000 M Street NW., Washington, D.C. 20446.

STATUS: Matters 1 through 3 are open to public observation. Status is not applicable to matters 4 and 5.

MATTERS TO BE CONSIDERED:

1. Approval of minutes of meeting held November 29, 1977, and other Board meetings, if any.
2. Report of the Chairman concerning: (a) Budget; (b) case processing; (c) personnel actions; (d) organization progress of the staff; (e) rulemaking and regulations.
3. Recommended clearance: The Lionel Corp. consolidated with Dale Electronics, Inc.; Sterling Power Systems, Inc.; Western Hydraulics, Inc.; fiscal year ended December 31, 1972.
4. Approval of agenda for meeting to be held December 20, 1977.
5. Approval of agenda for other meetings, if any.

CONTACT PERSON FOR MORE INFORMATION:

Kelvin H. Dickinson, Assistant General Counsel-Secretary, 2000 M Street NW., Washington, D.C. 20446, 202-254-8277.

Dated: November 24, 1977.

GOODWIN CHASE,
Chairman.

[S-1920-77 Filed 11-23-77; 2:42 pm]

[8010-01]

16

SECURITIES AND EXCHANGE COMMISSION.

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 42 FR 59587, November 18, 1977.

CHANGES IN THE MEETING: Additional items to be considered.

The following additional item will be considered by the Commission at the open meeting, scheduled for Wednesday, November 23, 1977, at 10 a.m.:

Application filed by Money Market Management, Inc., et al.; Scudder Cash Investment Fund, et al.; Scudder Cash Investment Trust; Daily Income Fund, Inc.; White Weld Money Market Fund, Inc., et al.; Institutional Liquid Assets, Inc.; and Fund for Government Investors for an exemptive order under the Investment Company Act of 1940, which would permit them to continue to value their portfolios on an amortized cost basis.

The following additional items will be considered by the Commission at a closed meeting, immediately following the open meeting scheduled for Wednesday, November 23, 1977: Consideration of request for stay; proposed legislation.

NOVEMBER 22, 1977.

[S-1916-77 Filed 11-23-77; 2:04 pm]

[8010-01]

17

SECURITIES AND EXCHANGE COMMISSION.

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meetings during the week of November 28, 1977, in Room 825, 500 North Capitol Street, Washington, D.C.

A closed meeting will be held on Tuesday, November 29, 1977, at 10 a.m. An open meeting will be held on Thursday, December 1, 1977, at 10 a.m.

The Commissioners, their legal assistants, the Secretary of the Commission, and recording secretaries will

attend the closed meeting. Certain staff members who are responsible for the calendared matters may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, the items to be considered at the closed meeting may be so considered pursuant to one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4)(8)(9)A and (10) and 17 CFR 200.402(a)(8)(9)(i) and (10).

Chairman Williams, Commissioners Loomis, Evans, Pollack, and Karmel determined to hold the aforesaid meeting in closed session.

The subject matter of the closed meeting scheduled for Tuesday, November 29, 1977, at 10 a.m., will be:

Formal orders of investigation.
Referral of investigative files to Federal, State of Self Regulatory authorities.

Institution of injunctive actions.
Settlement of injunctive actions.
Institution of administrative proceedings.

Settlement of administrative proceedings.

Freedom of Information Act appeals.

Regulatory matters bearing enforcement implications.

Other litigation matters.

The subject matter of the open meeting scheduled for Thursday, December 1, 1977, at 10 a.m., will be:

1. Re-entry application of Irving Levine, which would allow him to be associated with a registered broker-dealer, in a non-supervisory, non-proprietary capacity, with adequate supervision.

2. Application filed by Calplans Agricultural Fund for an order which would exempt the registrant from certain reporting requirements under the Securities Exchange Act of 1934.

3. Application filed by Eason Oil Co., for an order which would exempt the registrant from certain reporting requirements under the Securities Exchange Act of 1934.

4. Application filed by The United Corp., Canadian International Power Co. Ltd., and two affiliated individuals requesting an exemption from certain provisions of the Investment Company Act of 1940 to the extent necessary to permit payments to be made to the two individuals in connection with the sale of certain property of Canadian International Power Co. Ltd.

5. Consideration of submissions by the Securities Investor Protection Corp., ("SIPC"), proposing to amend its bylaws with respect to (a) assessments of SIPC members, (b) instructions to SIPC general assessment forms, and (c) compensation of SIPC Chairman.

6. Consideration of the adoption of proposed revisions of Schedule B of

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Form TA-1, application for registration as a transfer agent, and related instructions and temporary exemptive rule.

7. Consideration of the adoption of Rule 17Ad-5(e), which requires that transfer agents promptly acknowledge and respond to certain written inquiries or requests.

**FOR FURTHER INFORMATION
PLEASE CONTACT:**

Ted Bloch at 202-376-7158.

NOVEMBER 22, 1977.

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