

# Federal Register

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Monday  
May 4, 1981

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## Highlights

**Seminar on Principles of Regulations Writing**—For details on seminar in Washington, D.C., see announcement in the **Reader Aids** section at the end of this issue.

- 25068 Reader Aids** OFR publishes list of libraries that have announced availability of the **Federal Register** and Code of Federal Regulations. (Part II of this issue)
- 24997 Financial Assistance** HHS/HDSO announces availability of FY 1981 financial assistance for Native American Programs.
- 25026 Iran** State describes recent developments with regard to procedures for settling claims against Iran.
- 24945 Income Tax** Treasury/IRS issues rules regarding treatment of certain interest in corporations as stock or indebtedness.
- 24948 Motor Vehicles—Air Pollution** EPA issues amendment to High-altitude emission standards for 1982 and 1983 Model Year Light-duty motor vehicles.

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

## Highlights

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# Rules and Regulations

Federal Register

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

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

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 28

#### Official Standards for Grades of Sea Island Cotton, and Tentative Standards for the Preparation of Long-Staple Cotton

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Final rule.

**SUMMARY:** The regulations (7 CFR Part 28) under the United States Cotton Standards Act (7 U.S.C. 51-65) are amended through rescission of (1) the Official Standards of the United States for the Grades of Sea Island Cotton (7 CFR 28.551 through 28.560, and § 28.303(c)), and (2) the Tentative Standards for the Preparation of Long-Staple Cotton (7 CFR 28.591 through 28.594). The maintenance of these standards presently serves no purpose.

**EFFECTIVE DATE:** June 3, 1981.

**FOR FURTHER INFORMATION CONTACT:** Harvin R. Smith, Chief, standards and Testing Branch, Cotton Division, Agricultural Marketing Service, Washington, D.C. 20250 (202-447-2167). The final Impact Analysis detailing the options considered in developing this final rule and the impact of implementing each option is published in its entirety below in "Supplementary Information."

**SUPPLEMENTARY INFORMATION:** This final rule has been reviewed under USDA procedures established in accordance with Executive Order 12291 and has been classified "nonmajor." William T. Manley, Deputy Administrator, Marketing Program Operations, has determined that this action will not have a significant impact on a substantial number of small

entities. The proposed rescission was published on page 75218 of the Federal Register of November 14, 1980. The deadline for comments to be received was January 15, 1981.

The proposed rescission was well disseminated to all interested parties through news releases, trade journal articles, and through contacts with cotton industry associations. No negative comments were received. In light of that and of the following points, it was determined that no impact would result.

(1) No production of Sea Island cotton has been reported since 1949.

(2) The USDA-AMS Cotton Division has not classed cotton against Sea Island types, has not issued Sea Island cotton standards, and has not reported Sea Island cotton production or carry-over for at least 15 years (the last reference was in combination with Sealand cotton in a 1965 Market News footnote).

The maintenance of Sea Island cotton standards therefore presently serves no purpose. In the event that Sea Island cotton production should again become significant, new standards would have to be prepared. The standards now maintained by the USDA were prepared and officially adopted in 1939 and are no longer useful.

(3) The tentative standards for the preparation of long-staple cotton have not been used, nor prepared, for at least 15 years. Improvements in ginning technology have removed the need for separate standards for the preparation of long staple cotton.

Accordingly, the following action is to become effective 30 days after publication (June 3, 1981).

#### §§ 28.551-28.560 [Removed]

1. 7 CFR 28.551 through 7 CFR 28.560 are removed.

#### § 28.303 [Amended]

2. 7 CFR 28.303(c) is removed.  
3. 7 CFR Part 28 is amended by revising § 28.2 (o) and (p) to read as follows:

#### § 28.2 Terms defined.

\* \* \* \* \*

(o) *Upland Cotton*. All cotton grown anywhere within the continental United States including the growths sometimes referred to as Upland, Gulf, and Texas cotton, but excluding American Pima growths.

(p) *Official Cotton Standards*. Official cotton standards of the United States for the grade of American Upland cotton, and American Pima cotton, for length of staple, and for fiber fineness and maturity, adopted or established pursuant to the act, or any change or replacement thereof.

#### § 28.591-28.594 [Removed]

4. 7 CFR 28.591 through 28.594 are removed.

Dated: April 27, 1981.

William T. Manley,

Deputy Administrator, Marketing Program Operations.

[FR Doc. 81-13327 Filed 5-1-81; 8:45 am]

BILLING CODE 3410-02-M

## 7 CFR Parts 1032 and 1050

### [Milk Order Nos. 32 and 50]

#### Milk in the Southern Illinois and Central Illinois Marketing Areas; Order Suspending Certain Provisions

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Suspension of rules.

**SUMMARY:** This action suspends certain provisions relating to how much milk not needed for fluid (bottling) use may be moved directly from farms to manufacturing plants and still be priced under the orders. The suspension removes the limits on such movements of milk during the months of April through July 1981 in the Southern Illinois market and during the month of April 1981 in the Central Illinois market. Comments received in response to the proposed action asserted the suspension was needed to assure the efficient disposition of milk not needed for fluid use and still maintain producer status under the respective orders for dairy farmers regularly associated with the markets.

**EFFECTIVE DATE:** May 4, 1981.

**FOR FURTHER INFORMATION CONTACT:** Robert F. Groene, Marketing Specialist, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 447-4824.

**SUPPLEMENTARY INFORMATION:** Prior documents in this proceeding: Notice of Proposed Suspension: Issued April 3,

1981; published April 9, 1981 (46 FR 21183).

It has been determined that this action is not a major rule under the criteria set forth in Executive Order 12291.

It also has been determined that the need for suspending certain provisions of the orders on an emergency basis precludes following certain review procedures set forth in Executive Order 12291. Such procedures would require that this document be submitted for review to the Office of Management and Budget at least 10 days prior to its publication in the *Federal Register*. However, this would not permit the issuance of the suspension on a timely basis necessary to include April 1981 in the suspension period. In this instance, the initial requests for the action was received on March 25, 1981. Then, a notice of proposed suspension was issued April 3, 1981, inviting interested parties to submit comments on the proposed action on or before April 16, 1981.

William T. Manley, Deputy Administrator, Agricultural Marketing Service, has determined that this action would not have a significant economic impact on a substantial number of small entities. This action lessens the regulatory impact of the order on certain milk handlers and tends to ensure that dairy farmers would continue to have their milk priced under the order and thereby receive the benefits that accrue from such pricing.

This order of suspension is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and of the orders regulating the handling of milk in the Southern Illinois and Central Illinois marketing areas.

Notice of proposed rulemaking was published in the *Federal Register* (46 FR 21183) concerning a proposed suspension of certain provisions of the orders. Interested persons were afforded opportunity to file written data, view, and arguments thereon.

After consideration of all relevant material, including the proposal set forth in the aforesaid notice, data, views, and arguments filed thereon, and other available information, it is hereby found and determined that the following provisions of the orders do not tend to effectuate the declared policy of the Act for the months specified:

1. In 7 CFR Part 1032 (Southern Illinois).

a. During the month of April 1981, in § 1032.13(b)(2), the language "during the months of May, June, and July, during the months of August and December for not more than 12 days of production of producer milk by such producer, and in

any other month for not more than 8 days of production of producer milk by such producer".

b. During the months of April 1981 through July 1981, in § 1032.13(b)(3), the language "for not more days of production of producer milk, by such producer than is received at a pool plant(s) pursuant to paragraph (a) of this section".

2. In 7 CFR Part 1050 (Central Illinois) during the month of April 1981.

a. In § 1050.13(d)(1), the language "During May, June and July".

b. In § 1050.13, paragraph (d) (2), (3), (4), and (5).

#### Statement of Consideration

This action removes the limits on the amount of milk that may be diverted from pool plants to nonpool plants during the months of April through July 1981 under the Southern Illinois order and during the month of April 1981 under the Central Illinois order. The Southern Illinois order now provides that during the months of January through April and September through November not more than 8 days' production of a producer may be diverted to nonpool plants that are not other order plants. Such diversions are limited to not more than 12 days' production of a producer during August and December. Diversions to nonpool plants that are also other order plants are limited each month of the year to not more than the number of days of production of a producer that is received at pool plants. The Central Illinois order now provides that diversions to nonpool plants may not exceed the number of days of production that is received at pool plants during the months of August through April, provided that the total quantity of producer milk diverted does not exceed 35 percent of the amount of milk physically received at pool plants.

The basis for this action is an increase in production by dairy farmers who supply milk to handlers regulated under the Southern Illinois and the Central Illinois orders. In the Southern Illinois market, producer receipts in April 1981 are projected to be 7 percent above year earlier levels. With this increase in production, a greater quantity of milk will have to be diverted to manufacturing plants during April than during the previous year when such movements approached the diversion limits of the order. Similar increases in production are being experienced by dairy farmers who supply the Central Illinois market. Without suspension of the limits on the amount of milk that can be moved directly from farms to manufacturing plants, uneconomic movements of milk would be made

solely for the purpose of pooling the milk of dairy farmers who have regularly been associated with the respective markets.

Increased producer receipts are expected to continue throughout the spring and summer months. Accordingly, the diversion limits should also be suspended for the months of May-July 1981 in the Southern Illinois order to prevent uneconomic movements of milk solely for pooling purposes. Suspension action other than for the month of April is not necessary in the Central Illinois order however, as the order contains no diversion limits during the months of May through July.

Interested parties were given an opportunity to submit written data, views, or arguments concerning the suspension. The suspension was requested by a cooperative association and comments by a handler and two cooperative associations supported the action on the basis that it would facilitate the orderly and economic disposition of an increasing supply of milk above fluid requirements to manufacturing plants. No views in opposition to the suspension were received.

It is hereby found and determined that thirty days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing areas in that without this action uneconomic movements of milk would be made solely for the purpose of pooling the milk of dairy farmers who have regularly been associated with the respective markets;

(b) This suspension does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Notice of proposed rulemaking was given interested parties and they were afforded opportunity to file written data, views or arguments concerning this suspension.

Therefore, good cause exists for making this order effective upon publication in the *Federal Register* (May 4, 1981).

#### §§ 1032.13 and 1050.13 [Amended]

*It is therefore ordered*, That the aforesaid provisions in § 1032.13(b)(2) of the Southern Illinois order are hereby suspended for the month of April 1981, the aforesaid provisions in § 1032.13(b)(3) of the Southern Illinois order are hereby suspended for the months of April through July 1981, and

the aforesaid provisions in § 1050.13 of the Central Illinois order are hereby suspended for the month of April 1981.

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

Effective date: May 4, 1981.

Signed at Washington, D.C., on April 27, 1981.

C. W. McMillan,

Assistant Secretary for Marketing and Transportation Services.

[FR Doc. 81-13418 Filed 5-1-81; 8:45 am]

BILLING CODE 3410-02-M

## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

#### 8 CFR Part 212

#### Termination of Parole

**AGENCY:** Immigration and Naturalization Service, Justice.

**ACTION:** Final rule.

**SUMMARY:** This amendment to the regulations expresses Service policy that the Service is no longer required, in certain instances, to serve an alien written notice of the termination of his or her parole.

**EFFECTIVE DATE:** June 1, 1981.

#### FOR FURTHER INFORMATION:

For General Information: Stanley J. Kieszkiel, Acting Instructions Officer, Immigration and Naturalization Service, 425 I Street, N.W., Washington, D.C. 20536, Telephone: (202) 633-3048.

For Specific Information: Alvin Braunstein, Immigration Inspector, Immigration and Naturalization Service, 425 I Street, N.W., Washington, D.C. 20536, Telephone: (202) 633-2725.

**SUPPLEMENTARY INFORMATION:** The present 8 CFR 212.5(b) requires that an alien be served written notice that his/her parole is terminated when the authorized parole expires, when the purpose of the parole has been accomplished, or when the district director in the area where the alien resides decides that neither emergency nor public interest warrants the alien's continued presence in the United States.

The section also provides for further inspection of the alien in an exclusion hearing before an immigration judge, or execution of a previous exclusion or deportation order, or for a new parole, after the initial parole period has been terminated.

It is Service policy that parole terminates without service of a written

notice either when the alien departs from the United States, or if he or she has not departed, when the authorized parole period expires. Accordingly, the Service has divided 8 CFR 212.5(b) into two subparagraphs: "(1) Automatic" and "(2) On Notice."

The new 8 CFR 212.5(b)(1) provides that parole automatically terminates without written notice if the alien departs from the United States or, if he has not departed, when the authorized parole period expires.

The Notice of Proposed Rules published September 2, 1980, at 45 FR 58131, resulted in three responses involving three separate issues as follows:

**Issue No. 1.**—Upon revocation of parole the alien should be processed in deportation rather than exclusion proceedings.

**INS Position.**—Although exclusion of an alien who is in reality firmly within the United States may be paradoxical, there is no doubt that Congress intended this by the specific and unequivocal language used in section 212(d)(5) of the Immigration and Nationality Act, which reads in pertinent part:

(5)(A) The Attorney General may, except as provided in subparagraph (B), in his discretion parole into the United States temporarily under such conditions as he may prescribe for emergent reasons or for reasons deemed strictly in the public interest any alien applying for admission to the United States, but such parole of such alien shall not be regarded as an admission of the alien and when the purposes of such parole shall, in the opinion of the Attorney General, have been served the alien shall forthwith return or be returned to the custody from which he was paroled and thereafter his case shall continue to be dealt with in the same manner as that of any other applicant for admission to the United States. (Amended March 17, 1980, Pub. L. 96-212, Title II, § 203(f), 94 Stat. 107, Effective March 17, 1980)

A distinction must be drawn between the physical presence of the alien in the United States on one hand, and the legal posture on the other which is mandated by statute. (*Matter of B*—2 I & N Dec. 172).

**Issue No. 2.**—This proposed amendment violates the *Matter of O*, 16 I & N 344 (1977), which holds that under present regulation an alien is entitled to written notice of termination of parole prior to the institution of exclusion proceedings, regardless of the manner in which parole is terminated. It also violates the rules of due process.

**INS Position.**—While we agree that due process requires notice of termination for cause, the automatic termination proposed is obvious and notice thereof is unnecessary and administratively cumbersome. In the

case of a parolee who departs from the United States, to reenter he or she must again apply for admission and, if inadmissible, a new parole must be authorized if entry is deemed appropriate. On the other hand, an alien who has been paroled is given sufficient notice of termination of that parole on Form I-94 (Arrival-Departure Record) which indicates the date such parole ends.

Since no exclusion proceeding may be initiated without service of Form I-122, which explains right to counsel, due process is preserved (see 8 CFR 235.6(a)).

**Issue No. 3.**—Service of Form I-122 sets into motion formal exclusion proceedings before an immigration judge thereby estopping the Service from further inspection.

**INS Position.**—This point is well taken. Therefore, reference to the Form I-122 as the vehicle for serving notice of parole termination has been deleted from the final rule.

In accordance with 5 U.S.C. 605(b) the Commissioner of Immigration and Naturalization certifies that this rule will not have a significant economic impact on a substantial number of small entities since the rule is technical in nature and does not impose any additional burden on the public.

The rule is not a major rule as defined in section 1(b) of E.O. 12291 because it does not have an annual effect on the economy of \$100 million or more; does not increase costs to the public; does not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

For the reasons set out in the preamble, Part 212 of Chapter I of Title 8, Code of Federal Regulations, is amended by revising paragraph (b) as set forth below:

#### PART 212—PAROLE

##### § 212.5 (Amended)

(b) *Termination of parole*—(1) *Automatic.* Parole shall be automatically terminated without written notice (i) upon the departure from the United States of the alien, or, (ii) if not departed, at the expiration of the time for which parole was authorized, and in the latter case the alien shall be processed in accordance with § 212.5(b)(2) except that no written notice shall be required.

(2) *On notice.* In cases not covered by subparagraph (1) of this paragraph, upon accomplishment of the purpose for which parole was authorized or when in the opinion of the district director in charge of the area in which the alien is located neither emergency nor public interest warrants the continued presence of the alien in the United States, parole shall be terminated upon written notice to the alien and he or she shall be restored to the status which he or she had at the time of parole. Any further inspection or hearing shall be conducted under section 235 or 236 of the Act and this chapter, or any order of exclusion and deportation previously entered shall be executed. If the exclusion order cannot be executed by deportation within a reasonable time, the alien shall again be released on parole unless in the opinion of the district director the public interest requires that the alien be continued in custody.

(Sec. 103 and 212 8 U.S.C. 1103 and 1182)

Dated: April 20, 1981.

David Crosland,

*Acting Commissioner of Immigration and Naturalization.*

[FR Doc. 81-13387 Filed 5-1-81; 8:45 am]

BILLING CODE 4410-10-M

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 9 CFR Part 92

#### Importation of Animals Through the Harry S Truman Animal Import Center

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Final rule.

**SUMMARY:** This document provides procedures for the importation of a single shipment of water buffalo from Trinidad, a country free of rinder pest and foot-and-mouth disease, into the United States through the Harry S Truman Animal Import Center (HSTAIC). The effect of this action will be to allow a single shipment of water buffalo from Trinidad to be imported into the United States through the HSTAIC under less stringent conditions than are presently provided in the regulations in § 92.41 (a) through (c) for the importation of cattle from countries affected with exotic diseases (such as rinderpest and foot-and-mouth disease) into the United States through the HSTAIC. No requests are now pending to import animals presently allowed by

Title 9, Code of Federal Regulations, Part 92, into the United States through the HSTAIC. However, a request has been received to import a large shipment of water buffalo into the United States, and there is no available space at other import stations through which this shipment could now be imported. Therefore, this amendment is necessary to provide a means for this shipment of water buffalo to be imported into the United States through HSTAIC which is not now in use.

**DATES:** Effective date: April 27, 1981.

Comments must be received on or before: July 1, 1981.

**ADDRESS:** Written comments to Deputy Administrator, USDA, APHIS, VS, Room 870, Federal Building, Hyattsville, MD 20782, 301-436-8170.

**FOR FURTHER INFORMATION CONTACT:** Dr. D. E. Herrick, USDA, APHIS, VS, Room 821, Federal Building, Hyattsville, MD 20782, 301-436-8530.

**SUPPLEMENTARY INFORMATION:** This final action has been reviewed in conformance with Executive Order 12291, and has been determined to be not a "major rule". This rule should result in no significant effect on the economy; should result in no increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; and should have no adverse effects on competition, employment, investment, productivity, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Dr. Harry C. Mussman, Administrator of the Animal and Plant Health Inspection Service, has determined that this action will not have a significant economic impact on a substantial number of small entities. This action will provide a means to import a single shipment of water buffalo into the United States which, under present conditions, could not be imported at other import stations without being delayed.

Dr. M. J. Tillery, Director, National Program Planning Staffs, VS, APHIS, USDA, has determined that an emergency situation exists which warrants publication of this amendment without opportunity for a public comment period on this final action. The amendment provides for the importation of a single shipment of water buffalo into the United States through the HSTAIC, and should be made effective immediately in order to allow this importer to arrange for the importation, to provide quarantine space for use by an importer which is not presently available at other import quarantine

facilities, and to use quarantine space available at the HSTAIC which is not now in use.

Therefore, pursuant to the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to this emergency final action is impracticable, unnecessary and contrary to the public interest, and good cause is found for making this emergency final action effective less than 30 days after publication of this document in the Federal Register. Comments have been solicited for 60 days after publication of this document, and this emergency final action will be scheduled for review so that a final document discussing comments received and any amendments required can be published in the Federal Register as soon as possible.

Sections 92.41 and 92.42 of the regulations presently provide requirements for the processing of certain cattle into and through HSTAIC which are not otherwise eligible for importation into the United States. Animals from countries affected with exotic diseases such as foot-and-mouth disease and rinderpest are not otherwise eligible for importation into the United States. The requirements include special permits, a lottery system for selection of applicants, a method of collecting fees for the use of the HSTAIC, a Cooperative Agreement, and criteria for the establishment of an approved embarkation quarantine facility outside the United States for the purpose of importing such cattle into the United States through HSTAIC. These special requirements are necessary for the importation of cattle from rinderpest or foot-and-mouth disease infected countries because of the risk of the introduction of such diseases into the United States.

Currently, no requests are pending for the importation of cattle through HSTAIC. However, Grex, Incorporated, an importer, wants to import 140 water buffalo into the United States from Trinidad, a country not infected with rinderpest or foot-and-mouth disease, in May of 1981, and space to quarantine this shipment is not available at other import quarantine facilities. This document provides for the use of the HSTAIC to import this shipment of 140 water buffalo from Trinidad into the United States. This amendment is necessary to provide a means for the 140 water buffalo in question to be imported in May and to utilize the HSTAIC.

The requirements provided in §§ 92.41 and 92.42 for cattle intended for importation from countries affected with



exotic diseases and not otherwise eligible for importation into the United States are not applicable to the 140 water buffalo in question from Trinidad. Therefore, § 92.41 of the regulations is amended to provide procedures for the importation of water buffalo from Trinidad into the United States through the HSTAIC. Specifically, § 92.41 is amended by adding a new paragraph (d) which provides that water buffalo from Trinidad may be imported into the United States through HSTAIC if such ruminants meet all the requirements presently in §§ 92.12(b), 92.27 and 92.28 for the importation of ruminants from countries of Central America and the West Indies. The requirements in §§ 92.27 and 92.28 are presently applicable to ruminants from the countries of Central America and West Indies imported into the United States through all other ports. Section 92.12(b) sets forth the responsibilities of the importer of animals, or his agent, when importing animals through ports where quarantine facilities are maintained by Veterinary Services. Section 92.12(b) requires, among other things, that the importer, or his agent, arrange for acceptable transportation to the quarantine facility, and for the care, feed, and handling of the animals from the time they arrive at the quarantine port to the time of release from quarantine, and makes the importer responsible for all expenses resulting from inspection and other services requested by the importer, or his agent, and provided by Veterinary Services with respect to the imported animals. These provisions are applicable to this shipment of water buffalo through HSTAIC, rather than the special fees and other requirements of the regulations which, as indicated above, are only applicable to importation of animals through HSTAIC from countries which are infected with foot-and-mouth disease or rinderpest.

Accordingly, Part 92, Title 9, Code of Federal Regulations, is amended as follows:

1. The authority citation for Part 92 is amended to read as follows:

Authority: Secs. 6, 7, 8, 10, 26 Stat. 416, as amended, 417, sec. 2, 32 Stat. 792, as amended, sec. 306, 46 Stat. 689, as amended, secs. 2, 3, 4, 11, 76 Stat. 129, 130, 132; sec. 1, 84 Stat. 202, 19 U.S.C. 1306, 21 U.S.C. 102-105, 111, 134a, 134b, 134c, 134f, 135, unless otherwise noted.

2. In § 92.41, a new paragraph (d) is added to read:

**§ 92.41 Requirements for the importation of animals into the United States through the Harry S. Truman Animal Import Center.**

\* \* \* \* \*

(d) *Water buffalo from Trinidad.* Notwithstanding the other provisions of this section, one shipment of approximately 140 water buffalo from Trinidad may be imported into the United States through HSTAIC in 1981 in compliance with the requirements in §§ 92.12(b), 92.27 and 92.28 applicable to importations of ruminants from countries of Central America and the West Indies.

All written submissions made pursuant to this final rule will be made available for public inspection at the Federal Building, 6505 Belcrest Road, Room 870, Hyattsville, MD, during regular hours of business (8 a.m. to 4:30 p.m., Monday to Friday, except holidays) in a manner convenient to the public business (7 CFR 1.27(b)).

Comments submitted should bear a reference to the date and page number of this issue in the Federal Register.

Done at Washington, D.C., this 27th day of April 1981.

J. K. Atwell,

Deputy Administrator, Veterinary Services.

[FR Doc. 81-13418 Filed 5-1-81; 8:45 am]

BILLING CODE 3410-34-M

## SMALL BUSINESS ADMINISTRATION

### 13 CFR Part 111

#### Pollution Control Guarantee Program; Amendment to Regulations Providing for the Interest Rate at Which the Small Concern Repays SBA for Payments Under Its Guarantee

**AGENCY:** Small Business Administration.  
**ACTION:** Final rule.

**SUMMARY:** This amendment, proposed on October 8, 1980 (45 FR 66807), would require the small concern which defaults on its obligations under the Qualified Contract to repay SBA for all funds paid by SBA under the Guarantee at a rate of interest determined by the Secretary of the Treasury. Such rate shall take into consideration the current average yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the then remaining maturity of the small concern's defaulted obligation.

**EFFECTIVE DATE:** May 4, 1981.

**FOR FURTHER INFORMATION CONTACT:** Vincent A. Fragnito, Chief, Pollution Control Guarantees, Magazine Building, Rosslyn, Virginia 22209, (703) 235-2902.

**SUPPLEMENTARY INFORMATION:** No comments were received on the published proposal. The rule is therefore adopted as proposed.

Pursuant to the authority of Section 308(c) of the Small Business Investment

Act, as amended, 15 U.S.C. 687(c), Part 111 of Chapter I, Title 13 of the Code of Federal Regulations is hereby amended by adding the following sentence at the end of § 111.10 as set forth below:

#### § 111.10 Payments of installments in default.

\* \* \* The small concern shall repay SBA for all payments made under the Pollution Control Guarantee at a rate of interest determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the then remaining maturity of the small concern's defaulted obligation.

(Catalog of Federal Domestic Assistance No. 59.031 Small Business Pollution Control Financing Guarantee)

Dated: April 27, 1981.

Michael Cardenas,  
Administrator.

[FR Doc. 81-13404 Filed 5-1-81; 8:45 am]

BILLING CODE 8025-01-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 81-CE-7-AD; Amdt. 39-4101]

#### Beech Model 77 Airplanes; Airworthiness Directives

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new Airworthiness Directive (AD) which requires a one-time inspection and modification of the shoulder harness attach bracket of certain Beech Model 77 airplanes to ensure that fasteners are capable of sustaining design loads. Failure of this bracket could cause serious injury during a minor crash landing.

**EFFECTIVE DATE:** May 7, 1981.

**COMPLIANCE:** Within the next 50 hours time-in-service after the effective date of this AD.

**ADDRESSES:** Beechcraft Service Instructions No. 1173, applicable to this AD, may be obtained from Beech Aircraft Corporation, Liberal Division, Liberal, Kansas 67901; telephone number (316) 624-1613. A copy of the instructions is contained in the Rules Docket, Room 916, 800 Independence Avenue, SW., Washington, D.C. 20591, and Office of Regional Counsel, FAA,

Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

**FOR FURTHER INFORMATION CONTACT:**

Don L. Williams, Aerospace Engineer, Aircraft Certification Program, Room 238, Terminal Building 2299, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 942-4219.

**SUPPLEMENTARY INFORMATION:**

Missing rivets and insufficient fastener edge distances have been found on the P/N 108-440000-31 shoulder harness attach bracket of Beech Model 77 airplanes. This condition affects the ability of the shoulder harness attach bracket to carry design loads. Failure of this bracket will cause shoulder harness failure and could result in serious injury during a minor crash landing. The airplane manufacturer has issued Service Instructions No. 1173 calling for inspection and rework of the shoulder harness attach bracket of Beech Model 77 airplanes within the next 50 hours time-in-service. Since the condition described herein is likely to exist on other airplanes of the same type design, an AD is being issued, applicable to Beech Model 77 airplanes, requiring one-time inspection and modification of the shoulder harness attach bracket in accordance with the aforementioned service instructions. Since a situation exists which requires expediting adoption of the amendment, notice and public procedure under 5 U.S.C. 553(b) is impracticable and contrary to the public interest and good cause exists for making the amendment effective in less than thirty (30) days after the date of publication in the Federal Register.

**Adoption of the Amendment**

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

**Beech:** Applies to Model 77 (Serial Numbers WA-3, WA-5 through WA-161, WA-163 through WA-174, WA-177 through WA-186, and WA-188 through WA-191) airplanes certificated in any category.

**Compliance:** Required as indicated unless already accomplished.

To ensure the required structural level of occupant protection during minor crash conditions, within the next 50 hours time-in-service after the effective date of this AD, accomplish the following:

(A) Visually inspect for missing rivets and insufficient fastener edge distances and then modify, as necessary, the P/N 108-440000-31 shoulder harness attach bracket in accordance with procedures set forth in Beechcraft Service Instructions No. 1173.

(B) Within 48 hours report missing rivets, insufficient fastener edge distance, or other defects found as a result of the inspection

required herein, to the FAA via an M or D Report (FAA Form 8330-2) or a letter to the Chief, Aircraft Certification Program, Federal Aviation Administration, Room 238, Terminal Building 2299, Mid-Continent Airport, Wichita, Kansas 67209. Describe the defect found, total time-in-service on the airplane or part at time of discovery, and the aircraft serial number. (Reporting approved by the Office of Management and Budget under OMB No. 04-R0174).

(C) Aircraft may be flown in accordance with FAR 21.197 to a location where this AD may be accomplished.

(D) Any equivalent method of compliance with this AD must be approved by the Chief, Aircraft Certification Program Office, Room 238, Terminal Building 2299, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 942-4285.

This amendment becomes effective May 7, 1981.

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

**Note.**—The FAA has determined that this regulation is an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption "For Further Information Contact."

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

Issued in Kansas City, Missouri, on April 20, 1981.

John E. Shaw,

*Acting Director, Central Region.*

[FR Doc. 81-13377 Filed 5-1-81; 8:45 am]

**BILLING CODE 4910-13-M**

**14 CFR Part 39**

[Docket No. 81-SO-20; Amdt. No. 39-4100]

**Piper Model PA-34 Series Airplanes; Airworthiness Directives**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new Airworthiness Directive (AD) applicable to certain Piper Models PA-34-200 (Seneca) and PA-34-200T (Seneca II) series airplanes by requiring a modification to the forward baggage door. The amendment is needed to prevent the possible inflight opening of the forward baggage door, with resulting pilot distraction and possible structural damage to the aircraft.

**DATES:** Effective April 30, 1981.

Compliance required within the next 25 hours time in service after the effective date of this AD, unless already accomplished.

**ADDRESSES:** The applicable Piper Service Bulletin may be obtained from Piper Aircraft Corporation, Lock Haven Division, Lock Haven, Pennsylvania 17745, telephone (717) 748-6711.

A copy of the service bulletin is also contained in the Rules Docket, Room 275, Engineering and Manufacturing Branch, FAA, Southern Region, 3400 Norman Berry Drive, East Point, Georgia 30344.

**FOR FURTHER INFORMATION CONTACT:**

Curtis Jackson, Aerospace Engineering, ASO-212, Engineering and Manufacturing Branch, FAA, Southern Region, P.O. Box 20636, Atlanta, Georgia 30320, telephone (404) 763-7407.

**SUPPLEMENTARY INFORMATION:** There have been reports of inflight openings of the forward baggage door on certain Piper Models PA-34-200 and PA-34-200T airplanes which could result in pilot distraction and possible structural damage to the airplanes. Since this situation is likely to exist or develop on other airplanes of the same type design, an Airworthiness Directive is being issued which requires modification of the forward baggage door on certain Piper Models PA-34-200 and PA-34-200T series airplanes.

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

**Adoption of the Amendment**

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

Piper Aircraft Corporation: Applies to the following Model PA-34 series airplanes, certificated in all categories: PA-34-200 Seneca—34-7250001 through 34-7550220

PA-34-200T Seneca II—34-7570001 through 34-8070367

Compliance is required within the next 25 hours time in service after the effective date of this AD, unless already accomplished.

To prevent inflight opening of the forward baggage door, accomplish the following:

(a) Modify the forward baggage door in accordance with Piper Aircraft Corporation Service Bulletin No. 633B, Part IV, dated October 3, 1980.

(b) Make appropriate maintenance record entry.

An equivalent method of compliance may be approved by the Chief, Engineering and Manufacturing Branch, Federal Aviation Administration, Southern Region.

This amendment becomes effective April 30, 1981.

This action is in addition to the modifications which were required in AD 79-23-01.

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

Note.—The FAA has determined that this regulation is an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption "For Further Information Contact."

Issued in East Point, Georgia, on April 22, 1981.

George R. LaCaille,  
Acting Director, Southern Region.

[FR Doc. 81-13339 Filed 5-1-81; 8:45 am]

BILLING CODE 4910-13-M

#### 14 CFR Part 39

[Docket No. 81-NW-11AD; Amdt. 39-4107]

#### McDonnell Douglas Model DC-9-81 Series Airplanes; Airworthiness Directives

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This is a publication of a telegraphic Airworthiness Directive (AD) which was issued on February 9, 1981, requiring disengagement of the autothrottle during approach prior to reaching 50 feet AGL. This action is

necessary to prevent unscheduled deployment of the thrust reversers during approach prior to touchdown. To prevent such deployment, the rule requires placarding of each aircraft and amendment of the FAA Approved Flight Manual.

DATES: Effective May 14, 1981. This AD was effective earlier to all recipients of telegraphic AD T81-04-51 dated February 9, 1981. Compliance schedule as prescribed in the body of the AD, unless already accomplished.

ADDRESSES: The applicable service information may be obtained from: McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Director, Publications and Training, C1-750 (54-60). This information also may be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108, or 15000 Aviation Boulevard, Hawthorne, California 90261, Room 6W14.

FOR FURTHER INFORMATION CONTACT: Duane A. Naff, Supervisory Aerospace Engineer, Propulsion Branch, ANW-140L, Federal Aviation Administration, Northwest Region, Los Angeles Area Aircraft Certification Office, P.O. Box 92007, World Way Postal Center, Los Angeles, California 90009, telephone (213) 536-6383.

SUPPLEMENTARY INFORMATION: On February 9, 1981, an emergency telegraphic AD, T81-04-51, was issued and made effective upon receipt of all known U.S. operators on McDonnell Douglas Model DC-9-81 series airplanes. This AD requires disengaging the autothrottle during approach before reaching fifty feet AGL; placarding each aircraft with disengagement instructions in full view of each pilot; and revision of the FAA-approved Airplane Flight Manual. This action was prompted by a reported incident revealing that during approach for landing with the autothrottles engaged, when the automatic retard mode is activated at forty feet AGL and the throttles retarded to the aft limit, there is a possibility that a reverser lever may be driven up to the point where the reverser buckets may deploy thereby causing a hazardous condition.

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

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator,

§ 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended by adding the following new Airworthiness Directive:

McDonnell Douglas: Applies to McDonnell Douglas Model DC-9-81 series airplanes certificated in all categories. Compliance required as noted in the body of this AD, unless already accomplished. To prevent unscheduled deployment of the thrust reversers during approach prior to touchdown, accomplish the following:

A. Effective immediately after the effective date of this AD, the flight crew shall disengage the autothrottle during approach prior to reaching 50 feet AGL.

B. Within 48 hours calendar time after receipt of this AD, unless already accomplished:

1. Placard each aircraft in clear view of each pilot with the following wording: "Disengage ATS on approach before reaching 50 feet AGL."

2. The FAA-approved Airplane Flight Manual shall be revised to add the following in the limitations section: *Autothrottles*: The autothrottles must be disengaged during approach before reaching 50 feet AGL.

C. Alternate means of compliance or other actions which provide an equivalent level of safety may be used when approved by the Chief, Los Angeles Area Aircraft Certification Office, FAA Northwest Region.

This amendment becomes effective May 14, 1981, to all persons, except those to whom it was made immediately effective by telegram dated February 9, 1981.

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

Note.—The FAA has determined that this regulation is an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, when filed, may be obtained by contacting the person identified above under the caption "For Further Information Contact."

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

Issued in Seattle, Washington, on April 24, 1981.

Jonathan Howe,  
Acting Director, Northwest Region.

[FR Doc. 81-13158 Filed 5-1-81; 8:45 am]

BILLING CODE 4910-13-M

#### 14 CFR Part 39

[Docket No 80-WE-53-AD; Amdt. 39-4104]

### McDonnell Douglas Model DC-10 Series Airplanes; Airworthiness Directives

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new Airworthiness Directive (AD) which requires replacement of the electrical connector assembly in the fuel boost/transfer pump housing on certain McDonnell Douglas DC-10 series airplanes. This AD is needed because the possibility of electrical arcing and burning in the presence of fuel and fuel vapor constitutes a fire hazard.

**DATES:** Effective date July 22, 1981. Compliance required within 300 hours' time in service from the effective date of this AD unless already accomplished.

**ADDRESSES:** The applicable service information may be obtained from: McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Director, Publications and Training, CI-750 (54-60). This information also may be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108, or 15000 Aviation Boulevard, Hawthorne, California 90261, Room 6W14.

**FOR FURTHER INFORMATION CONTACT:** Duane Waff, Aerospace Engineer, Propulsion Branch, ANW-140L, Federal Aviation Administration, Northwest Region, Los Angeles Area Aircraft Certification Office, P.O. Box 92007, World Way Postal Center, Los Angeles, California 90009, telephone (213) 536-6383.

**SUPPLEMENTARY INFORMATION:** A proposal to amend Part 39 of the Federal Aviation Regulations to include an Airworthiness Directive requiring replacement of certain electrical connector assemblies in the fuel boost/transfer pump housings in certain DC-10 aircraft was published in the Federal Register at 45 FR 74495, November 10, 1980. The proposal was prompted by reports of electrical arcing and burning between loose pins in the electrical connector assembly in the fuel boost/transfer pump housing on certain McDonnell Douglas DC-10 airplanes

which could result in an ignition source in the pump housing. Since this condition is likely to exist or develop on other airplanes of the same type design, this AD requires replacement of the connector assembly with an improved assembly. Interested persons have been afforded an opportunity to participate in the making of the amendment. One industry association indicated that member DC-10 operators have previously accomplished the proposed replacement. FAA recognizes that a substantial portion of the affected airplanes likely have been modified, and compliance is clearly specified to be required only if not already accomplished. The aircraft manufacturer similarly indicated their records show all in-service airplanes have been modified. FAA does not accept manufacturer's records, relative to field maintenance, as a conclusive indication that modifications made mandatory in the interest of safety have been accomplished. The manufacturer commented further that the pump housing has been demonstrated to be explosion proof. FAA acknowledges such demonstration and agrees that this design makes propagation of ignition to the fuel tank unlikely. However, this is viewed only as additional assurance against an unsafe condition resulting from ignition, assuming the possibility of ignition is unlikely. In view of the reports of arcing and burning experienced in the field, and recognizing such an ignition source in the presence of fuel and/or fuel vapors could result in ignition of the fuel, FAA believes it is necessary to minimize the possibility of such arcing and burning to achieve the desired level of safety.

It is estimated that 97 aircraft world wide may be affected by this action. However, it has been reported that a significant number of these aircraft have complied with the manufacturers instructions to inspect for, and replace, defective connector assemblies. Therefore, the total cost of this action is not known, but the cost is estimated to be \$700 per aircraft. This estimate is based on an average labor cost of \$35 per hour and 20 hours required to accomplish the modification. The parts are supplied by the manufacturer at no charge.

After review of all available data, including comments submitted, the FAA has determined that the proposed rule should be adopted, without change.

#### Adoption of the Amendment

Accordingly, the Federal Aviation Administration proposes to amend Section 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) by

adding the following new Airworthiness Directive:

**McDonnell Douglas:** Applies to McDonnell Douglas Model DC-10 series airplanes, fuselage numbers 1 through 98, except fuselage number 2, certificated in all categories. See McDonnell Douglas Service Bulletin identified below for the applicable aircraft serial numbers. Compliance is required as indicated, unless already accomplished.

To prevent electrical arcing and burning in the electrical connector in the Hydro-Aire fuel pump housing, accomplish the following:

(a) Within 300 hours' additional time in service after the effective date of this AD, replace the electrical connectors in the fuel boost/transfer pump housings in those fuel tanks specified, in accordance with paragraph 2, Accomplishment Instructions, McDonnell Douglas Service Bulletin, DC-10 SE 28-17, Revision 2, dated July 27, 1973.

(b) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of modifications required by this AD.

(c) Alternative modifications or other actions which provide an equivalent level of safety may be used when approved by Chief, Los Angeles Area Aircraft Certification Office, FAA Northwest Region.

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

All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to the McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Director, Publications and Training, CI-750 (54-60). These documents also may be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington 98108, or 15000 Aviation Boulevard, Hawthorne, California 90261, Room 6W14.

This amendment becomes effective July 22, 1981.

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

**Note.**—The FAA has determined that this document involves a regulation which is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979), and will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act, since it involves few, if any, small entities. A final regulatory evaluation has been prepared for this regulation, has been placed in the regulatory docket, and summarized earlier in this rule. A copy of it may be obtained by contacting the person identified above under the caption "For Further Information Contact."



This rule is a final order of the Administrator as defined by Section 1005 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1485). As such, it is subject to review only by the courts of appeals of the United States, or the United States Court of Appeals for the District of Columbia.

Issued in Seattle, Washington, on April 23, 1981.

Jonathan Howe,

Acting Director, Nor'west Region.

[FR Doc. 81-13142 Filed 5-1-81; 8:45 am]

BILLING CODE 4910-13-M

#### 14 CFR Part 39

[Docket No. 81-SO-14; Amdt. No. 39-4095]

#### Airworthiness Directives; Piper Model PA-44-180 (Seminole) Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new Airworthiness Directive (AD) which requires the inspection and modification of the nose cone spars on certain Piper Model PA-44-180 airplanes. The AD is prompted by reports of cracks in the nose cone spars in the area of the nose landing gear upper drag brace attach point which could result in malfunction of the nose landing gear.

**DATES:** Effective April 30, 1981.

Compliance required as prescribed in body of AD.

**ADDRESSES:** The applicable service bulletin may be obtained from Piper Aircraft Corporation, Lock Haven Division, Lock Haven, Pennsylvania 17445, telephone (717) 748-6711.

A copy of the service bulletin is also contained in the Rules Docket, Room 275, Engineering and Manufacturing Branch, FAA, Southern Region, 3400 Normal Berry Drive, East Point, Georgia 30344.

**FOR FURTHER INFORMATION CONTACT:** Curtis Jackson, ASO-212, Engineering and Manufacturing Branch, FAA, Southern Region, P.O. Box 20636, Atlanta, Georgia 30320, telephone (404) 763-7407.

**SUPPLEMENTARY INFORMATION:** There have been reports of cracks in the nose cone spars in the area of the nose landing gear upper drag brace attach point on certain Piper PA-44-180 airplanes. This condition, if not corrected, may result in malfunction of the nose landing gear which could cause the loss of the airplane during landing. Since this situation is likely to exist or develop on other airplanes of the same

type design, an Airworthiness Directive is being issued which requires inspection and modification of the nose cone spar on certain Piper PA-44-180 airplanes.

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

#### Adoption of the Amendment

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

Piper Aircraft Corporation: Model PA-44-180 (Seminole), serial numbers 44-7995001 through 44-8095021, airplanes certificated in all categories.

Compliance required as indicated, unless already accomplished. To prevent cracks in the nose cone spars which could result in malfunction of the nose landing gear, accomplish the following:

(a) Within the next 50 hours time in service after the effective date of this AD, visually inspect the nose cone spars for cracks, in accordance with the instructions contained in Part I of Piper Aircraft Corporation Service Bulletin No. 695, dated September 10, 1980. If cracks are found, either modify as described in paragraph (b) below, or replace parts as required by Part I of the Piper Service Bulletin. The required inspection must be accomplished by a person authorized in accordance with FAR Part 43.

(b) Within the next 100 hours time in service after the effective date of this AD, modify the nose cone spars in accordance with Piper Kit P/N 764 080V unless already accomplished.

(c) Make appropriate maintenance record entry.

An equivalent method of compliance may be accomplished if approved by the Chief, Engineering and Manufacturing Branch, FAA, Southern Region.

This amendment becomes effective April 30, 1981.

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

Note.—The FAA has determined that this regulation is an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); If this action is subsequently determined to involve a

significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, when filed, may be obtained by contacting the person identified above under the caption "For Further Information Contact."

Issued in East Point, Georgia, on April 22, 1981.

George R. LaCaille,

Acting Director, Southern Region.

[FR Doc. 81-13175 Filed 5-1-81; 8:45 am]

BILLING CODE 4910-13-M

#### 14 CFR Part 39

[Docket No. 80-NE-13; Amdt. 39-4099]

#### Sikorsky S-76A Helicopters Certificated in All Categories; Airworthiness Directives

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD), 80-14-05, Amendment 39-3817, applicable to S-76A helicopters certificated in all categories. This amendment is required because of a recent in-flight fatigue failure of the main rotor blade tip plate retention bolts and subsequent loss of the tip plate and tip cap, which could result in the loss of a main rotor blade.

This amendment makes mandatory the Accomplishment Instructions of Sikorsky Aircraft Alert Service Bulletin 76-65-23, dated April 16, 1981, which requires replacement of the main rotor blade tip plate retention bolts and subsequent bolt torque inspections.

Investigation of the recent fracture is in progress and revision of this AD can be expected after further investigation.

**DATES:** Effective date May 7, 1981.

Comments must be received on or before June 8, 1981.

**ADDRESSES:** Send comments on the rule in duplicate to: Federal Aviation Administration, Office of the Regional Counsel, New England Region, Attention: Rules Docket No. 80-NE-13, 12 New England Executive Park, Burlington, Massachusetts 01803.

The applicable service bulletins may be obtained from Sikorsky Aircraft, Division of United Technologies Corporation, Stratford, Connecticut 06602. Copies of the service bulletin are contained in the Rules Docket, Office of the Regional Counsel, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803.

**FOR FURTHER INFORMATION CONTACT:** Stephen J. Soltis, Airframe Section, ANE-212, Engineering and Manufacturing Branch, Flight Standards Division, New England Region, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone: (617) 273-7336.

**SUPPLEMENTARY INFORMATION:**

**Prior Regulatory History**

This notice supersedes Amendment 39-3817, 45 FR 43697, AD 80-14-05, which required inspection and replacement of identified main rotor blade tip plate retention bolts.

Subsequent to issuance of Amendment 39-3817 there has been a report of an in-flight fatigue failure of the main rotor blade tip plate retention bolts and subsequent loss of the tip plate and tip cap. It is suspected that improper tip block/tip plate interface and/or loss of attachment bolt torque may have contributed to the fatigue failure. Since this condition may develop on other helicopters of the same type design and is unrelated to the condition that initiated Amendment 39-3817, an AD is being issued which requires replacement of the main rotor blade tip plate retention bolts and subsequent bolt torque inspections on Sikorsky model S-76A helicopters.

FAA engineering evaluation of this incident and corrective action is continuing and revision of this AD can be expected as additional data becomes available.

**Need for Amendment**

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

**Request for Comments on the Rule**

Although this action is in the form of a final rule and was not preceded by notice and public procedure, comments are invited on the rule.

When the comment period ends, the FAA will use the comments submitted, together with other available information, to review the regulation. After the review, if the FAA finds that changes are appropriate, it will initiate rulemaking proceedings to amend the regulation. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the AD and determining whether additional rulemaking is needed. Comments are specifically invited on the overall

regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule.

**Adoption of the Amendment**

Accordingly, pursuant to the authority delegated to me by the Administrator, Section 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended effective May 7, 1981, by superseding Amendment 39-3817 (45 FR 43697), AD 80-14-05, with the following new AD:

**Sikorsky Aircraft:** Applies to S-76A series helicopters certificated in all categories with P/N 76150-09000 series and P/N 76150-09100-041, -042, -043, main rotor blades. For main rotor blades with 340 or more hours time in service, compliance required within the next 25 hours time in service after the effective date of this AD, unless already accomplished.

For main rotor blades with less than 340 hours time in service on the effective date of this AD, compliance required before the accumulation of 365 hours time in service.

To prevent operation with cracked bolts in the main rotor blade tip plate attachment joint, accomplish the following:

1. In accordance with Sikorsky Alert Service Bulletin No. 76-65-23, dated April 16, 1981, replace the four NAS624H6 bolts which mate the 76150-09030 tip plate assembly with the 76150-09000 or 76150-09100 main rotor blade, per paragraphs D(1) through D(8), and subsequently inspect for torque per paragraph D(9), or an equivalent procedure approved by the Chief, Engineering and Manufacturing Branch, Federal Aviation Administration, New England Region.

2. Report within 24 hours any discrepancies found during the rework and inspections required herein, including motor rotor blade time in service, to the Chief, Engineering and Manufacturing Branch, Federal Aviation Administration, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803.

Reporting approved by the Office of Management and Budget under OMB No. 04-40174.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive, who have not already received these documents from the manufacturer, may obtain copies upon request to Sikorsky Aircraft, Division of United Technologies Corporation, Stratford, Connecticut 06602. These documents may also be examined at FAA, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803, and at FAA Headquarters, 800 Independence Avenue, S.W., Washington, D.C.

This amendment becomes effective May 7, 1981.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended, (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1653(c)); 14 CFR 11.89)

The FAA has determined that this regulation is an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption "For Further Information Contact."

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

Issued in Burlington, Massachusetts, on April 17, 1981.

Robert E. Whittington,  
*Director, New England Region.*

[FR Doc. 81-13141 Filed 5-1-81; 8:45 am]

BILLING CODE 4910-13-M

**14 CFR Part 39**

[Docket No. 81-GL-2-AD; Amdt. No. 39-4102]

**Stewart-Warner (South Wind) Combustion Heaters Model Series 8240, 8253, 8259, and 8472; Airworthiness Directives**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new Airworthiness Directive (AD) which requires inspections and overhaul at specific time intervals on Stewart-Warner Combustion Heater Model Series 8240, 8253, 8259, and 8472 marked as meeting the standards of FAA TSO-C20. This AD is being issued as a result of service experience combustion heaters which included an aircraft fire believed due to an improperly maintained combustion heater.

**DATES:** Effective May 8, 1981. Compliance schedule—As prescribed in body of AD. Comments related to this amendment must be received on or before May 29, 1981. Depending on the comments received, the requirements of this amendment may be modified.

**ADDRESSES:** Send written comments in duplicate to Office of Regional Counsel, Federal Aviation Administration, Attention: Rules Docket (AGL-7), Docket No. 81-GL-2-AD, 2300 East Devon Avenue, Des Plaines, Illinois 60018. The applicable manuals may be obtained from: Stewart-Warner, South Wind Division, 1514 Drover Street, Indianapolis, Indiana 46221; telephone 317/632-8411.

A copy of the service information is contained in the Rules Docket, Room 415, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

**FOR FURTHER INFORMATION CONTACT:** Mr. Norm Martenson, Engineering and Manufacturing Branch, AGL-210, Flight Standards Division, FAA, 2300 East Devon Avenue, Des Plaines, IL 60018, telephone 312/694-7426.

**SUPPLEMENTARY INFORMATION:** The FAA has determined that insufficient heater inspections have allowed the condition of Stewart-Warner (South Wind) combustion heaters to deteriorate to a level where heater malfunctioning can cause serious safety problems. This determination is based on a review of service difficulty reports and NTSB Safety Recommendation A-80-142 dated January 15, 1981, which recommended issuance of an AD to require periodic inspections on Stewart-Warner combustion heaters. There are heaters in service which have accumulated at least 1,000 hours of operating time and reports have shown more discrepancies to exist in heaters with greater than 1,000 hours of operating time. At least one aircraft fire has been reported and is believed due to an improperly maintained Stewart-Warner (South Wind) heater. The consequences of a heater malfunction can be extremely hazardous, and since these conditions may exist in or develop in other Stewart-Warner (South Wind) combustion heaters of similar design, an AD is being issued which requires periodic maintenance and overhaul of these combustion heaters in accordance with the manufacturer's service manuals.

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

Although this action, which involves requirements affecting immediate flight safety, is in the form of a final rule and thus, was not preceded by notice and public comment, comments are now invited on the rule. When the comment period ends, the FAA will use the

comments submitted, together with other available information, to review the regulation. Public comments are helpful in evaluating the effects of the rule and in determining whether additional rulemaking is needed. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule.

#### Adoption of Amendment

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

#### Stewart-Warner (South Wind Division):

Applies to Model Series 8240, 8253, 8259, and 8472 marked as meeting the standards of FAA TSO-C20, installed in aircraft certificated in all categories.

Compliance required as indicated. To prevent a hazardous condition caused by deterioration of the combustion heater, accomplish the following:

A. For combustion heaters having 250 hours or more time in service after the effective date of this AD, conduct the 250 hour inspection in accordance with the manufacturer's service manual (see note 2) within the next 50 hours of combustion heater operation, unless already accomplished within the last 200 hours of heater time, and thereafter at intervals not to exceed 250 hours of combustion heater operation. Also, along with the above inspection, a general inspection of the combustion heater installation must also be accomplished including at least the following:

1. Inspect ventilating air and combustion air inlets and exhaust outlet correcting restrictions and insuring attachment security.
2. Inspect drain line and insure it is free of obstruction.
3. Check all fuel lines for security at joints and shrouds, correcting those showing evidence of looseness or leakage.
4. Check all electrical wiring for security at attachment points, correcting conditions leading to arcing, chafing, or looseness.

B. For combustion heaters having 1,000 hours or more time in service after the effective date of this AD, overhaul the combustion heater in accordance with the manufacturer's service manual (see note 2) within the next 50 hours of combustion heater operation, unless already accomplished within the last 950 hours of heater time, and thereafter at intervals not to exceed 1,000 hours of combustion heater operation. An overhaul consists of complete disassembly, cleaning, repair, reassembly and test as outlined in the appropriate service manual.

Note 1.—In complying with this AD, if the owner or operator cannot document combustion heater operating time, the aircraft time must be used.

Note 2.—The following is a list of combustion heaters covered by this AD and the appropriate service manual. Methods of inspection or overhaul other than those

contained in the manufacturer's service manuals must be approved by the Chief, Engineering and Manufacturing Branch, FAA Great Lakes Region.

Models	Service manual number
8240 Series.....	09-998 or P.M. 35710.
8259 Series.....	(Appropriate usage is shown in manual or manual supplements.)
8253 Series.....	P.M. 20688.
8472 Series.....	09-1015.

This amendment becomes effective May 8, 1981.

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

**Note.**—The Federal Aviation Administration has determined that this document involves a regulation that is not major under the provisions of Executive Order 12291. It has been further determined that this regulation is not significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the draft regulatory evaluation for this action is contained in the regulatory docket. A copy of it may be obtained by contacting the person identified under the caption "For Further Information Contact." In addition, it has been determined under the criteria of the Regulatory Flexibility Act that this rule, at promulgation, will not have a significant impact on a substantial number of small entities. This determination is based on the minimal costs associated with the required inspections. This rule is a final order of the Administrator under the Federal Aviation Act of 1958, as amended. As such, it is subject to review only by the courts of appeals of the United States, or the United States Court of Appeals for the District of Columbia.

Issued in Des Plaines, Illinois, on April 16, 1981.

Wayne J. Barlow,  
Director, Great Lakes Region.

[FR Doc. 81-13340 Filed 5-1-81; 8:45 am]  
BILLING CODE 4910-13-M

#### 14 CFR Part 97

[Docket No. 21684; Amdt. No. 1189]

#### Standard Instrument Approach Procedures; Miscellaneous Amendments

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of

changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

**DATES:** An effective date for each SIAP is specified in the amendatory provisions.

**ADDRESSES:** Availability of matters incorporated by reference in the amendment is as follows:

*For Examination—*

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591;

2. The FAA Regional Office of the region in which the affected airport is located; or

3. The Flight Inspection Field Office which originated the SIAP.

*For Purchase—*Individual SIAP copies may be obtained from:

1. FAA Public Information Center (APA-430), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

*By Subscription—*Copies of all SIAPs, mailed once every 2 weeks, may be ordered from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. The annual subscription price is \$135.00.

**FOR FURTHER INFORMATION CONTACT:** Donald K. Funai, Flight Procedures and Airspace Branch (AFO-730), Aircraft Programs Division, Office of Flight Operation, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-8277.

**SUPPLEMENTARY INFORMATION:** This amendment to Part 97 of the Federal Aviation Regulations (14 CFR Part 97) prescribes new, amended, suspended, or revoked Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. § 52(a), 1 CFR Part 51 and § 97.20 of the Federal Aviation Regulations (FARs). The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4 and 8260-5. Material incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a

special format make their verbatim publication in the Federal Register expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form document is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

This amendment to Part 97 is effective on the date of publication and contains separate SIAPs which have compliance dates stated as effective dates based on related changes in the National Airspace System or the application of new or revised criteria. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TFRPs). In developing these SIAPs, the TERPS criteria were applied to the conditions existing or anticipated, at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs is unnecessary, impracticable, or contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Part 97 of the Federal Aviation Regulations (14 CFR Part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 G.m.t. on the dates specified, as follows:

1. By amending § 97.23 VOR-VOR/DME SIAPs identified as follows:

#### \* \* \* Effective June 11, 1981:

- Santa Ynez, CA—Santa Ynez, VOR-A, Amdt. 6, cancelled
- Santa Ynez, CA—Santa Ynez, VOR-B, Amdt. 5
- Ft. Collins, CO—Downtown Ft. Collins Airpark, VOR/DME-B, Original
- Middletown, DE—Summit Airpark, VOR-B, Original
- Middletown, DE—Summit Airpark, VOR-B, Amdt. 4, cancelled
- Wilmington, DE—Greater Wilmington, VOR Rwy 1, Original
- Wilmington, DE—Greater Wilmington, VOR Rwy 9, Original
- Wilmington, DE—Greater Wilmington, VOR Rwy 9, Amdt. 2, cancelled
- Wilmington, DE—Greater Wilmington, VOR Rwy 19, Original
- Wilmington, DE—Greater Wilmington, VOR Rwy 27, Original
- Wilmington, DE—Greater Wilmington, VOR Rwy 32, Amdt. 2, cancelled
- Kailua-Kona, HI—Ke-ahole, VOR/DME or TACAN Rwy 17, Amdt. 1
- Lanai City, HI—Lanai, VOR or TACAN-A, Amdt. 3
- Lanai City, HI—Lanai, VOR or TACAN Rwy 3, Original
- Chicago (Wheeling), IL—Pal-Waukee, VOR Rwy 16, Amdt. 17
- Chicago (Wheeling), IL—Pal-Waukee, VOR/DME Rwy 16, Amdt. 2, cancelled
- Jackson, MI—Jackson County-Reynolds Field, VOR Rwy 5, Amdt. 13
- Jackson, MI—Jackson County-Reynolds Field, VOR Rwy 13, Amdt. 12
- Jackson, MI—Jackson County-Reynolds Field, VOR Rwy 23, Amdt. 15
- Jackson, MI—Jackson County-Reynolds Field, VOR Rwy 31, Amdt. 11
- Monroe, MI—Custer, VOR Rwy 20, Amdt. 4
- Owosso, MI—Owosso City, VOR Rwy 28, Amdt. 2
- Saginaw, MI—Harry W. Browne, VOR/DME-A, Amdt. 1
- Caledonia, MN—Houston County, VOR/DME-A, Amdt. 1
- Sikeston, MO—Sikeston Meml Muni, VOR Rwy 20, Original
- Bridgeport, NJ—Bridgeport, VOR Rwy 34, Amdt. 6
- Sussex, NJ—Sussex, VOR-A, Amdt. 4
- Albion, NY—Pine Hill, VOR Rwy 28, Amdt. 1
- Cleveland, OH—Cuyahoga County, VOR Rwy 23, Amdt. 2
- Elyria, OH—Elyria, VOR-A, Amdt. 6
- Lorain/Elyria, OH—Lorain County Regional, VOR Rwy 7, Amdt. 7
- Piqua, OH—Piqua, VOR Rwy 26, Amdt. 2
- Piqua, OH—Piqua, VOR-A, Amdt. 9
- Port Clinton, OH—Carl R. Keller Field, VOR/DME, Amdt. 2
- Sandusky, OH—Griffing Sandusky, VOR Rwy 27, Amdt. 3
- Clinton, OK—Clinton-Sherman, VOR Rwy 35L, Amdt. 6
- Tulsa, OK—Tulsa Intl, VOR/DME or TACAN Rwy 8, Original
- Bennettsville, SC—Marlboro County, VOR/DME-A, Amdt. 3
- Brookings, SD—Brookings Muni, VOR Rwy 12, Amdt. 4
- Brookings, SD—Brookings Muni, VOR Rwy



Fayetteville, TN—Fayetteville Muni, VOR/DME Rwy 1, Amdt. 2, cancelled  
Charlotte Amalie, St. Thomas, VI—Harry S. Truman, VOR-A, Amdt. 13

*\*\*\* Effective April 22, 1981:*

Dallas, TX—Redbird, VOR Rwy 13, Amdt. 5  
Dallas, TX—Redbird, VOR Rwy 7, Amdt. 3  
Dallas, TX—Redbird, VOR Rwy 31, Amdt. 8

*\*\*\* Effective April 21, 1981:*

Kotzebue, AK—Ralph Wien Memorial, VOR Rwy 8, Amdt. 1  
Kotzebue, AK—Ralph Wien Memorial, VOR/DME Rwy 8, Amdt. 1

2. By amending § 97.25 SDF-LOC-LDA SIAPs identified as follows:

*\*\*\* Effective June 11, 1981:*

Sitka, AK—Sitka, LDA/DMA Rwy 11, Amdt. 6  
Miami, FL—Miami Intl, LOC Rwy 30, Amdt. 2  
Pensacola, FL—Pensacola Regional, LOC BC Rwy 34, Amdt. 7, cancelled  
Kailua-Kona, HI—Ke-ahole, LOC Rwy 17, Amdt. 1  
Cleveland, OH—Cuyahoga County, LOC BC Rwy 5, Amdt. 4  
Sparta, TN—Sparta-White County, SDF Rwy 3, Original

*\*\*\* Effective April 14, 1981:*

St. Louis, MO—Lambert-St. Louis Intl, LDA/DME-A, Amdt. 1

3. By amending § 97.27 NDB/ADF SIAPs identified as follows:

*\*\*\* Effective June 11, 1981:*

Magnolia, AR—Magnolia, Muni, NDB Rwy 35, Amdt. 1  
Wilmington, DE—Greater Wilmington, NDB Rwy 1, Amdt. 13  
Middletown, DE—Summit Airpark, NDB-A, Amdt. 3  
Jefferson, IA—Jefferson Muni, NDB Rwy 32, Amdt. 3  
Olathe, KS—Johnson County Executive, NDB-B, Original  
Minden, LA—Minden-Webster, NDB Rwy 1, Amdt. 1  
Minden, LA—Minden-Webster, NDB Rwy 19, Amdt. 1  
Jackson, MI—Jackson County-Reynolds Field, NDB Rwy 23, Amdt. 7  
Pellston, MI—Emmet County, NDB Rwy 32, Amdt. 14  
Caledonia, MN—Houston County, NDB Rwy 31, Amdt. 1  
Sikeston, MO—Sikeston Meml Muni, NDB Rwy, Amdt. 6  
Rugby, ND—Rugby Muni, NDB Rwy 11, Amdt. 1  
Rugby, ND—Rugby Muni, NDB Rwy 29, Amdt. 2  
Cleveland, OH—Cleveland-Hopkins Intl, NDB Rwy 5L, Original  
Cleveland, OH—Cleveland-Hopkins Intl, NDB Rwy 5R, Original  
Cleveland, OH—Cleveland-Hopkins Intl, NDB Rwy 5R/L, Amdt. 15, cancelled  
Cleveland, OH—Cleveland-Hopkins Intl, NDB Rwy 23L, Original  
Cleveland, OH—Cleveland-Hopkins Intl, NDB Rwy 23R, Original  
Cleveland, OH—Cleveland-Hopkins Intl, NDB Rwy 23L/R, Amdt. 4, cancelled

Cleveland, OH—Cuyahoga County, NDB Rwy 23, Amdt. 2

Port Clinton, OH—Carl R. Keller Field, NDB Rwy 26, Amdt. 5

Clinton, OK—Clinton-Sherman, NDB Rwy 17R, Amdt. 7

Philadelphia, PA—Philadelphia Intl, NDB Rwy 27L, Amdt. 3

Madison, SD—Madison Muni, NDB Rwy 14, Amdt. 2

*\*\*\* Effective May 14, 1981:*

Visalia, CA—Visalia Muni, NDB Rwy 30, Original

*\*\*\* Effective April 22, 1981:*

Santa Fe, NM—Santa Fe County Muni, NDB Rwy 2, Amdt. 1

Dallas, TX—Redbird, NDB Rwy 35, Amdt. 5

*\*\*\* Effective April 16, 1981:*

Fresno, CA—Fresno Air Terminal, NDB Rwy 29R, Amdt. 20

4. By amending § 97.29 ILS-MLS SIAPs identified as follows:

*\*\*\* Effective June 11, 1981:*

Denver, CO—Stapleton Intl, ILS Rwy 35L, Amdt. 23  
Windsor Locks, CT—Bradley Intl, ILS Rwy 6, Amdt. 27  
Wilmington, DE—Greater Wilmington, ILS Rwy 1, Amdt. 15  
Jackson, MI—Jackson County-Reynolds Field, ILS Rwy 23, Amdt. 7  
Pellston, MI—Emmet County, ILS Rwy 32, Amdt. 4  
Sault Ste. Marie, MI—Chippewa County International, ILS Rwy 15, Amdt. 2  
Duluth, MN—Duluth Intl, ILS Rwy 9, Amdt. 15  
Kansas City, MO—Richards-Gebaur, ILS Rwy 36, Original  
Cleveland, OH—Cleveland-Hopkins Intl, ILS Rwy 5R, Amdt. 10  
Cleveland, OH—Cleveland-Hopkins Intl, ILS Rwy 23L, Amdt. 8  
Cleveland, OH—Cleveland-Hopkins Intl, ILS Rwy 28R, Amdt. 16  
Cleveland, OH—Cuyahoga County, ILS Rwy 23, Amdt. 6  
Lorain/Elyria, OH—Lorain County Regional, ILS Rwy 7, Original  
Clinton, OK—Clinton-Sherman, ILS Rwy 17R, Amdt. 3  
Altoona, PA—Altoona-Blair County, ILS Rwy 20, Amdt. 1  
Philadelphia, PA—Philadelphia Intl, ILS Rwy 9R, Amdt. 3  
Philadelphia, PA—Philadelphia Intl, ILS Rwy 27R, Amdt. 3  
Charlotte Amalie, St. Thomas, VI—Harry S. Truman, ILS Rwy 9, Amdt. 4  
Bluefield, WV—Mercer County, ILS Rwy 23, Amdt. 4

*\*\*\* Effective May 14, 1981:*

Visalia, CA—Visalia Muni, ILS Rwy 30, Amdt. 2

*\*\*\* Effective April 22, 1981:*

Santa Fe, NM—Santa Fe County Muni, ILS Rwy 2, Amdt. 1

Dallas, TX—Redbird, ILS Rwy 31, Amdt. 2

*\*\*\* Effective April 21, 1981:*

Kotzebue, AK—Ralph Wien Memorial, ILS/DME Rwy 8, Amdt. 3

*\*\*\* Effective April 16, 1981:*

Fresno, CA—Fresno Air Terminal, ILS Rwy 29R, Amdt. 25  
New Bedford, MA—New Bedford Muni, ILS Rwy 5, Amdt. 17

*\*\*\* Effective April 11, 1981:*

New York, NY—LaGuardia, ILS Rwy 22, Amdt. 15

5. By amending § 97.31 RADAR SIAPs identified as follows:

*\*\*\* Effective June 11, 1981:*

White Plains, NY—Westchester County, RADAR-1, Amdt. 2  
Cleveland, OH—Cleveland-Hopkins Intl, RADAR-1, Amdt. 27  
Madison, WI—Dane County Regional/Truax Field, RADAR-1, Amdt. 8

6. By amending § 97.33 RNAV SIAPs identified as follows:

*\*\*\* Effective June 11, 1981:*

Wilmington, DE—Greater Wilmington, RNAV Rwy 9, Original  
Wilmington, DE—Greater Wilmington, RNAV Rwy 9, Amdt. 2, cancelled  
Cleveland, OH—Cleveland-Hopkins Intl, RNAV Rwy 10L, Amdt. 7  
Cleveland, OH—Cleveland-Hopkins Intl, RNAV Rwy 18R, Amdt. 7  
Cleveland, OH—Cleveland-Hopkins Intl, RNAV Rwy 36L, Amdt. 7  
Cleveland, OH—Cuyahoga County, RNAV Rwy 23, Amdt. 7  
Lorain/Elyria, OH—Lorain County Regional, RNAV Rwy 7, Amdt. 3  
Piqua, OH—Piqua, RNAV Rwy 26, Amdt. 3  
(Secs. 307, 313(a), 601, and 1110, Federal Aviation Act of 1958 [49 U.S.C. 1348, 1354(a), 1421, and 1510]; sec. 6(c), Department of Transportation Act [49 U.S.C. 1655(c)]; and 14 CFR 11.49(b)(3))

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Washington, D.C. on April 24, 1981.

John S. Kern,  
Chief, Aircraft Programs Division.

Note.—The incorporation by reference in the preceding document was approved by the Director of the Federal Register on December 31, 1980

[FR Doc. 81-13157 Filed 5-1-81; 8:45 am]

BILLING CODE 4910-13-M

**FEDERAL TRADE COMMISSION****16 CFR Part 13**

[Docket No. 9131]

**Teledyne, Inc., et al.; Prohibited Trade Practices, and Affirmative Corrective Actions****AGENCY:** Federal Trade Commission.**ACTION:** Final order.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order requires, among other things, a Los Angeles, Calif. manufacturer of oral irrigating devices and other consumer products to cease misrepresenting the content, results or conclusions of any survey or opinion research; failing to base preventive or therapeutic claims about devices upon other than competent and reliable scientific tests or other evidence; and claiming that the American Dental Association recommends the Water Pik unless such claim is in fact authorized by the ADA. Further, the order requires that claims regarding the ability of a device to prevent, mitigate or treat periodontal disease be based upon clinical tests which are well-controlled using acceptable testing procedures and that the firm maintain records substantiating its claims for three years after disseminating advertisements affected by this order.

**DATES:** Complaint issued Nov. 27, 1979. Order issued April 13, 1981.<sup>1</sup>

**FOR FURTHER INFORMATION CONTACT:** FTC/P, James H. Sneed, Washington, D.C. 20580, (202) 523-3601.

**SUPPLEMENTARY INFORMATION:** On Friday, January 9, 1981, there was published in the Federal Register, 46 FR 2359, a proposed consent agreement with analysis in the matter of Teledyne, Inc., a corporation, and Teledyne Industries, Inc., a corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

Comments were filed and considered by the Commission. The Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

<sup>1</sup> Copies of the Complaint and the Decision and Order filed with the original document.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart—Advertising Falsely or Misleadingly: § 13.110 Endorsements, approval and testimonials; § 13.170 Qualities or properties of product or service, 13.170-70 Preventive or protective; § 13.190 Results; § 13.205 Scientific or other relevant facts; § 13.210 Scientific tests; § 13.255 Surveys; § 13.265 Tests and investigations. Subpart—Claiming or Using Endorsements or Testimonials Falsely or Misleadingly: § 13.330 Claiming or using endorsements or testimonials falsely or misleadingly, 13.330-30 Dentists. Subpart—Corrective Actions and/or Requirements: § 13.533 Corrective actions and/or disclosures, 13.533-20 Disclosures, 13.533-45 Maintain records, 13.533-45(a) Advertising substantiation. Subpart—Misrepresenting Oneself and Goods: § 13.1665 Endorsements; § 13.1710 Qualities or properties; § 13.1730 Results; § 13.1740 Scientific or other relevant facts; § 13.1757 Surveys; § 13.1762 Tests, purported.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Carol M. Thomas,

Secretary.

[FR Doc. 81-13406 Filed 5-1-81; 8:45 am]

**BILLING CODE 6750-01-M****16 CFR Part 13**

[Docket No. 9131]

**J. Walter Thompson Co.; Prohibited Trade Practices, and Affirmative Corrective Actions****AGENCY:** Federal Trade Commission.**ACTION:** Final order.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order requires, among other things, a New York City advertising agency to cease making survey claims unless the surveys are designed, executed and analyzed in a competent and reliable manner. Further, the firm is prohibited from making claims regarding the opinions or recommendations of any professional group unless that professional group is actually asked about their opinions or recommendations.

**DATES:** Complaint issued Nov. 27, 1979. Order issued April 13, 1981.<sup>1</sup>

<sup>1</sup> Copies of the Complaint and the Decision and Order filed with the original document.

**FOR FURTHER INFORMATION CONTACT:** FTC/P, James H. Sneed, Washington, D.C. 20580. (202) 523-3601.

**SUPPLEMENTARY INFORMATION:** On Friday, Jan. 9, 1981, there was published in the Federal Register, 46 FR 2361, a proposed consent agreement with analysis in the Matter of J. Walter Thompson Company, a corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

Comments were filed and considered by the Commission. The Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart—Advertising Falsely or Misleadingly: § 13.110 Endorsements, approval and testimonials; § 13.170 Qualities or properties of product or service, 13.170-70 Preventive or protective; § 13.190 Results; § 13.205 Scientific or other relevant facts; § 13.210 Scientific tests; § 13.255 Surveys. Subpart—Corrective Actions and/or Requirements: § 13.533 Corrective actions and/or requirements, 13.533-20 Disclosures, 13.533-45 Maintain records, 13.533-45(a) Advertising substantiation. Subpart—Misrepresenting Oneself and Goods—Goods: § 13.1665 Endorsements; § 13.1710 Qualities or properties; § 13.1730 Results; § 13.1740 Scientific or other relevant facts; § 13.1757 Surveys.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Carol M. Thomas,

Secretary.

[FR Doc. 81-13405 Filed 5-1-1981; 8:45 am]

**BILLING CODE 6750-01-M****COMMODITY FUTURES TRADING COMMISSION****17 CFR Parts 1, 3, 145, and 147**

[Forms 8-R, 8-S and 8-T]

**Registration Forms and Rules; Deferral of Effective Date****AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Adoption of final rules and forms and notice of deferral of effective date of rules.

**SUMMARY:** On December 5, 1980, the Commodity Futures Trading Commission ("Commission") adopted and published in the Federal Register final rules relating to the registration of futures commission merchants, floor brokers, associated persons, commodity trading advisors and commodity pool operators (45 FR 80485). Those rules require that each applicant for registration as an associated person ("AP") be "sponsored" by a futures commission merchant ("FCM") which must screen that person's application and certify that it is accurate and complete to the best of the FCM's knowledge, information, and belief. Those rules also require the fingerprinting of, and the filing of a Form 8-R by, certain Commission registrants or their principals. The Commission is now postponing the effective date of those regulations until July 1, 1982. This decision has been made necessary by the Commission's need to augment its existing data processing centers.

In an accompanying release, the Commission also announced and invited public comments with respect to, a further rulemaking for the purpose of revising Form 8-R, new Forms 8-S and 8-T, and adopting certain additional, related regulations (45 FR 80539, December 5, 1980). Those Form revisions and additional rules were principally for the purpose of fully implementing the sponsorship and fingerprinting requirements. The Commission is adopting the Forms and additional regulations in substantially the same manner as they were proposed.

**DATES:** The Commission has determined to postpone the effective date of the regulations adopted on December 5, 1980 from July 1, 1981, as originally scheduled, to July 1, 1982. The Forms and regulations which are the subject of the instant release will also become effective on July 1, 1982.

**FOR FURTHER INFORMATION CONTACT:** Robert P. Shiner, Assistant Director for Registration, or Kenneth M. Rosenzweig, Esq., Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street NW., Washington, D.C. 20581. Telephone: (202) 254-9703 or 254-8955.

**SUPPLEMENTARY INFORMATION:**  
I. Introduction

A. *Background.* On March 20, 1980, the Commission proposed substantial amendments to its registration regulations and, in particular, to the requirements governing the registration of associated persons (45 FR 18356). The Commission subsequently adopted final regulations which, along with other of

its registration regulations, were consolidated in a new Part 3 of the Chapter I, Title 17 of the Code of Federal Regulations (45 FR 80485, December 5, 1980).

At the same time that it adopted those regulations, the Commission proposed for public comment a revised version of the Form 8-R,<sup>1</sup> and other, related Forms and regulations which the Commission stated it believed were necessary to implement fully those newly adopted regulations (45 FR 80539, December 5, 1980). The Commission has considered the seven comments it received in response to that latter proposal and has decided to adopt those Forms and regulations with only minor changes.

B. *Deferral of Effective Date.* As noted above, the new registration regulations and recodification were scheduled to become effective on July 1, 1981.<sup>2</sup> In addition, amendments to other related regulations were scheduled to become effective on that same date.<sup>3</sup> The Commission has decided to defer the effectiveness of those regulations until July 1, 1982 and similarly, has decided not to make effective until July 1, 1982 the regulations and Forms which it is adopting today.<sup>4</sup>

Although this decision has been made necessary by the Commission's need to augment its existing data processing facilities, the Commission believes that the resultant delay could allow a futures association, if one were to be registered under Section 17 of the Commodity Exchange Act,<sup>5</sup> to assume many of these registration functions. Commission registrants and applicants for registration will, of course, continue to be governed by the Commission's existing regulations and should continue to use the existing registration Forms until further notice.

II. Summary of Forms 8-R, 8-S and 8-T

A. *The Form 8-R.* Although certain stylistic changes have been made in response to suggestions made by some of the commentators, the Form 8-R, as well as Forms 8-S and 8-T, are being adopted without significant modifications.

One commentator asserted that its present practice of conducting

polygraphic examinations of its prospective employees was less costly and more accurate than the methods of verification proposed by the Commission. The Commission's newly-revised registration regulations—including the Form 8-R—merely set forth a minimum standard to which sponsoring FCMs must adhere; each FCM is, of course, free to adopt such additional measures or standards as it feels is necessary to assure itself of the accuracy of the information it must certify on the Form 8-R.

Another commentator suggested that the Commission include in the Form 8-R a "release," to be signed by the AP, which would authorize the sponsoring FCM to check the applicant's background and authorize former employers and others to supply the requested information. The Commission believes that this suggestion has merit and has modified the Form 8-R accordingly.

A few of the commentators observed that in some instances, it will be impossible to verify an AP's representations because, for example, a former employer has gone out of business. In such cases, the sponsoring FCM could simply indicate on the Form 8-R that it was unable to obtain the information in question and state the reasons for that inability.

As noted earlier, the Form 8-R must be filed by certain principals of FCMs, CTAs and CPOs.<sup>6</sup> One commentator stated its belief that it is unnecessary to require a Form 8-R from principals who do not have any supervisory responsibilities. The Commission disagrees. Under Sections 4n(6) and 8a(2) and (3) of the Commodity Exchange Act,<sup>7</sup> the Commission is authorized to deny, suspend, or revoke registration if certain persons affiliated with the registrant or applicant for registration are unfit to engage in the activity for which registration is sought. These persons include, for example, corporate directors and officers who, although they may not have any supervisory responsibilities,<sup>8</sup> nonetheless exercise a controlling influence over the registrant's activities. The Commission must, therefore, request biographical information from those persons in order to ensure, to the extent reasonably possible, the fitness for registration of the firms with which those individuals are to be affiliated.

<sup>1</sup> The Form 8-R is used by APs and floor brokers as an application for registration and by the principals of FCMs, commodity trading advisors ("CTAs"), and commodity pool operators ("CPOs") as a biographical supplement to the applications for registration filed by FCMs, CTAs and CPOs.

<sup>2</sup> 45 FR 80485 (December 5, 1980).

<sup>3</sup> *Id.*

<sup>4</sup> The Commission is considering further rulemaking which could make it necessary to revise further Forms 8-R and 8-T and is therefore deferring publication of the Forms.

<sup>5</sup> 7 U.S.C. 21.

<sup>6</sup> See § 3.10 (a)(2), (c) (FCMs); § 3.13 (a)(2), (c) (CTAs); § 3.14 (a)(2), (c) (CPOs) (45 FR 80485, 80492, 80494 (December 5, 1980)).

<sup>7</sup> 7 U.S.C. 6n(6), 12a(2), 12a(3).

<sup>8</sup> See, e.g., 17 CFR 166.3. See also 45 FR 54032 (August 14, 1980).

B. *The Forms 8-S and 8-T.* The Commission is adopting these Forms without substantial change from the proposed Forms. The Commission is aware, however, that the instructions to the proposed Forms did not set forth procedures to be followed in certain instances during the "transition" period after the effective date of the regulations during which APs who were registered in accordance with existing § 1.10b<sup>9</sup> will not yet have been registered in accordance with the procedures established by new § 3.12. Specifically, there may be instances after the July 1, 1982 effective date of § 3.12 in which an AP who is registered in accordance with existing § 1.10b changes firms prior to the fixed expiration date of that previously-existing registration.<sup>10</sup> The present requirement is that a hiring FCM must file a Form 3-R to add the AP to the list of such persons employed by the FCM or its agent.<sup>11</sup>

Following the effective date of the new regulation, however, the Commission will accept a Form 8-S, the Certificate of Special Registration, in lieu of a Form 3-R in the above-described circumstances. The filing of a Form 8-S in such a case would result in the registration of the AP in accordance with the provisions for expedited AP registration contained in § 3.12(d); the AP and the FCM would then be required to complete, and the FCM would be required within sixty days to file, a Form 8-R for that AP.<sup>12</sup> Although an AP is not required to be registered in accordance with § 3.12 until his existing registration under § 1.10b expires, an AP who is registered under § 3.12 and who remains associated with a sponsoring FCM or its agent will not have to re-register when his previously-existing registration under § 1.10(b) expires. Further, the registration by use of Forms 8-S and 8-R of an AP whose registration under existing § 1.10b has not yet expired will be without prejudice to the AP's continued use of that previously-existing registration. Thus, as long as his registration under § 1.10b has not yet expired, such an AP would not be required to re-register if he subsequently becomes associated with another FCM or its agent.

<sup>9</sup> 17 CFR 1.10b.

<sup>10</sup> New § 3.12(b)—which, in general, provides that an AP's registration remains effective as long as the AP is associated with the sponsoring FCM or its agent—applies only to APs who have been registered in accordance with new § 3.12.

<sup>11</sup> 17 CFR 1.14(d). The Commission is making a technical amendment to § 3.31 to retain this requirement.

<sup>12</sup> Section 3.12(d)(3) [45 FR 80485, 80493 (December 5, 1980)].

By contrast, where an AP's registration under § 1.10b has already expired, the AP and the sponsoring FCM must use Form 8-S if the AP is to be registered in accordance with the expedited procedures provided by § 3.12(d). Thus, although the sponsoring FCM may, in some cases, chose to file a completed Form 8-R at the time the AP becomes associated with that FCM or its agent, a Form 8-S must also be submitted if the AP is to be registered without delay.

C. *Related Matters.* The Commission proposed a rule which would make explicit a registrant's or principal's continuing duty to furnish the Commission with a current address for the purpose of receiving communications from the Commission.<sup>13</sup> One commentator suggested that communications from the Commission to an AP should instead be directed to the sponsoring FCM. The Commission agrees with this suggestion to the extent that such communications involve registration-related matters.<sup>14</sup> Thus, for example, the Commission intends to send any necessary correspondence relating to the accuracy or completeness of an AP's application to the sponsoring FCM. Where, however, the communications involve matters not directly related to the processing of applications for registration and similar materials, the Commission believes that such a practice would generally be inappropriate.

Concurrent with the publication in the Federal Register of the proposed Forms, the Commission published for public comment additional proposed regulations.<sup>15</sup> The Commission did not receive any comments on those proposals and has decided to adopt them with only minor changes. The Commission also gave notice at that time of proposed changes to some of the systems of records it maintains under the Privacy Act of 1974.<sup>16</sup> The Commission intends to publish a notice reflecting those changes after the necessary reports have been submitted to the Congress and the Office of Management and Budget.<sup>17</sup>

In adopting these rules and Forms, the Commission has taken into consideration the public interest to be

<sup>13</sup> Proposed § 3.30 [45 FR 80539, 80541 (December 5, 1980)].

<sup>14</sup> See, e.g., § 3.4 (FR 80485 (December 5, 1980)). Similarly, with respect to the Form 8-R filings required for the principals of FCMs, CTAs, and CPOs, the Commission will send any necessary correspondence directly to the FCM, CTA, or CPO. See § 3.30.

<sup>15</sup> 45 FR 80539, 80541-42 (December 5, 1980).

<sup>16</sup> *Id.* at 80573-75.

<sup>17</sup> See 5 U.S.C. 552a(o).

protected by the antitrust laws and has endeavored to take the least anticompetitive means of achieving the regulatory objectives of the Commodity Exchange Act.

In consideration of the foregoing, and pursuant to the authority contained in the Commodity Exchange Act, and in particular, Sections 2, 4d, 4e, 4f, 4k, 4m, 4n, and 8a thereof, 7 U.S.C. 2 and 4, 6d, 6e, 6f, 6k, 6m, 6n, and 12a, and the authority contained in 5 U.S.C. 552 and 552b, the Commission hereby amends Chapter I of Title 17 of the Code of Federal Regulations by amending §§ 3.10, 3.11, 3.12, 3.13, 3.14, 3.31, 145.5, 145.6, and 147.3, and by adding § 3.30, as follows:

1. Section 3.11 is amended by adding paragraph (a) as follows:

**§ 3.11 Registration of floor brokers.**

(a) *Trading privileges required.* No person who applies for registration, or for renewal of registration, as a floor broker will be registered as such unless he has been granted trading privileges by a board of trade which has been designated as a contract market by the Commission.

\* \* \* \* \*

2. Section 3.12 is amended by revising paragraphs (c)(1)(ii), (c)(1)(iii), and (d)(3) and by adding paragraph (c)(1)(iv) as follows:

**§ 3.12 Registration of associated persons.**

\* \* \* \* \*

(c) \* \* \*  
(1) \* \* \*

(ii) The futures commission merchant has verified the information supplied by the applicant in response to the questions on Form 8-R which relate to the applicant's education and employment history during the preceding five years, except that this paragraph (c)(1)(ii) does not apply to any person who, at the time of the first expiration of that person's registration as an associated person subsequent to July 1, 1982, is associated with the certifying futures commission merchant or its agent;

(iii) To the best of the futures commission merchant's knowledge, information, and belief, all of the publicly available information supplied by the applicant on Form 8-R is accurate and complete: *Provided*, that it is unlawful for the futures commission merchant to make the certification required by this paragraph (c)(1)(iii) if the futures commission merchant knew or should have known that any of that information is not accurate and complete; and



(iv) The futures commission merchant has taken, and will take, such measures as are necessary to prevent the unwarranted dissemination of any of the information contained in that Form 8-R, or in the records and documents obtained in support of the certifications required by this section.

\* \* \* \* \*

(d) \* \* \*

(3) Within sixty days of mailing the certifications permitted by paragraph (d)(1) of this section, the associated person and the futures commission merchant must complete and the futures commission merchant must file with the Commission a Form 8-R in accordance with the instructions thereto. The Form 8-R must contain the certifications required by paragraphs (c)(1)(ii)-(iv) of this section and must be accompanied by the fingerprints of the applicant on a fingerprint card provided by the Commission for that purpose except that a fingerprint card does not have to be submitted for any person who, at the time of the first expiration of that person's registration as an associated person subsequent to July 1, 1982, is associated with the certifying futures commission merchant or its agent as an associated person.

\* \* \* \* \*

3. Section 3.30 is added to read as follows:

**§ 3.30 Current address for purpose of service or service to be filed with the Commission.**

The residence address of each registrant, applicant for registration and principal, as submitted on the application for registration (Form 7-R or Form 8-R) or as submitted on the biographical supplement (Form 8-R) shall be deemed to be the address for delivery to the registrant, applicant or principal of any communications from the Commission, including any summons, complaint, reparation claim, order, subpoena, special call, request for information, notice, and other written documents or correspondence, unless the registrant, applicant or principal specifies another address for this purpose, except that the Commission may address any correspondence relating to the registration of an associated person to the sponsoring futures commission merchant and any correspondence relating to a biographical supplement submitted for a principal to the futures commission merchant, commodity trading advisor, or commodity pool operator with which the principal is affiliated. Each registrant, while registered, and each principal, while affiliated with a registrant, must keep current the address on the

application for registration, biographical supplement, or other address filed with the Commission for the purpose of receiving communications from the Commission. An order of default or other appropriate relief may be entered in any proceeding, including a reparation proceeding commenced while the registrant is registered or within two years thereafter, for failure to file a required response to any communication sent to the latest such address filed with the Commission.

4. Section 3.31 is amended by adding paragraphs (c)(2) and (d) as follows:

**§ 3.31 Deficiencies, inaccuracies, and changes, to be reported.**

\* \* \* \* \*

(c) \* \* \*

(2) Each person registered as, or applying for registration as, a futures commission merchant, commodity trading advisor or commodity pool operator must, within ten days after the termination of the affiliation of a principal with the registrant or applicant, file a notice thereof with the Commission.

(3) \* \* \*

(d) Each futures commission merchant must promptly file with the Commission a report on Form 3-R, prepared and filed in accordance with the instructions thereto, stating the name of each associated person newly employed in such capacity by it, or by any of its agents, who was registered as an associated person prior to July 1, 1982 unless such associated person is registered in accordance with § 3.12.

5. Section 145.5 is amended by revising paragraph (f)(2) as follows:

**§ 145.5 Nonpublic matters.**

\* \* \* \* \*

(f) \* \* \*

(2) Files concerning persons subject to regulation by the Commission, including files with respect to applications for registration and biographical supplements submitted with such applications. Examples of the information on the applications and biographical supplements which may be protected are an individual's home address and telephone number, social security number, date and place of birth, fingerprints and, in appropriate cases, the information concerning prior arrests, indictments, criminal convictions or other judgments or sanctions imposed by State or Federal courts or regulatory authorities;

6. Section 145.6 is amended by revising paragraph (b) as follows:

**§ 145.6 Commission offices to contact for assistance; registration records available at Chicago regional office.**

\* \* \* \* \*

(b) The Chicago regional office of the Commission will have available for public inspection and copying the publicly available portions of applications for registration (Forms 7-R and 8-R), Certificates of Special Registration (Form 8-S), and Notices of Termination (Form 8-T). The Form 8-R also serves as a biographical supplement for principals of those persons filing the Form 7-R. Unless disclosure is required under the Freedom of Information Act, the fingerprint card, and any supplementary attachments filed in response to items 3-7, 10, 14-19 and 21-24 on Form 8-R, to item 2 on Form 8-S, or to items 2 or 6-8 on Form 8-T generally will not be available for public inspection and copying. When such fingerprint cards and supplementary attachments are on file or when a Form is subject to a petition for confidential treatment filed under § 145.9, the FOI, Privacy and Sunshine Acts compliance staff will decide any request for access in accordance with the procedures set forth in §§ 145.7 and 145.9.

7. Section 147.3 is amended by revising paragraph (b)(6)(ii) as follows:

**§ 147.3 General requirement of open meetings; grounds upon which meetings may be closed.**

\* \* \* \* \*

(b) \* \* \*

(6) \* \* \*

(ii) Files concerning persons subject to regulation by the Commission, including files with respect to applications for registration and biographical supplements submitted with such applications. Examples of the information on the applications and biographical supplements which may be protected are an individual's home address and telephone number, social security number, date and place of birth, fingerprints and, in appropriate cases, the information concerning prior arrests, indictments, criminal convictions or other judgments or sanctions imposed by State or Federal courts or regulatory authorities; and

**§§ 3.10, 3.11, 3.12, 3.13, and 3.14 [Amended]**

8. In addition to the amendments set forth above, 17 CFR Part 3 is amended by removing the words "July 1, 1981" and inserting, in their place, the words "July 1, 1982" in the following places:

a. 3 CFR 3.10 (a)(2)(i) and (c)(1);

- b. 3 CFR 3.11(b)(1);
- c. 3 CFR 3.12 (a), (c)(3) and (d)(1);
- d. 3 CFR 3.13 (a)(2)(i) and (c)(1); and
- e. 3 CFR 3.14 (a)(2)(i) and (c)(1).

Issued in Washington, D.C., on April 21, 1981 by the Commission.

Jane K. Stuckey,

Secretary of the Commission.

[FR Doc. 81-13476 Filed 5-1-81; 8:45 am]

BILLING CODE 6351-01-M

## DEPARTMENT OF THE TREASURY

### Customs Service

#### 19 CFR Part 159

[T.D. 81-117]

#### Currency Rates of Exchange

**AGENCY:** U.S. Customs Service, Department of the Treasury.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Customs Regulations by adding Brazil, Hong Kong, Iran, People's Republic of China, Philippines, Singapore, Thailand, and Venezuela to the list of foreign countries whose currency is converted into equivalent United States currency and certified on a quarterly basis, rather than on a daily basis as is now the case. In so doing, Customs will eliminate the necessity of maintaining data and publishing a Treasury Decision each week advising the public of the daily rates of exchange for the eight countries.

**EFFECTIVE DATE:** May 4, 1981.

**FOR FURTHER INFORMATION CONTACT:**

G. Scott Shreve, Duty Assessment Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229, 202-566-5307.

**SUPPLEMENTARY INFORMATION:**

#### Background

In accordance with 31 U.S.C. 372, it is necessary to convert foreign currency into equivalent United States currency for the purpose of assessing and collecting duties upon merchandise imported into the United States.

One method of conversion involves using certified quarterly rates of exchange for those countries listed in § 159.34(a), Customs Regulations (19 CFR 159.34(a)). For those countries, customs publishes in the Customs Bulletin, for the quarter beginning January 1, and for each quarter thereafter, the rate or rates first certified by the Federal Reserve Bank of New York for the respective foreign currency for a day in that quarter.

The certified quarterly rate of exchange is used for Customs purposes for any date of exportation within the quarter unless a certified daily rate, as determined by the Federal Reserve Bank of New York and certified to the Secretary of the Treasury, for the date of exportation varies by 5 percent or more from the certified quarterly rate. In that event, Customs publishes in the Customs Bulletin a notice of the variation (popularly called a "variance"), and the rate certified on that date for the applicable country listed in § 159.34(a). The certified daily rate then is used for Customs purposes in connection with merchandise exported on that date.

However, a different procedure is used for the following eight countries:

Brazil, Hong Kong, Iran, People's Republic of China, Philippines, Singapore, Thailand, and Venezuela.

The rates of exchange for those countries are converted and certified on a daily basis, rather than on a quarterly basis, as is the case for the countries listed in § 159.34(a). Therefore, in order to inform the importing community of the daily rates of exchange of these eight countries, it is necessary for Customs to publish a separate Treasury Decision each week in the Customs Bulletin.

After a periodic review of the daily rates of exchange for those eight countries, it became clear that their currencies fluctuate within 2 to 3 percent, that is, within the same 5 percent range as those countries listed on a quarterly basis in § 159.34(a). Therefore, it is appropriate to add the eight countries to the list of countries in § 159.34(a).

In so doing, Customs will eliminate the necessity of maintaining data and publishing a Treasury Decision each week advising the public of the daily rates of exchange for the eight countries. The importing community will benefit because it will no longer be necessary to check the rates of exchange for the eight countries on a daily basis. Rather, interested parties need only be apprised of whether there is a variance of 5 percent or more between the certified daily rate and the certified quarterly rate as is presently the case for the countries listed in § 159.34(a). Rates of exchange for countries not listed in § 159.34(a) may be obtained from the Federal Reserve Bank of New York by Customs upon special request.

This document amends the Customs Regulations by adding these eight countries to the list of countries

specified in § 159.34(a), whose currency is converted into equivalent United States currency and certified on a quarterly basis.

#### Inapplicability of Public Notice and Delayed Effective Date Requirements

Because this is a minor technical amendment which relieves a burden on the importing community, and is not of particular interest to the general public, pursuant to 5 U.S.C. 553(b)(B), notice and public procedure thereon are unnecessary. Further, for the same reasons, good cause exists for dispensing with a delayed effective date under 5 U.S.C. 553(d).

#### Inapplicability of Regulatory Flexibility Act

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

#### Drafting Information

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

#### Amendment to the Regulations

Section 159.34(a), Customs Regulations (19 CFR 159.34(a)), is amended by adding the following eight countries in appropriate alphabetical sequence to the list of countries for which the quarterly rate is certified: Brazil, Hong Kong, Iran, People's Republic of China, Philippines, Singapore, Thailand, and Venezuela.

(R.S. 251, as amended, sec. 624, 46 Stat. 759, sec. 522, 46 Stat. 739, as amended (19 U.S.C. 66, 1624, 31 U.S.C. 372))

Approved: April 24, 1981.

William T. Archey,

Acting Commissioner of Customs.

John P. Simpson,

Acting Assistant Secretary of the Treasury.

[FR Doc. 81-13407 Filed 5-1-81; 8:45 am]

BILLING CODE 4180-22-M

**ENVIRONMENTAL PROTECTION AGENCY**

21 CFR Parts 193 and 561

[PH FRL 1809-5a; OPP-30051]

**Tolerance and Additive Regulations for Pesticide Residues In Food or Feed; Certification Under Regulatory Flexibility Act**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Statement of administrative policy.

**SUMMARY:** The Regulatory Flexibility Act provides that certain proposed and final regulations must be accompanied either by a regulatory flexibility analysis or by a certification that no analysis is necessary because the regulation will not have a "significant economic impact on a substantial number of small entities." EPA routinely issues regulations establishing pesticide tolerance levels, or exemptions from requirements for a tolerance, and levels and conditions for safe use of pesticides as food or feed additives that will not generally result in significant impacts to substantial numbers of small businesses or other small entities. Certification of this fact on a case-by-case basis may unnecessarily add to the time required to promulgate such a regulation. The Administrator is issuing a general certification that will apply to each proposed and final tolerance and food additive regulation, except those which would lower an existing tolerance or additive level.

**FOR FURTHER INFORMATION CONTACT:** Edward Brandt, Benefits and Field Studies (TS-768C), Office of Pesticide Programs, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460 (703-557-7355).

**SUPPLEMENTARY INFORMATION:** Congress recently enacted the Regulatory Flexibility Act (Pub. L. 96-534, 94 Stat. 1164, 5 U.S.C. 601-612). The purpose of the Act is to ensure that the Agency analyzes the effect of regulatory requirements on small businesses, Government jurisdictions, and organizations (collectively referred to as "small entities"). The law requires that with certain exceptions, each proposed or final regulation be accompanied by a regulatory flexibility analysis or by a certification by the Administrator that no such analysis is necessary because the regulation will not have a "significant economic impact on a substantial number of small entities." Under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended, (21 U.S.C. 346a), the Agency is

authorized to establish by regulation tolerance levels or exemptions from the requirements for a tolerance for pesticides resulting in residues on raw agricultural commodities. Under section 409 of the same Act (21 U.S.C. 348), the Agency is authorized to issue regulations establishing safe levels of residues of pesticides found as additives in processed food or feed. These tolerance and additive regulations are intended to protect the public while giving appropriate consideration to the production of an adequate, wholesome, and economical food supply. Decisions on tolerance or additive regulations involve careful review and evaluation of residue chemistry and toxicology data to ensure that maximum residue levels likely to be found in food and feed are acceptable for human consumption.

The establishment of a tolerance or an exemption or an additive level allows a pesticide product to be registered under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (FIFRA) and thus to be distributed and sold in commerce for a particular use resulting in residues on food or feed under 40 CFR 162.7(d)(v). This generally has some beneficial economic impacts on the producer, distributors, and professional applicators of the pesticide, all of whom benefit through sale of the pesticide. It may also benefit the ultimate user of the pesticide, usually a grower or food processor, who would otherwise not be able to legally sell crops containing residues of that pesticide. These regulations also, in many cases, increase the number of pest treatment alternatives, thereby increasing competition in the pesticide market. However, the economic benefits from any specific regulation generally are not "significant," within the meaning of the Regulatory Flexibility Act, since most such rules affect only a relatively few manufacturers and distributors, and since the users of the pesticides affected by a rule generally have alternative means of controlling the pest in question. In addition, the only situation in which issuance of a regulation under section 408 or 409 of the FFDCA might have a significant "adverse" impact would be the case of an amendment to an existing tolerance or exemption or additive level which results in a lower maximum allowable residue.

However, delay in issuing a tolerance or an exemption or a food or feed additive level, in some cases, causes significant adverse economic impacts on potential users of a pesticide. Preparing and approving a separate certification for each of the many tolerance or food additive regulations could add

significantly to the time required to process and approve them. Such a delay would in fact be contrary to the intent of the Regulatory Flexibility Act. It is therefore desirable to issue a general certification that will apply to most tolerance and food additive regulations on the grounds that such regulations will not substantially adversely impact small entities.

Accordingly, I hereby certify that regulations establishing new tolerances, food or feed additive levels, or conditions for safe use of food additives, or raising tolerance or additive levels, or establishing exemptions from tolerance requirements, under sections 408 and 409 of the FFDCA, do not have a significant economic impact on a substantial number of small entities. Such regulations will not be required to undergo regulatory flexibility analysis. A statement referring to this certification notice will be included in the preamble to each such regulation.

(5 U.S.C. 605(c))

Dated: April 28, 1981.

Walter C. Barber, Jr.,  
Acting Administrator.

[FR Doc. 81-13410 Filed 5-1-81; 8:45 am]

BILLING CODE 6560-31-M

**DEPARTMENT OF THE TREASURY****Internal Revenue Service****26 CFR Part 1**

[T.D. 7774]

**Income Tax; Treatment of Certain Interest in Corporations as Stock or Indebtedness**

AGENCY: Internal Revenue Service, Treasury.

ACTION: Amendment of final regulations.

**SUMMARY:** This document amends final regulations relating to the treatment of certain interests in corporations as stock or indebtedness by changing the effective date of the regulations from May 1, 1981, to January 1, 1982.

EFFECTIVE DATE: January 1, 1982.

**FOR FURTHER INFORMATION CONTACT:** Jack A. Levine of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, DC 20224 (Attention: CC:LR:T, 202-566-3458, not a toll-free call).

**SUPPLEMENTARY INFORMATION:****Background**

Section 385 of the Internal Revenue Code relates to the treatment of certain

interests in corporations as stock or indebtedness. Final regulations under section 385 were published in the Federal Register for Wednesday, December 31, 1980 (45 FR 86438). These regulations generally would have applied to certain interests in corporations created after April 30, 1981. However, at the invitation of the Treasury and Internal Revenue Service, several public comments on the final regulations were received after December 31, 1980. The comments have recommended changes in several areas of these regulations. In order for the Treasury and Internal Revenue Service to have sufficient time to fully examine these comments and determine whether changes should be made, the regulations are being amended to apply to certain interests in corporations only if they are created after December 31, 1981. Additionally, it is anticipated that the December 29, 1980, date in the bankruptcy and binding written contract exceptions of § 1.385-1(a)(2) will be extended to an as yet undetermined future date. This date will not be earlier than the date that either changes in the regulations are announced (through the issuance of proposed regulations or otherwise) or it is announced that there will be no such changes.

#### Drafting Information

The principal author of this regulation is Jack A. Levine of the Legislation and Regulations Division of the Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulations, both on matters of substance and style.

#### Waiver of Certain Procedural Requirements of Final Treasury Directive

A determination has been made by Roscoe L. Egger, Jr., Commissioner of Internal Revenue, that there is need for an immediate amendment to the regulations under section 385 of the Code in order to postpone the May 1, 1981, effective date of the regulations. Because of the immediate need for this regulation, compliance with the procedural requirements of paragraphs 8 through 14 of the final Treasury directive (43 FR 52121), relating to improving regulations, would be impractical, and therefore, these requirements have not been followed.

#### Adoption of Amendments to the Regulations

Accordingly, 26 CFR Part 1 is amended as follows:

Paragraph 1. Paragraph (a)(1) of § 1.385-1 is revised to read as follows:

#### § 1.385-1 Stock or indebtedness.

(a) *Effective date*—(1) *In general.* The regulations under section 385 apply to instruments (as defined in § 1.385-3(c)) and preferred stock issued after December 31, 1981, and to loans described in § 1.385-7 and guaranteed loans made after December 31, 1981.

#### \* \* \* \* \*

#### § 1.385-6 [Amended]

Par. 2. The date "December 31, 1981" is removed each time it appears in example (3) of paragraph (g) (4) of § 1.385-6 and the date "December 31, 1982" is inserted in lieu thereof.

There is a need for immediate guidance with respect to the provisions contained in this Treasury decision. For this reason, it is found impractical to issue it with notice and public procedure under subsection (b) of section 553 of Title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

This Treasury decision is issued under the authority contained in sections 385 and 7805 of the Internal Revenue Code of 1954 (83 Stat. 613 and 68A Stat. 917; 26 U.S.C. 385 and 7805).

Roscoe L. Egger, Jr.,  
Commissioner of Internal Revenue.

Approved: April 29, 1981.

John E. Chapoton,  
Assistant Secretary of the Treasury.

[FR Doc. 81-13402 Filed 4-29-81; 4:10 pm]

BILLING CODE 4830-01-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[A-5-FRL 1791-2]

#### Approval and Promulgation of Implementation Plans; Ohio

**AGENCY:** U.S. Environmental Protection Agency (EPA).

**ACTION:** Final rulemaking.

**SUMMARY:** On December 18, 1979 (44 FR 74861), EPA proposed to approve as a revision to the Ohio State Implementation Plan (SIP) for sulfur dioxide (SO<sub>2</sub>) revised emission limitations for the Toledo Edison Company's Acme, Bay Shore, and Water Street Stations located in Lucas County, Ohio. As a result of EPA's review of the modeling data submitted for this revision, EPA has determined that the federal Ohio SO<sub>2</sub> SIP for Lucas County is not adequate to ensure attainment and maintenance of the National Ambient Air Quality Standard (NAAQS)

for SO<sub>2</sub>. In contrast to the existing federal plan, the revision represents a considerable reduction in emissions at two stations (Acme and Water Street) and an increase in emissions at the third station (Bay Shore). Therefore the revision results in an overall reduction of emissions from the three Toledo Edison stations located in Lucas County. EPA today takes final action to approve the revised emission limitations as interim emission limitations for the Toledo Edison Company until a Part D plan is approved for Lucas County.

In a separate notice published elsewhere in today's Federal Register, EPA proposes to disapprove the sulfur dioxide plan for Lucas County submitted by the State of Ohio on September 12, 1979 (the State plan is essentially identical to the existing federal plan). In that notice, EPA calls on the State to submit a control strategy that demonstrates attainment and maintenance of the NAAQS for Lucas County as required under Part D of the Clean Air Act.

**EFFECTIVE DATE:** May 4, 1981.

**ADDRESSES:** The docket #5A-79-6 for the revision is available for inspection and copying during normal business hours at Region V, 230 South Dearborn Street, Chicago, Illinois 60604, and at EPA Central Docket Section, West Tower Lobby, Gallery 1, 401 M Street, SW, Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Debra Marcantonio, Regulatory Analysis Section, USEPA, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, 312-886-6088.

**SUPPLEMENTARY INFORMATION:** On May 31, 1977 (42 FR 27588) the EPA promulgated regulations establishing a State Implementation Plan (SIP) for the control of sulfur dioxide (SO<sub>2</sub>) for the Toledo Edison Acme, Water Street, and Bay Shore Stations in Lucas County, Ohio. On July 27, 1978, Toledo Edison requested a revision to the SO<sub>2</sub> emission limitations for these three stations. That request was accompanied by a dispersion modeling study which had been performed by the Company's consultant using EPA's Urban RAM Model. After reviewing this study, EPA requested further technical documentation from Toledo Edison in support of the revision request.

The revision includes two important changes in plant operating configuration. First, due to structural deterioration, a 83.8 meter stack at Acme was reduced to 68.6 meters. This 68.6 meter stack at Acme was found to be in compliance with EPA's good engineering practice (GEP) stack height formula (see EPA's



proposed stack height regulations, 44 FR 2608, January 12, 1979).

Second, a new stack was installed at the Bay Shore Station. This single 144.8 meter stack went into operation with all four units on January 18, 1981 replacing the four 76.8 meter stacks. The stack was modeled at 117.4 meters, the stack height credit calculated based on the CEP stack height formula.

An annual modeling analysis was performed with the same model (CDM) that was used by the EPA and a five year (1973-1977) climatological summary of the Toledo/Flint meteorological data. Only the Toledo Edison sources were modeled (under both the EPA and the Toledo Edison strategies) in order to determine the relative effect of the proposed strategy. The emissions inventory consisted of annual average operating rates from a representative recent year (1976) and plant configurations consistent with the appropriate strategy (i.e., new stacks at Acme and Bay Shore for the Toledo Edison strategy and existing stacks at Acme and Bay Shore for the EPA strategy).

A short-term modeling analysis was performed with the same model (RAM-urban) that was used by the EPA and five years (1973-1977) of hourly sequential Toledo/Flint meteorological data. In addition, while the EPA divided Lucas County into four distinct regions and modeled each separately, Toledo Edison modeled Lucas County as a whole.

The short-term emissions inventory for the Toledo Edison sources is similar to that modeled by the EPA, except for the revised SO<sub>2</sub> emissions and the modified stack heights at Acme and Bay Shore. As for the other point sources, the individual companies were contacted to up-date the EPA emissions inventory. Background was accounted for with a complete area source inventory for Lucas County.

The results of the modeling analysis predicted substantial violations of the 24-hour and 3-hour NAAQS in Lucas County and thus demonstrated that the existing federal plan for Lucas County does not ensure the attainment and maintenance of the NAAQS. Additionally, the results of the modeling indicate that under both the original federal emission limits and the revised emission limits, the Toledo Edison plants significantly contribute to violations of the short-term NAAQS. [Note, the significant levels are defined as follows: 1 µg/m<sup>3</sup> (annual), 5 µg/m<sup>3</sup> (24-hour), and 25 µg/m<sup>3</sup> (3-hour).]

The table below shows the Toledo Edison Company's contribution to the largest violations under the old limits

and the new revised limits. Although not shown in the table, the Toledo Edison modeling demonstrated that the revised emission limitations for the Toledo Edison Company do not significantly

exacerbate any predicted nonattainment problems. That is, the impacts under the new limits are either less than or not significantly greater than those under the existing EPA Limits.

Total Short-Term Concentrations (µg/m<sup>3</sup>)<sup>1</sup>

Year	Receptor No.	2d high 24-hour			2d high 3-hour		Old limits		
		Old limits	(TEC) <sup>2</sup>	New limits	(TEC) <sup>2</sup>	(TEC) <sup>2</sup>	New limits	(TEC) <sup>2</sup>	
1973	113	1,167	(72)	1,148	(53)	1,778	(56)	1,794	(72)
	80	901	(74)	870	(43)	1,691	(109)	1,642	(60)
1974	113	1,095	(39)	1,091	(35)	1,675	(36)	1,678	(38)
	80	1,068	(60)	1,049	(41)	1,669	(31)	1,661	(23)
1975	113	770	(52)	748	(30)	1,741	(58)	1,754	(72)
	80	893	(42)	875	(24)	1,682	(96)	1,636	(50)
1976	113	726	(27)	721	(23)	1,685	(168)	1,597	(80)
	80	696	(64)	670	(37)	1,644	(78)	1,622	(56)
1977	113	845	(41)	830	(26)	1,687	(52)	1,687	(53)
	80	752	(40)	737	(25)	1,724	(126)	1,666	(68)

<sup>1</sup> Concentrations are the top two second high impacts for each year of meteorological data. Toledo Edison contributions are shown in parentheses. It should be noted that numerous other violations were predicted.

<sup>2</sup> Toledo Edison Company (TEC)—Combined contributions from Acme, Water Street, and Bay Shore. Contributions under the old limits are scaled from the modeling of the new stack heights and are, thus, likely to be underestimates.

The Toledo Edison revised emission limitations being published today will result in an improvement in the air quality in Lucas County. In contrast to the existing federal plan, the revision represents a considerable reduction in emissions at two stations (Acme and Water Street) and an increase in emissions at the third station (Bay Shore). Therefore, the revision results in an overall reduction of emissions from the three Toledo Edison stations located in Lucas County. EPA is taking final action today to approve the revised emission limitations for the Toledo Edison Company. However, in a separate notice published elsewhere in today's Federal Register, EPA proposes to disapprove the sulfur dioxide plan for Lucas County submitted by the State of Ohio on September 12, 1979. The State's plan cannot be approved since their plan is essentially identical to the existing federal plan which has been determined to be inadequate to attain the NAAQS. In that notice, EPA calls on the State to submit a control strategy that demonstrates attainment and maintenance of the NAAQS in Lucas County. Under Part D of the Clean Air Act Amendments of 1977, the State of Ohio has 12 months from the effective date of that notice to develop an enforceable plan to attain the SO<sub>2</sub> NAAQS. For any changes that are needed in the emission limitations for sources to protect the SO<sub>2</sub> NAAQS in Lucas County, the State must also prescribe a schedule for compliance with the new limits as expeditiously as practicable but in no case later than three and one half years from the date of approval of the plan (Part D of the Clean Air Act, 42 U.S.C. 7502).

EPA's approval of the revised emission limitations for the Toledo Edison Company does not affect the revised county plan requested of the State but rather provides interim emission limitations until the State of Ohio develops and EPA approves an adequate plan for Lucas County.

The December 18, 1979 notice of proposed rulemaking also revised the following regulations relevant to the Toledo Edison Company and these changes are also being finalized today.

(1) The proposed rulemaking revised the wording in Section 52.1881(b)(39)(iii)(B) relating to the Bay Shore peaking unit from "fossil fuel fired steam generating units" to "fossil fuel fired peaking unit" to accurately reflect the nature of the unit. This rewording does not change the intent of the original regulation.

(2) The proposed rulemaking included a new compliance date of April 15, 1980 for the Acme coal-fired units and the Water Street Station steam plant oil-fired units. This revision was premised upon the fact that the new emission limitations for these stations are more stringent than the original limitations promulgated by EPA.

The proposed rulemaking provided a 30 day public comment period. However, in response to requests for an extension of time for the filing of comments, the public comment period was reopened for an additional 30 days.

During the public comment period, only one comment was received. This comment requested that the proposed revision for the Bay Shore Plant be withdrawn until such time as a thorough analysis of lake-shore fumigation is performed. In support of this request, a discussion of lake-induced short-term

fumigation effects for the Cleveland Electric Illuminating Company's Avon Lake and Eastlake Plants was submitted. Presently available routine analytical tools for evaluating shoreline fumigation do not provide estimates of sufficient certainty to use in establishing emission limitations. Shoreline fumigation modeling techniques such as those suggested by the commenter provide results that are so uncertain that they cannot be relied upon for establishing emission limits.

In addition to the public comment discussed above, the State of New York filed comments on this SIP revision after the closing of the comment period. The comments alleged that EPA did not adequately consider the interstate transport problem even though there are long range air quality models available. New York also discussed the transport of sulfates and their contribution to primary and secondary TSP NAAQS violations in the State of New York. Finally, New York requested that EPA consider the cumulative impact on New York's air quality of several pending and final sulfur dioxide SIP revisions for sources in Ohio, Indiana, West Virginia and Tennessee.

New York indicated that it also intended its comments to be considered as a § 126 petition. EPA has decided not to respond to New York's comments in the context of this rulemaking as the comments primarily concern the aggregate air quality impact of several sources, rather than the impact of this individual SIP revision. EPA will, however, consider New York's concerns as part of its determination on the § 126 petition. EPA plans to hold a § 126 hearing on New York's petition in the near future.

Based upon the Agency's review of the technical documentation submitted by the Toledo Edison Company and an analysis of the public comment submitted, EPA has determined that promulgation of this SIP will result in an improvement in air quality in Lucas County and therefore is appropriate until such a time that the State of Ohio submits and EPA approves a control strategy that demonstrates attainment and maintenance of the NAAQS for Lucas County.

This revision is effective upon publication. The Administrator finds good cause for making this revision effective immediately since Toledo Edison Company is currently in compliance with this regulation and has requested an immediately effective date.

Under Executive Order 12291, EPA must judge whether a regulation is "major" and, therefore, subject to the requirement of a regulatory impact

analysis. Today's action does not constitute a major regulation since it approves revised emission limitations for three facilities of the Toledo Edison Company. The revision requested by the Toledo Edison Company represents a reduction in emissions at two of Toledo Edison's facilities (Acme and Water Street) and an increase in emissions at the third facility (Bay Shore). No additional cost is anticipated to be incurred by the company in meeting with these new limitations. The facilities are currently in compliance with these regulations and have requested an immediate effective date.

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

(Sec. 110 of the Clean Air Act, as amended 42 U.S.C. § 7410)

Dated: April 15, 1981.

Walter C. Barber,  
Acting Administrator.

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

#### Subpart KK—Ohio

1. § 52.1881 is amended as follows by revising paragraphs (b)(39)(iii)(A) and (b)(39)(iii)(B), and by revising paragraphs (b)(39)(vii)(A) and (b)(39)(ix).

#### § 52.1881 Control strategy: Sulfur oxides (sulfur dioxide).

(b) Regulations for the control of sulfur dioxide in the State of Ohio.

(39) In Lucas County \* \* \*

(iii) The Toledo Edison Company or any subsequent owner or operator of the Bay Shore Station in Lucas County, Ohio shall not cause or permit sulfur dioxide emissions from any stack at the Bay Shore Station in excess of the rates specified below:

(A) 834.6 nanograms of sulfur dioxide per joule (1.94 lbs SO<sub>2</sub>/MMBTU) actual heat input for the fossil fuel-fired steam generating units burning coal. (B) 215.1 nanograms of sulfur dioxide per joule (0.50 lbs SO<sub>2</sub>/MMBTU) actual heat input

for the fossil fuel-fired peaking unit burning oil.

(vii) The Toledo Edison Company or any subsequent owner or operator of the Acme Power Plant in Lucas County, Ohio shall not cause or permit sulfur dioxide emissions from any stack at the Acme plant in excess of the rates specified below:

(A) 516.2 nanograms of sulfur dioxide per joule (1.20 lbs SO<sub>2</sub>/MMBTU) actual heat input for fossil fuel-fired steam generating units burning coal.

(ix) The Toledo Edison Company or an subsequent owner or operator of the Water Street Steam Plant in Lucas County, Ohio shall not cause or permit sulfur dioxide emissions from any stack at the Water Street Plant in excess of 430.2 nanograms of sulfur dioxide per joule (1.00 lbs SO<sub>2</sub> per MMBTU) actual heat input.

2. § 52.1882(b) is amended as follows by adding a new subparagraph (8):

#### § 52.1882 Compliance schedules.

(b) \* \* \*

(8) Federal compliance schedules for the Toledo Edison Acme Power Plant coal fired units and the Water Street Steam Plant oil fired units is as set forth in § 52.1882(b) except that § 52.1882(b)(4)(iii)(G) is changed, for these units only, as follows: April 15, 1980: Achieve final compliance with the emission limitation of § 52.1881(b) of this chapter, as applicable, and notify the Administrator in writing that such action was taken.

[FR Doc. 81-13507 Filed 5-1-81; 8:45 am]  
BILLING CODE 6560-01-M

#### 40 CFR Part 86

[AMS-FRL-1790-5a]

#### Control of Air Pollution From Motor Vehicles and New Motor Vehicle Engines; Amendment to High-Altitude Emission Standards for 1982 and 1983 Model Year Light-Duty Motor Vehicles

AGENCY: Environmental Protection Agency.

ACTION: Decision on reconsideration and amendment to final rule.

SUMMARY: On March 6, 1981, Ford Motor Company requested the Environmental Protection Agency (EPA) to reconsider a provision contained in the final 1982-1983 high-altitude regulations published in October 8, 1980, 45 FR 66984. EPA has reconsidered and accordingly amended

the provision, which prohibits the sale of vehicles that meet only high-altitude emissions requirements for principal use in low-altitude areas. The decision on reconsideration and amended rule are published below.

**DATES:**

Effective date: This amendment to the final rule is effective May 4, 1981.

Comment date: However, EPA will accept comments until (30 days after date of publication). Comments should be submitted to Public Docket No. A-79-14 at the address published below.

**ADDRESS:** Materials relevant to this rulemaking action are contained in Public Docket No A-79-14 at the U.S. Environmental Protection Agency, Central Docket Section (A-130), West Tower Lobby, Gallery 1, 401 M Street, S.W., Washington, D.C. 20460. The docket may be inspected between the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday. A reasonable fee may be charged for copying services.

**FOR FURTHER INFORMATION CONTACT:** Gregory J. Dana, Office of Mobile Source Air Pollution Control (ANR-455), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460. Telephone 202-755-0596.

**SUPPLEMENTARY INFORMATION:** *Public Comment:* Pursuant to the Administration Procedure Act, 5 U.S.C. 553(b), EPA finds that publishing a notice of proposed rulemaking and receiving public comments before establishing a final amendment is impracticable and contrary to the public interest. This amendment is critical for manufacturers' and their dealers' compliance with the 1982 model year high-altitude regulations, and the 1982 model year is imminent. Substantial delay in promulgation of these amendments could result in severe economic harm to certain dealers, and lost sales for manufacturers, since dealers would be forced to order their inventories under the assumption that the existing prohibitions are effective. EPA will, however, consider comments on this amendment received within 30 days after publication of this notice, including comments on the appropriateness of applying this amendment to 1983 model year vehicles. If, as a result of those comments, additional changes to the regulations are appropriate, EPA will issue a revised final rule applicable for the 1983 model year.

EPA finds good cause to make these amendments effective upon promulgation. In addition to the reasons discussed above, these amendments only relieve restrictions on the regulated industry.

*Regulatory Analysis:* Section 3(b) of Executive Order 12291, 46 FR 13193 (February 19, 1981) requires EPA to initially determine whether a rule that it intends to propose or issue is a major rule and to prepare regulatory impact analyses for all major rules.

EPA has determined that the amendment adopted herein is not a major rule, since it will decrease the economic impact associated with the original rule without significantly affecting the environmental control anticipated in that rule. Accordingly, a Regulatory Impact Analysis is not being prepared for this amendment.

This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291. Any comments from OMB to EPA and any EPA response to those comments are available for public inspection at the Central Docket Section (see Address).

Under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, EPA is required to determine whether a regulation will have a significant economic impact on a substantial number of small entities so as to require regulatory analysis. The revision of the high-altitude regulation established by this rulemaking should reduce the burden of compliance with high-altitude requirements for small entities. Therefore, pursuant to 5 U.S.C. 605(b), I hereby certify that this rule will not have a significant adverse economic impact on a substantial number of small entities.

This amendment is issued under the authority of Section 202(f)(1), Section 206 and Section 301(a)(1) of the Clean Air Act, as amended, 42 U.S.C. 7521(f)(1), 7525, 7601(a)(1).

Dated: April 8, 1981.

Walter C. Barber,  
Acting Administrator.

April 8, 1981.

Mr. Herbert L. Misch,  
Vice President, Environmental and Safety  
Engineering, Ford Motor Company, The  
American Road, Dearborn, Michigan  
48121.

Dear Mr. Misch: I have reviewed Ford Motor Company's (Ford's) March 6, 1981 petition requesting the Environmental Protection Agency (EPA) to modify a provision in the 1982-83 high-altitude regulations published on October 8, 1980 (45 FR 66984). This provision, subsection 86.082-30(a)(4) of title 40 of the Code of Federal Regulations, prohibits, *inter alia*, the sale of vehicles that meet only the high-altitude requirements to customers who will principally use those vehicles in other than designated high-altitude locations. Ford claims that this provision will cause economic hardship to dealers in designated high-altitude locations who sell to both high and low-altitude customers, and that there

could be a net beneficial effect, if any, on emissions from high altitude vehicles used in certain low-altitude areas. I have reconsidered the bases for EPA's original determination that sale of high-altitude vehicles for principal use in low altitude areas should be prohibited, and have decided to amend the regulations to delete this provision.

As discussed in the final rules, EPA adopted this provision to avoid a potential increase in NO<sub>x</sub> emissions from high altitude vehicles being driven at low altitudes. 45 FR 66984, 66993 (1980). Ford points out that it expects very few customers who will principally use vehicles outside of a designated high-altitude location to purchase high-altitude vehicles, and that such use would normally occur only in areas next to designated high-altitude areas ("fringe" elevations), where NO<sub>x</sub> emissions would not be expected to increase to any significant degree, and where HC and CO emissions would actually decrease. Ford also asserts that the current regulations would force certain high-altitude dealers to stock inventories of both low- and high-altitude vehicles in order to take advantage of every sales opportunity, and that dealer trading would be restricted.

EPA had, in fact, initially proposed that the sale of high-altitude vehicles for principal use at low altitude be allowed, so that low-altitude customers, whose principal area of use is close to designated high-altitude locations, would have the option of buying high-altitude vehicles. However, indications that NO<sub>x</sub> emissions would increase if this provision were retained, in combination with the expectation that trading between low and high-altitude dealerships would minimize any negative effect on model availability, resulted in a decision that the final rule should require that high-altitude vehicles be sold only for principal use in designated high-altitude areas.

The benefits expected from use of high-altitude vehicles in certain low-altitude areas in terms of improved fuel economy and HC and CO emission reductions distinguish this situation from the sale of low-altitude vehicles for use in designated high-altitude areas. In the latter case, since HC and CO emissions would increase substantially, such sales would defeat the very purpose of the high-altitude regulations. In addition, whereas manufacturers would have an economic incentive to sell low-altitude vehicles for use in designated high-altitude areas due to the lower costs involved in producing low-altitude vehicles, the converse is not true. Therefore, the prohibition on sale of low-altitude vehicles for principal use in designated high-altitude areas prevents a flow of vehicles (from low- to high-altitude areas) that is much more likely to occur than that which might occur in the situation Ford has presented.

Ford's arguments indicate that the economic consequences of the restriction on sale of high-altitude cars for principal use in low-altitude areas have been magnified by the current automotive market situation. I am required under section 202(f)(3)(A) of the Clean Air Act to consider the economic

impact upon individual high-altitude dealers in promulgating high-altitude regulations. Ford's arguments are persuasive given the limited incentive for high-altitude dealers to sell high-altitude vehicles to low-altitude customers.

I am also required, under section 202(f)(3)(C) of the Clean Air Act, to consider the likelihood that high altitude regulations will result in significant improvements in air quality in any area to which such regulations apply. Given the relative lack of information available to show that there would be a significant adverse effect on NO<sub>x</sub> emissions if this restriction were removed,<sup>1</sup> and the potential beneficial effects on HC and CO emissions, it appears that this restriction would not result in a significant improvement in air quality. Balancing this with the potential adverse economic consequences upon individual high-altitude dealers, I have decided to grant Ford's petition.<sup>2</sup>

We believe that there is good cause for dispensing with the requirements of notice and opportunity for comment on this amendment, and plan to publish the revision as a final rule, effective upon promulgation. While it is not clear whether this action may be treated as an emergency rule under the recently issued Executive Order concerning promulgation and review of Federal regulations, we will make every effort to expedite this matter.

Sincerely yours,

Walter C. Barber,  
Acting Administrator.

cc: Drew Lewis, Secretary of Transportation

**PART 86—CONTROL OF AIR POLLUTION FROM NEW MOTOR VEHICLES AND NEW MOTOR VEHICLE ENGINES: CERTIFICATION AND TEST PROCEDURES**

40 CFR Part 86 is amended as follows:

1. Section 86.082-30 is amended in the introductory text of paragraph (a)(4) by revising the second sentence to read as follows:

**§ 86.082-30 [Amended]**

(a) \* \* \*

(4) \* \* \* A violation of Section 203(a)(1) of the Clean Air Act occurs when any manufacturer sells or delivers to an ultimate purchaser any light-duty vehicle or light-duty truck, subject to the regulations under the Act which is not

<sup>1</sup> If further study on the NO<sub>x</sub> impact indicates that there would be a significant adverse effect on such emissions, this decision may be subject to revision.

<sup>2</sup> Of course, since this decision affects only a manufacturer's liability under section 203(a)(1) of the Clean Air Act, any high-altitude vehicles that are sold for principal use at low altitudes are still subject to the requirements of section 207 of the Clean Air Act. Of course manufacturers would rarely be subject to recall or warranty liability for high-altitude vehicles failing to meet low-altitude standards if, as Ford points out, emissions actually improve.

configured to meet high-altitude requirements: "

\* \* \* \* \*

2. Section 86.082-30 is further amended by removing existing paragraphs (a)(4) (i) and (ii) and adding new paragraphs (i) and (ii) to read as follows:

\* \* \* \* \*

(i) At a designated high-altitude location, unless such manufacturer has substantial reason to believe that such motor vehicle will not be used principally at a designated high-altitude location; or

(ii) At an other-than-designated high-altitude location, when such manufacturer has reason to believe that such motor vehicle will be used principally at a designated high-altitude location.

\* \* \* \* \*

[FR Doc. 81-13213 Filed 5-1-81; 8:45 am]

BILLING CODE 6560-26-M

**40 CFR Part 180**

[PH FRL 1809-5; OPP-30049]

**Tolerance and Additive Regulations for Pesticide Residues in Food or Feed; Certification Under Regulatory Flexibility Act**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Statement of administrative policy.

**SUMMARY:** The Regulatory Flexibility Act provides that certain proposed and final regulations must be accompanied either by a regulatory flexibility analysis or by a certification that no analysis is necessary because the regulation will not have a "significant economic impact on a substantial number of small entities." EPA routinely issues regulations establishing pesticide tolerance levels, or exemptions from requirements for a tolerance, and levels and conditions for safe use of pesticides as food or feed additives that will not generally result in significant impacts to substantial numbers of small businesses or other small entities. Certification of this fact on a case-by-case basis may unnecessarily add to the time required to promulgate such a regulation. The Administrator is issuing a general certification that will apply to each proposed and final tolerance and food additive regulation, except those which would lower an existing tolerance or additive level.

**FOR FURTHER INFORMATION:** Edward Brandt, Benefits and Field Studies (TS-768C), Office of Pesticide

Programs, Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20460, (703-557-7355).

**SUPPLEMENTARY INFORMATION:** Congress recently enacted the Regulatory Flexibility Act (Pub. L. 96-534, 94 Stat. 1164, 5 U.S.C. 601-612). The purpose of the Act is to ensure that the Agency analyzes the effect of regulatory requirements on small businesses, Government jurisdictions, and organizations (collectively referred to as "small entities"). The law requires that with certain exceptions, each proposed or final regulation be accompanied by a regulatory flexibility analysis or by a certification by the Administrator that no such analysis is necessary because the regulation will not have a "significant economic impact on a substantial number of small entities." Under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended, (21 U.S.C. 346a), the Agency is authorized to establish by regulation tolerance levels or exemptions from the requirements for a tolerance for pesticides resulting in residues on raw agricultural commodities. Under section 409 of the same Act (21 U.S.C. 348), the Agency is authorized to issue regulations establishing safe levels of residues of pesticides found as additives in processed food or feed. These tolerance and additive regulations are intended to protect the public while giving appropriate consideration to the production of an adequate, wholesome, and economical food supply. Decisions on tolerance or additive regulations involve careful review and evaluation of residue chemistry and toxicology data to ensure that maximum residue levels likely to be found in food and feed are acceptable for human consumption.

The establishment of a tolerance or an exemption or an additive level allows a pesticide product to be registered under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (FIFRA) and thus to be distributed and sold in commerce for a particular use resulting in residues on food or feed under 40 CFR 162.7(d)(v). This generally has some beneficial economic impacts on the producer, distributors, and professional applicators of the pesticide, all of whom benefit through sale of the pesticide. It may also benefit the ultimate user of the pesticide, usually a grower or food processor, who would otherwise not be able to legally sell crops containing residues of that pesticide. These regulations also, in many cases, increase the number of pest treatment alternatives, thereby increasing competition in the pesticide market. However, the economic benefits from



any specific regulation generally are not "significant," within the meaning of the Regulatory Flexibility Act, since most such rules affect only a relatively few manufacturers and distributors, and since the users of the pesticides affected by a rule generally have alternative means of controlling the pest in question. In addition, the only situation in which issuance of a regulation under section 408 or 409 of the FFDCA might have a significant "adverse" impact would be the case of an amendment to an existing tolerance or exemption or additive level which results in a lower maximum allowable residue.

However, delay in issuing a tolerance or an exemption or a food or feed additive level, in some cases, causes significant adverse economic impacts on potential users of a pesticide. Preparing and approving a separate certification for each of the many tolerance or food additive regulations could add significantly to the time required to process and approve them. Such a delay would in fact be contrary to the intent of the Regulatory Flexibility Act. It is therefore desirable to issue a general certification that will apply to most tolerance and food additive regulations on the grounds that such regulations will not substantially adversely impact small entities.

Accordingly, I hereby certify that regulations establishing new tolerances, food or feed additive levels, or conditions for safe use of food additives, or raising tolerance or additive levels, or establishing exemptions from tolerance requirements, under sections 408 and 409 of the FFDCA, do not have a significant economic impact on a substantial number of small entities. Such regulations will not be required to undergo regulatory flexibility analysis. A statement referring to this certification notice will be included in the preamble to each such regulation.

(5 U.S.C. 605(c))

Dated: April 28, 1981.

Walter C. Barber, Jr.,  
Acting Administrator.

[FR Doc. 81-13415 Filed 5-1-81; 8:45 am]  
BILLING CODE 6560-31-M

## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 9

[Docket No. FEMA-GEN-9C]

### Floodplain Management and Protection of Wetlands

AGENCY: Federal Emergency  
Management Agency (FEMA).

**ACTION:** Interim rule and request for comments.

**SUMMARY:** This regulation amends § 9.11(e)(1)(2) of the FEMA floodplain management regulations (44 CFR Part 9, 45 FR 59520, September 9, 1980, as previously amended at 46 FR 9084, January 28, 1981). It changes some of the substantive provisions and defers implementation until October 1, 1981.

The Federal Insurance Administration will not be required to assess the insurance risk on each new or substantially improved structure in coastal high hazard areas (V Zones) except as regards its elevation. This change from the initial system of individual rating was necessitated by an anticipated administrative burden imposed by the individual rating system and by the comments received by FEMA. The new rating scheme is intended to achieve actuarial flood insurance rates in V Zones without the administrative burden. The deferral of the implementation date from May 1, 1981 to October 1, 1981, is needed to implement the new system. *No requirements or changes to insurance availability or rating will go into effect on May 1, 1981.*

**EFFECTIVE DATE:** This rule is effective May 4, 1981.

**Comment due date:** On or before July 15, 1981.

**ADDRESS:** Send comments to Rules Docket Clerk, Office of General Counsel, Federal Emergency Management Agency, Room 802, 1725 I Street, NW., Washington, DC 20472.

**FOR FURTHER INFORMATION CONTACT:** John Scheibel, Assistant to the General Counsel for Environmental Quality and Hazard Mitigation, 1725 I Street, NW., Washington, DC 20472, Telephone (202) 634-1990.

**SUPPLEMENTARY INFORMATION:** As the Federal Insurance Administration (FIA) has gained experience in insuring structures in coastal high hazard areas (V Zones), it has become clear that the flood insurance rates for new construction in such areas are too low. Recent figures indicate that the Government is subsidizing policies in V Zones at \$432 per policy per year. This apparently results from the fact that two key risk factors have not been taken into consideration: Wave heights and stability of the structure to withstand wave impacts. To put the flood insurance program on an actuarially sound basis in V Zones, it is imperative that these factors be taken into consideration. If flood insurance

premiums do not reflect the real risk in V Zones, it will encourage development in these most hazardous areas and place a potential burden on the taxpayers. V Zones are those coastal areas in which waves have their greatest impact. Thus, while they embrace a very limited geographic area, they represent an area of significant risk. In order to operate the flood insurance program in V Zones on a fiscally responsible basis, FEMA issued regulations which required individual insurance rating of structures in V Zones.

Section 9.11(e) of the FEMA floodplain management regulations (44 CFR Part 9, 45 FR 59520, September 9, 1980) provided that in implementing the National Flood Insurance Program (NFIP), the Federal Insurance Administrator, who heads a component within the Federal Emergency Management Agency, and to whom the Director of FEMA has delegated the authority and responsibility for administering the NFIP, would, by February 1, 1981, take a number of actions with respect to the providing of flood insurance for new construction or a substantial improvement in a coastal high hazard area, and would identify all coastal high hazard areas (with or without base flood elevations) in the United States by October 1, 1981.

In order to implement the provisions of § 9.11(e)(1)(2) and (3), FEMA published a proposed rule at 45 FR 78181, 78182 on November 25, 1980, proposing various procedures for taking the actions required of FIA after February 1, 1981. On January 21, 1981, FEMA amended 44 CFR 9.11(e)(2) by changing the date for compliance from February 1, 1981 to May 1, 1981 (46 FR 9084, January 28, 1981). To further encourage additional comments concerning its proposed rule of November 25 and, in conformity with the amending of the implementation date of § 9.11(e)(2) from February 1, 1981 to May 1, 1981, FEMA published on February 23, 1981, at 46 FR 13527, 13528 a notice stating that rulemaking was being delayed and that pending expiration, on April 15, 1981, of an additional comment period, FEMA did not intend to publish any final rules generated by the November 25, 1980, proposed rulemaking other than certain rules not pertaining to § 9.11(e)(2), which were published as final in the Rules Section of the Federal Register of February 23, 1981.

This regulation must take effect immediately so that the public can be advised that the May 1, 1981 date is no

longer applicable. This need for immediacy constitutes good cause for making this rule effective May 4, 1981. Any insurance policies issued on or after May 1, 1981, will not be rendered void as a result of 44 CFR 9.11(e)(2) as issued on September 1, 1980, and amended on January 28, 1981 (46 FR 9084).

Based upon additional comments received and further study by FIA, it became clear that certain requirements of § 9.11(e) (1) and (2) are not administratively feasible. It also appears that the objectives of § 9.11(e) (1) and (2) can be met by a plan which is less administratively burdensome.

Section § 9.11(e)(1) required FIA to identify all coastal high hazard areas by October 1, 1981. Due to constraints of budget and time, FIA will be unable to meet this deadline. Also, the methodology developed by the National Academy of Sciences for establishing wave heights is applicable primarily to the east and gulf coasts of the United States. For these reasons, § 9.11(e)(1) has been changed to require FIA to give priority to identifying coastal high hazard areas as part of its overall mapping effort, with no specific deadline imposed.

Section 9.11(e)(2) conditioned the availability of flood insurance for new and substantially improved construction in V Zones on several factors: (1) Each structure was individually rated; (2) wave heights have been delineated for the site of the structure; and (3) the structure was elevated to the wave height level.

The comments received in response to FIA's proposed implementation of this system and FIA's own reconsideration of the system reflected significant administrative difficulties in going ahead with this system of individual rating. It also indicated the advantages of a simpler proposal which does not require rating on a structure-by-structure basis for all of the risk factors. It was also felt that it would be more effective to charge an actuarial rate for construction below the wave height level rather than to deny insurance altogether.

Based on these concerns, FIA will not be required to assess the insurance risk on each new or substantially improved structure in V Zone except as regards its elevation. FIA intends to factor into its rate determination a surcharge based on the ability of a structure to withstand the force of waves. Each new or substantially improved structure will be rated based on its relationship to the wave height level. For structures built below the wave height level, it is

anticipated that the rate will be markedly higher than the present rate. This is necessary to reflect the risk due to wave heights. Without the designation of wave heights, no flood insurance may be provided as the structure will be unratable. Even if a structure is only 1 foot below wave height level, it may be subject total loss upon the impact of waves driven by hurricane force winds.

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 and the implementing regulations of the Council on Environmental Quality (40 CFR Parts 1500-1508), FEMA has found that there will be no significant impact on the quality of the human environment as a result of the issuance of these regulations. This finding is based on an environmental assessment prepared for these regulations. On this basis, an environmental impact statement will not be prepared.

Accordingly, 44 CFR 9.11(e) (1) and (2) is amended and revised to read as follows:

#### **PART 9—FLOODPLAIN MANAGEMENT AND PROTECTION OF WETLANDS**

##### **§ 9.11 Mitigation.**

\* \* \* \* \*

(e) In the implementation of the National Flood Insurance Program, the Federal Insurance Administrator:

(1) Shall make identification of all coastal high hazard areas a priority;

(2) Beginning October 1, 1981, may only provide flood insurance for new construction or substantial improvements in a coastal high hazard area if:

(i) Wave heights have been designated for the site of the structure either by the Administrator based upon data, generated by FIA or by another source, satisfactory to the Administrator;

(ii) The structure is rated by FIA based on a system which reflects the capacity to withstand the effects of the 100-year frequency flood including, but not limited to, the following factors:

(A) Wave heights;

(B) The ability of the structure to withstand the force of waves.

Dated: April 30, 1981.

John W. McConnell,

Acting Director.

[FR Doc. 81-13542 Filed 5-1-81; 8:45 am]

BILLING CODE 6710-01-M

#### **DEPARTMENT OF TRANSPORTATION National Highway Traffic Safety Administration**

##### **49 CFR Part 531**

[Docket No. LVM 77-01; Notice 6]

#### **Passenger Automobile Average Fuel Economy Standards; Exemption From Average Fuel Economy Standards**

**AGENCY:** National Highway Traffic Safety Administration, Department of Transportation.

**ACTION:** Final decision to grant exemption from average fuel economy standards and to establish alternative standards.

**SUMMARY:** This notice exempts Avanti Motors Corporation (Avanti) from the generally applicable average fuel economy standards of 19.0 miles per gallon (mpg) and 20.0 mpg for 1979 and 1980 model year passenger automobiles, respectively, and establishes alternative standards. The alternative standards are 14.5 mpg in the 1979 model year and 15.8 mpg in the 1980 model year.

**DATES:** The exemptions and alternative standards set forth in this rule apply in the 1979 and 1980 model years.

**FOR FURTHER INFORMATION CONTACT:** Robert Mercure, Office of Automotive Fuel Economy Standards, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590 (202-755-9384).

**SUPPLEMENTARY INFORMATION:** The National Highway Traffic Safety Administration (NHTSA) is exempting Avanti from the generally applicable average fuel economy standards for the 1979 and 1980 model years and establishing alternative standards applicable to that company in those model years. This exemption is issued under the authority of section 502(c) of the Motor Vehicle Information and Cost Savings Act, as amended (the Act) (15 U.S.C. 2002(c)). Section 502(c) provides that a manufacturer of fewer than 10,000 passenger automobiles annually may be exempted from the generally applicable average fuel economy standard for a particular model year if that standard is greater than the low volume manufacturer's maximum feasible average fuel economy and if the NHTSA establishes an alternative standard applicable to that low volume manufacturer at the level of its maximum feasible average fuel economy. Section 502(e) of the Act (15 U.S.C. 2002(e)) requires the NHTSA to consider:

- (1) Technological feasibility;
- (2) Economic practicability;
- (3) The effect of other Federal motor vehicle standards on fuel economy; and
- (4) The need of the Nation to conserve energy.

This final rule was preceded by a notice announcing the NHTSA's proposed decision to grant an exemption to Avanti for the 1979 and 1980 model years (46 FR 5022, January 19, 1981). No comments were received during the 45-day comment period.

Based on its conclusions that it is not technologically feasible and economically practicable for Avanti to improve the fuel economy of its 1979 and 1980 model year automobiles above an average of 14.5 and 15.8 mpg, respectively, that other Federal automobile standards did not affect achievable fuel economy beyond the extent considered in this analysis and

that the national effort to conserve energy will be negligibly affected by the granting of the requested exemptions, this agency concludes that the maximum feasible average fuel economy for Avanti in the 1979 and 1980 model years is 14.5 and 15.8 mpg, respectively. Therefore, NHTSA is exempting Avanti from the generally applicable standards and is establishing alternative standards of 14.5 mpg for the 1979 model year and 15.8 mpg for the 1980 model year.

In consideration of the foregoing, 49 CFR Part 531 is amended by revising § 531.5(b)(1) to read as follows:

**§ 531.5 Fuel economy standards.**

\* \* \* \* \*

(b) The following manufacturers shall comply with the fuel economy standards indicated below for the specified model years:

- (1) Avanti Motor Corporation.

**Average Fuel Economy Standard**

Model year	Miles per gallon
1978.....	16.1
1979.....	14.5
1980.....	15.8

\* \* \* \* \*

The program official and attorney principally responsible for the development of this decision are Robert Mercure and Stephen Kratzke, respectively.

Authority: Sec. 9, Pub. L. 89-670, 80 Stat. 931 (49 U.S.C. 1657); sec. 301, Pub. L. 94-163, 89 Stat. 901 (15 U.S.C. 2002); delegation of authority at 49 CFR 1.50.

Issued on April 27, 1981.

Diane K. Steed,  
Acting Administrator.

[FR Doc. 81-13257 Filed 5-1-81; 8:45 am]  
BILLING CODE 4910-59-M

## Proposed Rules

Federal Register

Vol. 46, No. 85

Monday, May 4, 1981

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

### DEPARTMENT OF AGRICULTURE

#### Federal Crop Insurance Corporation

##### 7 CFR Part 419

###### [Amendment No. 3]

#### Barley Crop Insurance Regulations

**AGENCY:** Federal Crop Insurance Corporation.

**ACTION:** Proposed rule.

**SUMMARY:** The Federal Crop Insurance Corporation proposes to amend the Barley Crop Insurance Regulations effective with the 1982 crop year by changing the cancellation and termination for indebtedness dates in certain states to allow for the insuring of fall-seeded barley. The current regulations include cancellation and termination for indebtedness dates for spring-seeded barley only. This amendment will permit the insuring of both spring and fall-seeded barley in certain states. In addition, it is also proposed to delete an obsolete subsection of these regulations. This action is promulgated under the authority contained in the Federal Crop Insurance Act, as amended.

**DATE:** Written comments, data, and opinions on this proposed rule must be submitted not later than July 6, 1981, to be sure of consideration.

**ADDRESS:** Written comments on this proposed rule should be sent to the Manager, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, D.C. 20250.

**FOR FURTHER INFORMATION CONTACT:** Peter F. Cole, Secretary, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, D.C. 20250, telephone 202-447-3325.

The Draft Impact Analysis describing the options considered in developing this proposed rule and the impact of implementing each option is available upon request from the above-named individual.

**SUPPLEMENTARY INFORMATION:** This proposed action has been reviewed under USDA procedures established in

Secretary's Memorandum No. 1955 (August 25, 1978), and has been classified as "not significant."

The Acting Manager of the Federal Crop Insurance Corporation has determined that (1) this action is not a major rule as defined by Executive Order No. 12291 (February 17, 1981), (2) this action does not increase the Federal paperwork burden for individuals, small businesses, and other persons, and (3) this action conforms to the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*), and other applicable law.

The title and number of the Federal Assistance Program that this proposed rule applies to is: Title—Crop Insurance; Number 10.450. This action will not have a significant impact specifically on area and community development; therefore, review as established by the Office of Management and Budget (OMB) Circular A-95 was not used to assure that units of local Government are informed of this action.

Under the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*), the Federal Crop Insurance Corporation proposes to amend the Barley Crop Insurance Regulations (7 CFR Part 419) as published in the Federal Register at 44 FR 35195-35201 (Tuesday, June 19, 1979), effective with the 1982 crop year, relative to the cancellation and termination for indebtedness dates found in 7 CFR 419.7, subsection 12, found in the right-hand column of 44 FR 35199.

The cancellation and termination dates in the current policy are applicable only to spring-seeded barley crops. The Board of Directors of FCIC has approved the addition of barley as an insurable crop in several counties where fall-seeded barley is produced. This amendment is necessary to allow the insuring of fall-seeded barley with the proper cancellation and termination dates.

In addition, FCIC also proposes to delete and reserve 7 CFR 419.3 of the Barley Crop Insurance Regulations. The provisions of this subsection require FCIC to annually post in each county courthouse a listing of indemnities paid in each county and were contained in the Federal Crop Insurance Act, as amended. The 1980 amendments to the Act (Pub. L. 96-365, September 26, 1980) deleted this provision and the Corporation is no longer required to post such lists. Therefore, it is proposed that

7 CFR 419.3 be deleted and reserved.

It has been determined that this action does not constitute a review as to need, currency, clarity, and effectiveness of these regulations under the provisions of Secretary's Memorandum No. 1955 (August 25, 1978), and "Improving Government Regulations" (43 FR 50986). That review will be completed prior to the sunset review date of June 19, 1984.

#### Proposed Rule

Accordingly, pursuant to the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*), FCIC proposes to amend the Barley Crop Insurance Regulations, 7 CFR Part 419, effective with the 1982 and succeeding crop years, in the following instances:

#### § 419.3 [Reserved]

1. Remove and reserve § 419.3.

2. In § 419.7, revise item 12 in the "Terms and conditions" portion of the insurance policy to read as follows:

#### § 419.7 The application and policy.

\* \* \* \* \*

12. Life of contract: cancellation and termination. (a) The contract shall be in effect for the crop year specified on the application and may not be canceled for such crop year. Thereafter, either party may cancel the insurance for any crop year by giving a signed notice to the other on or before the cancellation date preceding such crop year.

(b) Except as provided in section 5(d) of this policy, the contract will terminate as to any crop year if any amount due the Corporation under this contract is not paid on or before the termination date for indebtedness preceding such crop year: *Provided*, That the date of payment for premium (1) if deducted from an indemnity claim shall be the date the insured signs such claim or (2) if deducted from payment under another program administered by the U.S. Department of Agriculture shall be the date such payment was approved.

(c) Following are the cancellation and termination dates:

State and county	Cancellation date	Termination date for indebtedness
Kansas, New Mexico, Oklahoma and Texas.	April 30.....	September 15.
Idaho: Idaho County and all counties lying north thereof, Canyon County and Owyhee County.	June 30.....	November 30.
All other Idaho counties.	December 31.....	March 31.

State and county	Cancellation date	Termination date for indebtedness
<b>Oregon:</b>		
Klamath County .....	December 31 .....	March 31.
All other Oregon counties.	June 30 .....	November 30
<b>Washington:</b>		
Washington .....	June 30 .....	November 30.
<b>California:</b>		
Humboldt, Trinity, Tehama, Plumas, Lassen, Modoc, Siskiyou and Del Norte Counties.	December 31 .....	March 31.
All other California counties.	June 30 .....	October 10.
<b>Colorado:</b>		
Kit Carson, Lincoln, Elbert, El Paso, Pueblo, Las Animas, and all counties lying south, and east thereof.	April 30 .....	September 15.
All other Colorado counties.	December 31 .....	March 31.
<b>Michigan, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Utah, Wisconsin, and Wyoming.</b>		
All other States.....	June 30 .....	October 10.

(d) In the absence of a notice from the insured to cancel, and subject to the provisions of subsections (a), (b), and (c) of this section, and section 7 of the Appendix, the contract shall continue in force for each succeeding crop year.

\* \* \* \* \*

(Secs. 506, 516, Pub. L. 75-430, 52 Stat. 72, as amended (7 U.S.C. 1506, 1516))

Note.—The reporting requirements contained herein have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942 and OMB Circular A-40.

Approved by the Board of Directors on April 7, 1981.

Peter F. Cole,  
Secretary, Federal Crop Insurance Corporation.

Dated: April 7, 1981.

Approved by:  
Wayne A. Fletcher,  
Acting Manager.

[FR Doc. 81-13002 Filed 5-1-81; 8:45 am]

BILLING CODE 3410-08-M

## SMALL BUSINESS ADMINISTRATION 13 CFR Ch. I

### Improving Government Regulations; Semiannual Agenda

**AGENCY:** Small Business Administration.  
**ACTION:** Publication of the Semiannual Agenda of Regulations under review or development by the Small Business Administration.

**SUMMARY:** SBA previously published four semiannual agendas of regulations pursuant to EO 12044 "Improving Government Regulations." Although not a regulatory Agency, SBA attempted to draft agendas that met both the criteria and the spirit of the EO and furthered the regulatory review process. This is its first agenda published pursuant to E.O. 12291 and the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, Pub. L. 96-354 effective January 1, 1981.

**FOR FURTHER INFORMATION CONTACT:** For further information on agenda items, the public is encouraged to contact the individual Agency official listed for the particular item.

For information concerning overall SBA Regulatory Review and Development Program and general semiannual agenda questions, contact Martin D. Teckler, Associate General Counsel for Legislation, Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416, 202/653-6662.  
**SUPPLEMENTARY INFORMATION:** The SBA agendas will contain many regulations which are limited in public impact, but they are included to increase public knowledge of all SBA regulatory activities and allow for increased public participation in the review and development process.

Public comments on SBA's previous agendas were general, and all were positive. None were directed at specific contents, nor were any changes suggested or recommended.

The agenda format is now slightly modified. Part I, Regulations Under Review and Development, includes proposed and final regulations which SBA has issued since publication of the last agenda. Part II, Existing Regulations Selected for Review, informs the public of the regulation review which is currently underway within the Agency. The format for the agenda is:

#### Part I: Regulations Under Review and Development

A. A summary of the nature of all rules which have been published proposed or final since August 1980 stating the objectives and the legal basis. When a listed rule is a major rule within the meaning of E.O. 12291 or will have significant impact on a substantial number of small businesses, it will be so designated.

B. The approximate schedule for completing action on each rule listed.

C. The name and phone number of an Agency official knowledgeable on each listed rule.

#### Part II. Existing Regulations Selected for Review

A. A list of existing regulations to be reviewed or promulgated under the terms of E.O. 12291 and the Regulatory Flexibility Act.

B. A summary of the nature of any such rules, a summary of the legal basis for such rules and an approximate timetable for completing action on such rules.

C. The name and phone number of an Agency official knowledgeable on each such rule.

Publication of this agenda does not impose any binding obligation on SBA with regard to any specific item in the agenda. Additional regulatory action not listed on the agenda is not precluded.

Dated: April 28, 1981.

Michael Cardenas,  
Administrator.

### I. Regulations Under Review and Development

Date published and FEDERAL REGISTER cite	Nature of publication	Subject of publication	Approximate date of completion	Knowledgeable official	Legal basis
8/13/80, 45 FR 53835.	Notice of Proposed Rulemaking .....	Rules governing SBA's development company program, 13 CFR Part 106.	Effective 10/1/80 .....	Alan B. Abraham (202) 653-6740.	15 U.S.C. 687.
8/20/80, 45 FR 55468.	Notice of Proposed Rulemaking .....	Rules governing eligibility for SBA's minority small business contracting program, 13 CFR Part 124.	No further action planned.....	Carl Ellison (202) 653-6407.	42 U.S.C. 2985(a)(2).
8/20/80, 45 FR 55468.	Notice of Proposed Rulemaking .....	Rules governing SBA's small business investment company program, 13 CFR Part 107.	No further action planned.....	Peter F. McNeish (202) 653-6848.	15 U.S.C. 661.



## I. Regulations Under Review and Development—Continued

Date published and FEDERAL REGISTER cite	Nature of publication	Subject of publication	Approximate date of completion	Knowledgeable official	Legal basis
9/17/80, 45 FR 61637.	Notice of Proposed Rulemaking	Rules governing SBA's business loan policy relative to employee stock options, 13 CFR Part 122.	May 1980	Richard L. Wray (202) 653-6470.	15 U.S.C. 631 and 636(a).
10/8/80, 45 FR 66807.	Notice of Proposed Rulemaking	Rules governing SBA's interest rates relative to SBA's pollution control bond program, 13 CFR Part 111.	May 1980	Vincent A. Fragnito (703) 235-2902.	15 U.S.C. 687(c).
10/8/80, 45 FR 66807.	Advance Notice of Proposed Rulemaking	Rules governing SBA's business loan policy relative to "opinion molder," 13 CFR Part 120.	July 1980	Martin D. Teckler (202) 653-6662.	15 U.S.C. 634(b)(6) and 636(a).
10/6/80, 45 FR 66174.	Notice of Proposed Rulemaking	Rules governing SBA's loan policy, defining conflict of interest situations, 13 CFR Part 120.	May 1980	Richard L. Wray (202) 653-6470.	15 U.S.C. 634(b)(8) and 636(a).
10/15/80, 45 FR 68399.	Notice of Proposed Rulemaking	Rules governing interest rates of Economic Opportunity Loans made by SBA, 13 CFR Part 119.	Effective 2/3/81	Richard L. Wray (202) 653-6470.	15 U.S.C. 634(b)(6) and 636(a).
10/15/80, 45 FR 68398.	Notice of Proposed Rulemaking	Rules governing handicapped assistance loans made by SBA, 13 CFR Part 118.	Effective 2/3/81	Richard L. Wray (202) 653-6470.	15 U.S.C. 634(b)(6) and 636(a).
12/1/80, 45 FR 79496.	Notice of Proposed Rulemaking	Rules governing eligibility criteria for SBA's minority small business contracting program, 13 CFR Part 124.	May 1981	Carl Ellison (202) 653-6407.	15 U.S.C. 634(b)(6) and 637(c).
12/24/80, 45 FR 85059.	Notice of Proposed Rulemaking	Rules governing SBA's surety bond guarantee program, 13 CFR Part 115.	June 1981	Howard F. Huegel (703) 235-2907.	15 U.S.C. 687(c) and 15 U.S.C. 694 (a) and (b).
2/3/81, 46 FR 10501.	Notice of Proposed Rulemaking	Rules governing challenges to determinations made in SBA's subcontracting program, 13 CFR Part 124.	June 1981	Berkeley Boyd (202) 653-6549.	15 U.S.C. 634(b)(6) and 637(d).
1/5/81, 46 FR 931	Notice of Proposed Rulemaking	Rules governing policy against discrimination against the handicapped in administration of SBA programs, 13 CFR Part 113.	Effective 2/3/81	Doris A. Dockett (202) 653-6054.	Section 504 of Rehabilitation Act of 1978 and 15 U.S.C. 634.
1/19/81, 46 FR 4937.	Notice of Proposed Rulemaking	Rules governing business loan policy relative to SBA's relationship with preferred lenders, 13 CFR Part 122.	July/August 1981	Denny J. Gibb (202) 653-6423.	15 U.S.C. 634(b)(6) and 636(a).
2/17/81, 46 FR 12500.	Notice of Proposed Rulemaking	Rules governing SBA's business loan policy relative to use of proceeds, 13 CFR Part 120.	July 1981	Richard L. Wray (202) 653-6470.	15 U.S.C. 634(b)(6) and 636(a).
2/27/81, 46 FR 14353.	Notice of Proposed Rulemaking	Rules governing SBA's business loan policy relative to "opinion molders," 13 CFR Part 120.	July 1981	Richard L. Wray (202) 653-6470.	15 U.S.C. 636(a).
11/4/80, 45 FR 73020.	Final Rule	Rules governing interest rates relative to SBA's state development company program, 13 CFR Part 108.	11/4/80	Alan B. Abraham (202) 853-6470.	15 U.S.C. 687.
11/4/80, 45 FR 73017.	Final Rule	Rules governing SBA's small business investment company program, 13 CFR Part 107.	11/4/80	Peter F. McNeish (202) 853-6848.	15 U.S.C. 687.
12/1/80, 45 FR 79413.	Inter Rule	Rules governing eligibility for SBA's minority small business contracting program, 13 CFR Part 124.	12/1/80	Carl Ellison (202) 653-6407.	15 U.S.C. 634(b)(6) and 637(a).
2/3/81	Final Rule	Rules governing terms of SBA's Economic Opportunity loan program, 13 CFR Part 119.	2/3/81	Richard L. Wray (202) 653-6470.	15 U.S.C. 634(b)(6) and 636(a).
2/3/81	Final Rule	Rules governing SBA's policy against discrimination against the handicapped in administering its programs, 13 CFR Part 118.	2/3/81	Richard L. Wray (202) 653-6470.	15 U.S.C. 634(b)(6) and 636(a).
3/25/81, 45 FR 18526.	Final Rule	Rules governing SBA's Disaster loan program's terms and conditions, 13 CFR Part 123.	3/25/81	Charles Hertzberg (202) 653-6574.	15 U.S.C. 634(b)(6) and 636(b).

## II. Existing Regulations Selected for Review

Regulation	Basis for rule	Nature of rule	Timetable for completion	Agency official
13 CFR Parts 121 <i>et seq.</i>	15 U.S.C. 632 and 634(b)(6)	Size Standards, <sup>1</sup> complete revision	Fall 1981	Hervey Bronstein (202) 653-6373.
13 CFR Parts 122 <i>et seq.</i>	15 U.S.C. 636(a) and 634(b)(6)	Business Loan Policy, Miscellaneous revisions based on anticipated changes in authorizing legislation.	Fall 1981	Edwin T. Holloway (202) 653-6632.
13 CFR Parts 123 <i>et seq.</i>	15 U.S.C. 636(b) and 634(b)(6)	Disaster loans, Miscellaneous revisions based on anticipated changes in authorizing legislation.	Fall 1981	Charles Hertzberg (202) 653-6574.
13 CFR Part 120.4	15 U.S.C. 638(a) and 634(b)(6)	Eligible loan participants	Fall 1981	Edwin T. Holloway (202) 653-6632.
13 CFR Part 108	15 U.S.C. 501, 502 and 503, and 15 U.S.C. 634(b)(6)	State and local development companies, sale of debentures.	Fall 1981	Edwin T. Holloway (202) 653-6632.
13 CFR Part 107	15 U.S.C. 687 (c), (d), and (g)	Complete revision of rules governing small business investment companies.	Proposed rule expected to be published in Fall of 1981.	Peter McNeish (202) 653-6848.

<sup>1</sup> Denotes major or significant rule.

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 71

[Airspace Docket No. 81-AGL-9]

## Proposed Revocation of Federal Airway; Indiana

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to revoke VOR Federal Airway V-7W between Terre Haute, Ind., and Pocket City, Ind. V-7W is not utilized and therefore should be revoked. This action will reduce chart clutter and also supports objectives to eliminate alternate airways from the National Airspace System (NAS).

**DATES:** Comments must be received on or before June 3, 1981.

**ADDRESSES:** Send comments on the proposal in triplicate to: Director, FAA Great Lakes Region, Attention: Chief, Air Traffic Division, Docket No. 81-AGL-9, Federal Aviation Administration, 2300 East Devon, Des Plaines, Ill. 60018.

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

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

**FOR FURTHER INFORMATION CONTACT:** Lewis W. Still, Airspace Regulations and Obstructions Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8783.

**SUPPLEMENTARY INFORMATION:**

## Comments Invited

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposal. Communications should identify the

airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 81-AGL-9." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel with this rulemaking will be filed in the docket.

## Availability of NPRMs

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 NPRMs, should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

## The Proposal

The FAA is considering an amendment to § 71.123 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to revoke VOR Federal Airway V-7W between Pocket City, Ind., and Terre Haute, Ind. A recent review of the airway structure and usage in the Indianapolis, Ind., area indicates V-7W is not used and should be revoked. This action would reduce chart clutter and conforms to objectives to eliminate alternate route designations from the airspace system. The description of this airway under Part 71 was republished on January 2, 1981 (46 FR 409).

## The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.123 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71), as republished (46 FR 409), by amending the description of V-7 by deleting the words "Terre Haute, Ind., including a W alternate from Evansville to Terre Haute

via INT Evansville 360° and Terre Haute 217° radials;" and substituting for them the words "Terre Haute, Ind.;"

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.65)

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; (4) is appropriate to have a comment period of less than 45 days; and (5) at promulgation, will not have a significant effect on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Washington, D.C., on April 27, 1981.

B. Keith Potts,

Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 81-13338 Filed 5-1-81; 8:45 am]

BILLING CODE 4910-13-M

## 14 CFR Part 71

[Airspace Docket No. 81-ASW-8]

## Proposed Alteration of Transition Area; Slidell, La.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

**SUMMARY:** The Federal Aviation Administration proposes to alter the transition area at Slidell, La. The intended effect of the proposed action is to provide additional controlled airspace for aircraft executing a new instrument approach procedure to the Slidell Airport. This action is necessary to provide protection of aircraft executing a new instrument approach procedure using the Picayune VORTAC.

**DATE:** Comments must be received on or before June 3, 1981.

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

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8 a.m. and

4:30 p.m. The FAA Rules Docket is located in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas.

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

**SUPPLEMENTARY INFORMATION:**

**History**

Federal Aviation Regulation Part 71, Subpart G 71.181 as republished in the Federal Register on January 2, 1981 (46 FR 540), contains the description of transition areas designed to provide controlled airspace for the benefit of aircraft conducting instrument flight rules (IFR) activity. Alteration of the transition area at Slidell, La., will necessitate an amendment to this subpart. This amendment will be required at Slidell, La., since there is a proposed change in IFR procedures to the Slidell Airport.

**Comments Invited**

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggested presented are particularly helpful in developing reasoned regulatory decisions on the proposals. (Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposals.) Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 81-ASW-8." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rule making will be filed in the docket.

**Availability of NPRM**

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

**The Proposed Amendment**

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

**Slidell, Louisiana**

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Slidell Airport (latitude 30°20'36" N., longitude 89°49'18" W.); and within 2 miles each side of the Picayune VORTAC 199° radial extending from the 5-mile radius area to 10 miles south of the VORTAC.

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

**Note.**—The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 1103; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; (4) is appropriate to have a comment period of less than 45 days; and (5) at promulgation, will not have a significant effect on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Fort Worth, Tex., on April 20, 1981.

P. E. Whitfield,

*Acting Director, Southwest Region.*

[FR Doc. 81-13140 Filed 5-1-81; 8:45 am]

**BILLING CODE 4910-13-M**

**14 CFR Part 71**

[Airspace Docket No. 80-CE-27]

**Transition Area—Lamar, Mo.; Proposed Designation**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of Proposed Rulemaking (NPRM).

**SUMMARY:** This notice proposes to designate a 700-foot transition area at

Lamar, Missouri, to provide controlled airspace for aircraft executing a new instrument approach procedure to the Lamar, Missouri Airport utilizing the Lamar nondirectional radio beacon (NDB) as a navigational aid.

**DATE:** Comments must be received on or before June 14, 1981.

**ADDRESSES:** Send comments on the proposal to: Federal Aviation Administration, Chief, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-530, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

The official docket may be examined at the Office of the Regional Counsel, Central Region, Federal Aviation Administration, Room 1558, 601 East 12th Street, Kansas City, Missouri.

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

**FOR FURTHER INFORMATION CONTACT:** Richard Haskins, Airspace Specialist, Operations, Procedures, and Airspace Branch, Air Traffic Division, ACE-532, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

**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 duplicate to the Operations, Procedures and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106. All communications received on or before June 14, 1981, will be considered before action is taken on the proposed amendment. The proposal contained in this Notice may be changed in light of the 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 NPRM by submitting a request to the Federal Aviation Administration, Operations, Procedures and Airspace Branch, 601 East 12th Street, Kansas City, Missouri 64106 or by calling (816) 374-3408.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for further NPRMs should also



request a copy of Advisory Circular No. 11-2 which describes that application procedure.

#### The Proposal

The FAA is considering an amendment to Subpart G, Section 71.181, of the Federal Aviation Regulations (14 CFR 71.181) by designating a 700-foot transition area at Lamar, Missouri. To enhance airport usage, a new instrument approach procedure is being developed for the Lamar, Missouri Airport utilizing the Lamar nondirectional radio beacon as a navigational aid. This radio facility will provide new navigational guidance for aircraft utilizing the airport. The establishment of a new instrument approach procedure based on this navigational aid entails designation of a transition area at Lamar, Missouri at and above 700 feet above ground level (AGL) within which aircraft are provided air traffic control service. The intended effect of this action is to ensure segregation of aircraft using the approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR).

#### The Proposed Amendment

Accordingly, Federal Aviation Administration proposes to amend Subpart G, Section 71.181 of the Federal Aviation Regulations (14 CFR 71.181) as published on January 2, 1981 (46 FR 540), by adding the following new transition area:

#### Lamar, Missouri

That airspace extending upwards from 700 feet above the surface within a 5-mile radius of the Lamar, Missouri Airport (Latitude 37°29'22" N, Longitude 94°18'45" W) and within 3 miles each side of the Lamar, Missouri NDB (Latitude 37°29'14" N, Longitude 94°18'37" W), 221° bearing, extending from the 5-mile radius area to 8.5 miles southwest of the NDB.

(Sec. 307(a), Federal Aviation Act of 1958 as amended (49 U.S.C. 1348); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.65 of the Federal Aviation Regulations (14 CFR 11.65))

Note.—The Federal Aviation Administration has determined that this document involves a proposed regulation which is not significant under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation, and a comment period of less than 45 days is appropriate.

The FAA has also determined that this proposed regulation is not a major rule under

Executive Order 12291 since the action only involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current. It has also been determined under the criteria of the Regulatory Flexibility Act that this proposed rule, at promulgation, will not have a significant impact on a substantial number of small entities, as this is an individual action affecting only one location and has no appreciable impact on the community or its environs, and imposes no new requirements.

Issued in Kansas City, Mo., on April 20, 1981.

John E. Shaw,  
Acting Director, Central Region.

[FR Doc. 81-13341 Filed 5-1-81; 8:45 am]

BILLING CODE 4910-13-M

#### 14 CFR Part 71

[Airspace Docket No. 81-ASW-12]

#### Proposed Alteration of Transition Area: Alamogordo, N. Mex.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

**SUMMARY:** The Federal Aviation Administration proposes to alter the transition area at Alamogordo, New Mexico. The intended effect of the proposed action is to provide additional controlled airspace for aircraft under radar vectors and instrument approach procedures at Holloman AFB and Alamogordo-White Sands Regional Airports. This action is necessary to provide controlled airspace for protection of aircraft being radar vectored in the area, sometimes at minimum altitudes due to inclement weather conditions and thunderstorm activity in this area.

**DATE:** Comments must be received on or before June 3, 1981.

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

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8 a.m. and 4:30 p.m. The FAA Rules Docket is located in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas.

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

#### SUPPLEMENTARY INFORMATION:

##### History

Federal Aviation Regulation Part 71, Subpart G 71.181 as republished in the Federal Register on January 2, 1981 (46 FR 540), contains the description of transition areas designated to provide controlled airspace for the benefit of aircraft conducting instrument flight rules (IFR) activity. Alteration of the transition area of Alamogordo, New Mexico, will necessitate an amendment to this subpart. This amendment will be required in the vicinity of Alamogordo, New Mexico, since there will be a change in the radar vector procedures.

##### Comments Invited

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposals. (Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposals.) Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 81-ASW-12." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rule making will be filed in the docket.

##### Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, or by calling (817) 624-4911, extension 302. Communications must identify the notice number of this NPRM. Persons

interested in being placed on a mailing list for future NPRM's should contact the office listed above.

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows: Alamogordo, New Mexico

#### Alamogordo, New Mexico

That airspace extending upward from 700 feet above the surface, including airspace beginning at latitude 33°30'00" N, longitude 106°06'05" W; to latitude 33°30'00" N, longitude 105°44'00" W; to latitude 33°16'00" W, longitude 105°44'00" W; to latitude 33°16'35" N, longitude 105°30'00" W; to latitude 32°56'45" N, longitude 105°30'00" W; to latitude 32°56'30" N, longitude 105°44'00" W; to latitude 32°27'00" N, longitude 105°44'00" W; to latitude 32°27'00" N, longitude 106°00'00" W; to latitude 32°34'00" N, longitude 106°00'00" W; to latitude 32°34'00" N, longitude 106°15'00" W; to latitude 33°04'00" N, longitude 106°21'00" W; to point of beginning.

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

Note.—The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 1103; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; (4) is appropriate to have a comment period of less than 45 days; and (5) at promulgation, will not have a significant effect on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Fort Worth, Tex., on April 20, 1981.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 81-13138 Filed 5-1-81; 8:45 am]

BILLING CODE 4910-13-M

#### 14 CFR Part 71

[Airspace Docket No. 81-ASW-9]

#### Proposed Designation of Transition Area: Devine, Texas

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Federal Aviation Administration proposes to designate a transition area at Devine, Tex. The intended effect of the proposed action is to provide controlled airspace for aircraft executing a new instrument

approach procedure to the Devine Municipal Airport. This action is necessary to provide protection for aircraft executing approaches using the proposed nondirectional radio beacon (NDB) located on the airport.

**DATES:** Comments must be received on or before June 3, 1981.

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

The official docket may be examined in the Rules Docket, weekdays except Federal holidays, between 8 a.m. and 4:30 p.m. The FAA Rules Docket is located in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas.

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

#### SUPPLEMENTARY INFORMATION:

##### History

Federal Aviation Regulation Part 71, Subpart G 71.181 as republished in the Federal Register on January 2, 1981 (46 FR 540), contains the description of transition areas designated to provide controlled airspace for the benefit of aircraft conducting instrument flight rules (IFR) activity. Designation of a transition area at Devine, Tex., will necessitate an amendment to this subpart. This amendment will be required at Devine, Tex., since there is a proposed change in IFR procedures to the Devine Municipal Airport.

##### Comments Invited

Interested persons are invited to participate in this proposed rule making by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposals. (Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposals.) Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following

statement is made: "Comments to Airspace Docket No. 81-ASW-9." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rule making will be filed in the docket.

##### 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, Texas 76101, or by calling (817) 624-4911, extension 302. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the office listed above.

##### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by adding:

#### Devine, Texas

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Devine Municipal Airport (latitude 29°08'17"N., longitude 98°56'29"W.) and within 3 miles each side of the 184° bearing of the NDB (latitude 29°08'16.78"N., longitude 98°56'19.87"W.) extending from the 6.5-mile radius area to 8.5 miles south of the NDB.

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

Note.—The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; (4) is appropriate to have a comment period of less than 45 days; and (5) at promulgation, will not have a significant effect on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Fort Worth, Texas, on April 20, 1981.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 81-13139 Filed 5-1-81; 8:45 am]

BILLING CODE 4910-13-M

#### 14 CFR Part 71

[Airspace Docket No. 81-ASW-10]

#### Proposed Alteration of Transition Area: Guthrie, Texas

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Federal Aviation Administration proposes to alter the transition area at Guthrie, Tex. The intended effect of the proposed action is to provide additional controlled airspace for aircraft executing new instrument approach procedures to the 6666 Ranch Airport. This action is necessary to provide protection for aircraft executing new Area Navigation (RNAV) approaches to Runways 01 and 19 at the 6666 Ranch Airport.

**DATE:** Comments must be received on or before June 3, 1981.

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

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8 a.m. and 4:30 p.m. The FAA Rules Docket is located in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas.

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

#### SUPPLEMENTARY INFORMATION:

##### History

Federal Aviation Regulation Part 71, Subpart G 71.181 as republished in the Federal Register on January 2, 1981 (46 FR 540), contains the description of transition areas designated to provide controlled airspace for the benefit of aircraft conducting instrument flight rules (IFR) activity. Alteration of the transition area at Guthrie, Tex., will necessitate an amendment to this

subpart. This amendment will be required at Guthrie, Tex., since there is a proposed change in IFR procedures to the 6666 Ranch Airport.

#### Comments Invited

Interested persons are invited to participate in this proposed rule making by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposals. (Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposals.) Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 81-ASW-10." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rule making will be filed in the docket.

#### 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, Texas 76101, or by calling (817) 624-4911, extension 302. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the office listed above.

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

##### Guthrie, Texas

That airspace extending upward from 700

feet above the surface within a 6.5-mile radius of 6666 Ranch Airport (latitude 33°38'30"N., longitude 100°21'18"W.) and within 3.5 miles each side of the 012° true bearing from the 6666 Ranch Airport extending from the 6.5-mile radius area to 7.5 miles north of the airport and within 2.5 miles each side of the 198° true bearing from the airport extending from the 6.5-mile radius area to 7.5 miles south of the airport. (Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.61(c))

**Note.**—The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 1103; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; (4) is appropriate to have a comment period of less than 45 days; and (5) at promulgation, will not have a significant effect on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Fort Worth, Texas, on April 20, 1981.

F. E. Whitfield,

Acting Director, Southwest Region

[FR Doc. 81-13139 Filed 5-1-81; 8:45 am]

BILLING CODE 4910-13-M

#### 14 CFR Part 71

[Airspace Docket No. 81-ASW-11]

#### Proposed Designation of Transition Area: Yoakum, Texas

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Federal Aviation Administration proposes designation of a transition area at Yoakum, Tex. The intended effect of the proposed action is to provide controlled airspace for aircraft executing a new instrument approach procedure to the Yoakum Municipal Airport. This action is necessary to provide protection for aircraft executing approaches using the proposed nondirectional radio beacon (NDB) located on the airport.

**DATES:** Comments must be received on or before June 3, 1981.

**ADDRESSES:** Send comments on the proposal in triplicate to: Chief, Airspace and Procedures Branch, Air Traffic

Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8 a.m. and 4:30 p.m. The FAA Rules Docket is located in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas.

**FOR FURTHER INFORMATION CONTACT:**

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

**SUPPLEMENTARY INFORMATION:**

**History**

Federal Aviation Regulation Part 71, Subpart G 71.181 as republished in the Federal Register on January 2, 1981 (46 FR 540), contains the description of transition areas designated to provide controlled airspace for the benefit of aircraft conducting instrument flight rules (IFR) activity. Designation of a transition area at Yoakum, Tex., will necessitate an amendment to this subpart. This amendment will be required at Yoakum, Tex., since there is a proposed establishment of IFR procedures to the Yoakum Municipal Airport.

**Comments Invited**

Interested persons are invited to participate in this proposed rule making by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposals. (Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposals.) Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 81-ASW-11." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed

in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rule making will be filed in the docket.

**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, Texas 76101, or by calling (817) 624-4911, extension 302. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the office listed above.

**The Proposed Amendment**

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by adding:

**Yoakum, Texas**

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Yoakum Municipal Airport (latitude 29°18'50"N., longitude 97°08'18"W.) and within 3 miles each side of the 132° bearing of the NDB (latitude 29°18'45"N., longitude 97°08'19"W.) extending from the 5-mile radius area to 8.5 miles southeast of the NDB.

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

**Note.**—The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 1103; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; (4) is appropriate to have a comment period of less than 45 days; and (5) at promulgation, will not have a significant effect on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Fort Worth, Texas, on April 21, 1981.

**F. E. Whitfield,**

*Acting Director, Southwest Region.*

[FR Doc. 13137 Filed 5-1-81; 8:45 am]

**BILLING CODE 81-4910-13-M**

**DEPARTMENT OF THE TREASURY**

**Bureau of Alcohol, Tobacco and Firearms**

**27 CFR Parts 4, 5, and 7**

[Notice No. 372; Ref: T.D. ATF-66]

**Ingredient Labeling of Wine, Distilled Spirits, and Malt Beverages**

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** In keeping with the President's commitment to evaluate all regulations to assure that they are truly necessary, cost effective, beneficial, and in alignment with United States international commitments, the Department has reviewed comments received in response to Notice No. 314, published in the Federal Register on February 2, 1979 [44 FR 6740]. As a result of that review, the Department is proposing to rescind T.D. ATF-66, published in the Federal Register on June 13, 1980 [45 FR 40538]. T.D. ATF-66 requires the ingredient disclosure of all alcoholic beverages.

In accordance with Executive Order 12291, this notice of proposed rulemaking is not classified as a major rule.

**DATE:** Comments must be received on or before July 6, 1981.

**ADDRESS:** Send written comments to: Chief, Regulations and Procedures Division, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 385, Washington, DC 20044.

**FOR FURTHER INFORMATION CONTACT:**

Norman Blake or Roger Bowling, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC (202-566-7626).

**SUPPLEMENTARY INFORMATION:**  
**Background**

On June 13, 1980, T.D. ATF-66 was published in the Federal Register [45 FR 40538]. This Treasury decision requires ingredient disclosure on labels of wine, distilled spirits, and malt beverages pursuant to 27 CFR Parts 4, 5, and 7. The regulations require the labeling of all essential components used in the product and any additives which color, flavor, preserve, or have a technical or functional effect on the finished product. The regulations generally do not require the labeling of incidental additives. As an exception to such ingredient disclosure, the regulations provide that an industry member could place on the label of the alcoholic beverage an



address in the United States where the consumer could obtain such ingredient information. This Treasury decision became effective on October 14, 1980; however, it does not require mandatory compliance until January 1, 1983.

On February 17, 1981, the President issued Executive Order 12291, which was published in the *Federal Register* on February 19, 1981 (46 FR 13193), which directs each Federal agency to establish a management system for Federal regulation that will improve the quality and lessen the burden of Federal regulation. This order requires agencies, within their legal authority, to establish regulatory goals, set regulatory priorities, review existing regulations, and implement new regulations with the aim throughout the government of maximizing the benefits to society while at the same time imposing the least burden to achieve those benefits.

With regard to reviewing existing regulations, Executive Order 12291 requires the Department to:

(a) Base administrative decisions on adequate information concerning the need for and consequences of proposed government action;

(b) Undertake regulatory action only when the potential benefits to society for the regulation outweigh the potential cost to society;

(c) Choose regulatory objectives to maximize the net benefits to society;

(d) Choose, among alternative approaches to any given regulatory objective, the alternative involving the least net cost to society; and

(e) Set forth regulatory priorities with the aim of maximizing the aggregate net benefits to society, taking into account the condition of the particular industries affected by regulations, the condition of the national economy, and other regulatory actions contemplated for the future.

#### Proposed Changes

As a result of the review of existing regulations called for by Executive Order 12291, the Department has concluded that T.D. ATF-66 is not in accord with the President's mandate. Therefore, the Department proposes to rescind the ingredient labeling amendments to Parts 4, 5, and 7, of 27 CFR before they become mandatory. The ingredient labeling regulations require:

(a) Label disclosure of all essential components (wheat, corn, grapes, hops, water, etc.), flavoring and coloring materials, preservatives and certain other additives which have a technical or functional effect on the finished alcoholic beverage;

(b) Label disclosure of the use of FD&C Yellow Dye No. 5;

(c) Mandatory metric type size conversion on labels of distilled spirits and malt beverages;

(d) As an alternative to label disclosure of ingredients, furnish an address in the United States where the ingredient information may be obtained upon written request; and

(e) If the ingredients listed are not in order of predominance, a statement on the label must so state.

#### Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to an initial and final regulatory flexibility analysis [5 U.S.C. 603, 604] do not apply to this proposed rule because the rule, if promulgated, would maintain the status quo and thus would not have a significant economic impact on a substantial number of small entities.

#### Public Participation

The Department specifically requests comments as to whether the retention of the ingredient labeling regulations would be consistent with Executive Order 12291. Comments should address the impact of these regulations on domestic and foreign producers, United States international obligations, consumer concerns, and the costs and benefits derived from these regulations.

All comments received before the closing date will be carefully considered. Comments received after the closing date and too late for consideration will be treated as possible suggestions for future action.

#### Disclosure of Comments

Copies of this notice of proposed rulemaking and of written comments will be available for public inspection under the authority of 27 CFR 71.41(b) during normal business hours at the following location: ATF Reading Room, Room 4407, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, DC.

ATF will not recognize any material and comments as confidential. Comments may be disclosed to the public. Any material which the commenter considers to be confidential or inappropriate for disclosure to the public should not be included in the comments. The name of any person submitting comments is not exempt from disclosure.

Any interested person who desires an opportunity to comment orally at a public hearing on the proposal contained herein should submit a request, in writing, to the Director, within the 60-day comment period. The

Director, however, reserves the right to determine, in light of all circumstances, whether a public hearing should be held.

#### Drafting Information

The authors of this document are Norman Blake and Roger Bowling, Specialists, from the Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms. However, other personnel of the Bureau have participated in the preparation of this document, both in matters of substance and style.

#### Authority and Issuance

This notice of proposed rulemaking is issued under the authority contained in section 5 of the Federal Alcohol Administration Act, 49 Stat. 981, as amended; 27 U.S.C. 205.

Signed: April 28, 1981.

G. R. Dickerson,  
Director.

Approved: April 29, 1981.

John P. Simpson,  
Acting Assistant Secretary (Enforcement and Operations).

[FR Doc. 81-13444 Filed 5-1-81; 8:45 am]

BILLING CODE 4810-31-M

#### DEPARTMENT OF THE INTERIOR

##### Office of Surface Mining Reclamation and Enforcement

30 CFR Parts 840, 841, 842, 843, 844, and 845

##### Permanent Regulatory Program for Surface Coal Mining and Reclamation Operations

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

ACTION: Notice of availability of Draft rules.

**SUMMARY:** The Office of Surface Mining Reclamation and Enforcement (OSM) hereby gives notice of opportunities for public participation in developing certain revised rules for the permanent regulatory program for surface coal mining and reclamation operations under the Surface Mining Control and Reclamation Act of 1977. OSM has drafted these revisions in response to both the Secretary's direction to remove burdensome or counterproductive regulations and comments from the States and the general public. Under the terms and according to the schedule set forth below, copies of the draft rules for 30 CFR Parts 840-845 (Inspection and Enforcement) will be available to the public. OSM personnel also will be



available upon request for meetings with interested members of the public.

**DATES:** Copies of these draft rules will be available to the public on May 4, 1981. From May 4, 1981 to May 22, 1981, OSM personnel in Washington, D.C. will be available to meet at the request of the public to discuss these draft rules. Written comments must be received on or before 5 p.m. on May 22, 1981, at the OSM address in Washington listed below.

**ADDRESSES:** Copies of the draft rules will be available from OSM, Administrative Record, Room 153, 1951 Constitution Ave, Washington, D.C. 202-343-4728 and from OSM's five regional offices at the following addresses:

OSM Region I, First Floor, Thomas Hill Building, 603 Morris Street, Charleston, W. Va. 25301, 304-342-8125.

OSM Region II, 530 Gay Street, SW., Suite 500, Knoxville, Tennessee 37902, 615-971-5100

OSM Region III, Federal Building and U.S. Courthouse, 46 East Ohio Street, Indianapolis, Ind. 46204, 317-269-2609

OSM Region IV, 818 Grand Avenue, Scarritt Building, 5th Floor, Kansas City, Mo. 64106, 816-758-2193

OSM Region V, Brooks Tower, 1020 15th Street, Denver, Colo. 80202, 303-837-5421

The meetings between the public and OSM personnel will be scheduled as requested by the public and will be held at OSM offices at the Department of the Interior, Washington, D.C. 20240. OSM may request members of the interested public to meet in groups to facilitate this review of the draft regulations.

Written comments may be mailed or hand delivered to: Office of Surface Mining, Administrative Record, Room 153, 1951 Constitution Avenue, Washington D.C. 20240.

**FOR FURTHER INFORMATION CONTACT:** Andy Bailey, Office of Surface Mining, Department of the Interior, Washington, D.C. 20240, telephone 202-343-4006, Edward Johnson or Tom Leshendok, Office of Surface Mining, telephone 202-343-2601.

**SUPPLEMENTARY INFORMATION:** OSM is required to provide for public participation in the development of its regulations. Section 102(i) of the Surface Mining Act requires OSM to assure that appropriate procedures are provided for public participation in the development, revision and enforcement of regulations, standards, reclamation plans or programs established by the Secretary or any State under this Act.

OSM is proposing in this notice two methods for public participation in the

development of certain revisions of its permanent rules prior to promulgating proposed revised rules. First, drafts of the proposed rules will be available to the public, upon request, from OSM's office in Washington, and from each regional office of OSM. This portion of draft rules including 30 CFR Parts 840-845 (Inspection and Enforcement) will be available to the public May 4, 1981. Second, from May 4, 1981, until May 22, 1981, OSM personnel will be available to meet at the request of the public to discuss the draft rules. The meetings will be open to the public.

Other draft revisions of the permanent program rules will be made publicly available at a later date. OSM will announce the availability of such drafts in future Federal Register notices. Inquiries may also be made to OSM offices at the telephone numbers listed above, concerning which portions of the draft rules are available at any particular time.

During public meetings, OSM personnel will receive suggestions for substantive changes, recommended clarifications and any supporting data or technical literature from the public. Any member of the public may request such a meeting by contacting individuals of the Washington office at the address and telephone numbers listed above. The requester of a meeting should specify the topics to be discussed so that arrangements can be made for appropriate OSM personnel to attend the meetings. All documents or other submissions received from the public concerning these draft revisions will be included in the administrative record and will be available for public inspection at the address listed above for the administrative record.

OSM specifically requests comments on the following issues:

- (1) The economic effects of the draft regulations including effects on prices, markets, competition, employment, productivity or costs;
- (2) the effects of the draft rules on small entities;
- (3) less costly alternative to the draft regulations which still meet the requirements of the Surface Mining Control and Reclamation Act of 1977;
- (4) specific information about whether the potential benefits of the draft rules outweigh the costs;
- (5) changing the point system for assessing penalties (30 CFR 845.13);
- (6) modification of 30 CFR 845.14 to adjust the dollar amounts for points;
- (7) Whether to establish different inspection requirements for inactive or abandoned sites;

(8) whether to use fly-overs in conducting partial Federal inspections and monitoring.

All comments, statements and recommendations from the public will be considered by OSM in drafting the proposed revisions for these rules. OSM will coordinate review of the draft regulations, as appropriate, with other Federal agencies and officials such as the Environmental Protection Agency, the Mining Safety and Health Administration, the Corps of Engineers, and the Department of Agriculture. After the proposed rules are published in the Federal Register, a further opportunity for written comments and a formal public hearing will be provided prior to adoption of final revised regulations.

Dated: April 28, 1981.

Andrew Bailey,

*Acting Director Office of Surface Mining Reclamation & Enforcement.*

[FR Doc. 81-13343 Filed 5-1-81; 8:45 am]

BILLING CODE 4310-05-M

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Part 199

[DOD Reg. 6010.8-R]

#### Implementation of the Civilian Health and Medical Program of the Uniformed Services

AGENCY: Office of the Secretary of Defense.

ACTION: Proposed Amendment to Rule.

**SUMMARY:** It is proposed to amend DOD Regulation 6010.8-R (32 CFR Part 199), which implements the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS). This amendment revises language in the Regulation to allow benefit consideration for electric-powered cart-type vehicles which may be appropriately used as alternatives to electric wheelchairs, when they are medically necessary and certified by a physician to best meet the patient's medical care needs based on the patient's physical condition and which can be operated safely by the patient.

**DATES:** Written public comments must be received on or before June 3, 1981. This proposed amendment would become effective retroactively to October 1, 1980.

**ADDRESS:** Office of the Assistant Secretary of Defense (Health Affairs), Room 3E339, The Pentagon, Washington, D.C. 20301.

**FOR FURTHER INFORMATION CONTACT:** Lorraine F. Carpenter, Special Assistant for CHAMPUS, telephone (202) 697-5185.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 77-7834, appearing in the Federal Register of April 4, 1977 (42 FR 17972), the Department of Defense published its Regulation, DOD 6010.8-R, "Implementation of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS)," as part 199 of this title.

Recently there has been recognition of the cart-type vehicle as an alternative to a wheelchair under certain specific circumstances. For example, Pub. L. 95-216 expanded the definition of durable medical equipment for the Medicare Program to include power-operated vehicles that may be appropriately used as an alternative to a wheelchair where such vehicle is determined to be medically necessary and to meet safety requirements. Further, VA Prosthetics Center, Clinical Evaluation Service at Castle Point, New York, conducted evaluations of cart-type power-operated vehicles and found them to perform satisfactorily.

Section 199.10(d), (3)(ii), NOTE, specifically excludes cart-type vehicles (such as the Amigo) as durable medical equipment. The same exclusion in § 199.11, (h)(2)(ii), NOTE. It has now been determined that classification of electrically-powered cart-type vehicles as always being primarily transportation is no longer appropriate. While some cart-type vehicles are prescribed primarily for purposes of the patient's convenience and transportation, it is felt that benefits should be available under those special circumstances where an electric-powered, cart-type vehicle can be appropriately used as an alternative to an electric wheelchair and: (1) It is determined the patient cannot, from a medical standpoint, use a standard, non-electric wheelchair; (2) the physician has determined that this particular type of vehicle best meets the patient's medical needs; and (3) the cart-type vehicle is less expensive than an electric wheelchair which the beneficiary/patient would otherwise need. A proper evaluation of the patient's medical and physical condition must be made to determine whether the patient requires such a vehicle and is capable of handling it safely. Program benefits will not be available for both an electric wheelchair and an electric-powered, cart-type vehicle.

This amendment is being published for proposed rulemaking at the same time as it is being coordinated within the Department of Defense, with the

Department of Health and Human Services, and with other interested agencies, in order that consideration of both internal and external comments and publication of the final rulemaking can be expedited.

Accordingly, it is proposed to amend 32 CFR, Chapter 1, §§ 199.10, Basic Program Benefits by revising the "Note following paragraph (d)(3)(ii)(4), and 199.11, Program for the Handicapped by revising the "Note following paragraph (h)(2)(ii)(a)(4), to read as follows:

**§ 199.10 Basic Program Benefits.**

- (d) *Other Benefits.* \* \* \*
- (3) *Other covered services and supplies.* \* \* \*
- (ii) *Durable medical equipment.* \* \* \*
- (1) \* \* \*
- (2) \* \* \*
- (3) \* \* \*
- (4) \* \* \*

**Note.**—A wheelchair (or Program-approved alternative) is not considered transportation in the sense of paragraph (d)(3)(ii)(4) of this section. It is qualified as durable medical equipment under paragraph (d)(3)(ii)(4) of this section, because by providing basic mobility, it retards further deterioration of the patient's physical condition. Mobility beyond that basic mobility provided by a wheelchair (or a Program-approved alternative) is considered to be primarily transportation.

**§ 199.11 Program for the Handicapped.**

- (h) *Covered services and supplies.* \* \* \*
- (2) *Extent of covered services and supplies.* \* \* \*
- (ii) *Durable equipment.* \* \* \*
- (a) \* \* \*
- (1) \* \* \*
- (2) \* \* \*
- (3) \* \* \*
- (4) \* \* \*

**Note.**—A wheelchair (or Program-approved alternative) is not considered transportation in the sense of this paragraph (h)(2)(ii)(a)(4) of this section. It is qualified as durable medical equipment under paragraph (h)(2)(ii)(a)(4) of this section above because by providing basic mobility, it retards further deterioration of the patient's physical condition. Mobility beyond that basic mobility provided by a wheelchair (or a Program-approved alternative) is considered to be primarily transportation.

April 29, 1981.

M. S. Healy,  
Federal Register Liaison, Washington  
Headquarters Services, Department of  
Defense.

[FR Doc. 81-13360 Filed 5-1-81; 8:45 am]

BILLING CODE 3610-70-M

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Ch. I**

[OPP-00140; PH-FRL 1818-2]

**State FIFRA Issues Research and Evaluation Group Working Committees; Open Meetings**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule related notice.

**SUMMARY:** There will be a two-day meeting of the Working Committee on Enforcement of the State FIFRA Issues Research and Evaluation Group (SFIREG) and a two-day meeting of the SFIREG Working Committee on Registration and Classification to discuss various aspects of pesticides. The meetings will be open to the public.

**DATE:** The Working Committee on Enforcement will meet on Tuesday and Wednesday, May 19 and 20, 1981, beginning at 8:30 a.m. each day. The Working Committee on Registration and Classification will meet on Thursday and Friday, May 21 and 22, 1981, also at 8:30 a.m. each day.

**ADDRESS:** Both meetings will be held at: Ramada Inn, 303 S. Grand Blvd., St. Louis, MO (314-534-8300).

**FOR FURTHER INFORMATION CONTACT:** Philip H. Gray, Jr., Office of Pesticide Programs (TS-766), Environmental Protection Agency, Rm. 915, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202 (703-557-7078).

**SUPPLEMENTARY INFORMATION:** The meeting of the Working Committee on Enforcement will be concerned with the following topics:

1. EPA credentials and forms.
2. Sections 26 and 27—interpretive rule.
3. Pesticide drift.
4. Forward funding of grants.
5. Suspension-recall enforcement strategy.
6. Fiscal year 1982 grant guidance document.
7. Proposed AAPCO amendments to FIFRA.
8. Section 26(a)(3).
9. Fiscal year 1982 enforcement priorities of EPA.
10. Misuse of pesticides on Federal lands or misuse by Federal employees—role of States and EPA.
11. Advertising unregistered pesticides.
12. LV-ULV Advisory Opinion.
13. Integrity of State use violation investigations questioned by Louisiana environmental organization.

The meeting of the Working Committee on Registration and Classification will be concerned with the following topics:

1. Proposed Guidelines for Testing of Pesticides on Non-target Plants (Subpart J of Registration Guidelines).
2. Proposed Guidelines for Labeling of Pesticides (Subpart H of Registration Guidelines).
3. Revised section 3 regulations.
4. OPP policy as regards tolerances in connection with minor uses.
5. Pesticide information retrieval system.
6. Label Improvement Program.
7. Minor use policy.
8. Exemption of pheromones from registration requirements.
9. Status of 2,4-D.
10. OPP policy as regards reformulation of end use pesticides.
11. Distribution of final Registration Standards to States.
12. Clarification of directions for use of termiticides.
13. Buffer zone requirement as a condition for Federal registration.

Dated: April 27, 1981.

Edwin L. Johnson,

Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 81-13359 Filed 5-1-81; 8:45 am]

BILLING CODE 6560-32-M

#### 40 CFR Part 52

[A-5-FRL 1791-3]

#### Approval and Promulgation of Implementation Plans; Ohio

**AGENCY:** U.S. Environmental Protection Agency (EPA).

**ACTION:** Proposed rulemaking.

**SUMMARY:** EPA is today reproposeing action on the Ohio State Implementation Plan (SIP) for sulfur dioxide (SO<sub>2</sub>) for Lucas County. On February 25, 1980, EPA proposed action on the Ohio SO<sub>2</sub> SIP (45 FR 12266). In that notice, EPA proposed to approve the emission limitations for Lucas County. After further analysis, however, EPA has determined that the control strategy Ohio submitted for Lucas County is not adequate to ensure attainment and maintenance of the primary and secondary National Ambient Air Quality Standards (NAAQS) for SO<sub>2</sub>. Therefore, the Agency by this notice proposes to disapprove the Ohio SO<sub>2</sub> SIP for Lucas County and calls upon the State to submit a revised control strategy and demonstration for Lucas County.

**DATE:** Comments should be received on or before June 3, 1981.

**ADDRESSES:** Copies of the SIP revision are available at the following addresses for inspection:

United States Environmental Protection Agency, Region V, Air and Hazardous Materials Division, Air Programs Branch, 230 South Dearborn Street, Chicago, Illinois 60604

United States Environmental Protection Agency, Public Information Reference Unit, 401 M Street, S.W., Washington, D.C. 20460

Copies of the Docket #5A-80-3 are on file for copying and inspection during normal business hours at EPA, Region V, and at: U.S. Environmental Protection Agency, Central Docket Section, West Tower Lobby, Gallery 1, 401 M Street, S.W., Washington, DC 20460.

Written comments should be sent to: Gary Gulezian, Chief, Regulatory Analysis Section, U.S. Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** Debra Marcantonio, Air Programs Branch, U.S. Environmental Protection Agency, 230 S. Dearborn Street, Chicago, Illinois 60604, 312-886-6088.

**SUPPLEMENTARY INFORMATION:** On September 12, 1979, the Governor of Ohio submitted a SO<sub>2</sub> control plan to EPA for inclusion in the SIP for Ohio. On February 25, 1980 (45 FR 12266), EPA proposed action on the plan and on January 27, 1981 EPA took final action on portions of the plan (46 FR 8481) and reproposeing action on other portions of the plan (46 FR 8575). No further action was taken on the Ohio plan for Lucas County after the February 25, 1980 proposal because EPA had not finalized its review.

The Agency's review of the Lucas County regulations considered a modeling analysis of Lucas County submitted by Toledo Edison in support of a petition to revise the existing federal regulations for three Toledo Edison facilities. This analysis predicted substantial violations of the 24-hour and 3-hour NAAQS in Lucas County. Based on this analysis, EPA has determined that the existing federal plan for Lucas County does not ensure the attainment and maintenance of the NAAQS for SO<sub>2</sub>. The SO<sub>2</sub> plan for Lucas County that the State of Ohio submitted to EPA is essentially the same as the existing federal plan. Therefore, EPA is today proposing to disapprove the Ohio SO<sub>2</sub> SIP for Lucas County and is calling upon the State to correct the deficiencies in the Lucas County plan.

#### Lucas County Modeling Analyses

The short-term modeling analysis submitted by the Toledo Edison

Company utilized the RAM-urban model and five years (1973-1977) of hourly sequential Toledo/Flint meteorological data. Where the EPA modeling had divided Lucas County into four distinct regions and modeled each separately, Toledo Edison modeled Lucas County as a whole.

The short-term emissions inventory for the Toledo Edison sources is similar to that modeled by the EPA, except for the revised stack heights at the Toledo Edison Acme and Bay Shore plants. As for the other point sources, the individual companies were contacted to up-date the EPA emission inventory. Background was accounted for with a complete area source inventory for Lucas County.

The results of the modeling showed that both the federally promulgated Ohio SO<sub>2</sub> plan and the State submitted SO<sub>2</sub> plan for Lucas County are not adequate to protect the short-term NAAQS. Substantial violations of the 3-hour and 24-hour NAAQS were predicted.

#### Lucas County Nonattainment Designation

The EPA promulgated Ohio SO<sub>2</sub> SIP provided for emission reductions that were projected to result in attainment by the attainment date in the SIP (41 FR 36324). The attainment date for the Ohio SIP had not yet passed at the time EPA published the notice of designations in the Federal Register on March 3, 1978 (43 FR 8962) and October 5, 1978 (43 FR 45993). However, the Clean Air Act required nonattainment designations for all areas in which there were violations of the SO<sub>2</sub> NAAQS. Although the modeling analysis which was done for the EPA promulgation of the Ohio SIP for Lucas County demonstrated attainment by August 27, 1979, several sources in Lucas County were not in compliance with the EPA promulgated SIP. As a result, violations of the SO<sub>2</sub> NAAQS in Lucas County occurred. Therefore, EPA designated Lucas County as non-attainment for the SO<sub>2</sub> NAAQS. This nonattainment designation will continue to apply until the State demonstrates that the SO<sub>2</sub> air quality standard is no longer violated.

On July 27, 1978, Toledo Edison Company requested a revised emission limitation for its Acme, Bay Shore and Water Street stations located in Lucas County. The modeling analysis, submitted by the Toledo Edison Company was more comprehensive than the earlier one done by EPA and predicted substantial violations of the 24 hour and 3 hour NAAQS in Lucas County. The more recent modeling

analysis demonstrated that the existing federal plan for Lucas County does not ensure the attainment and maintenance of the NAAQS. The SO<sub>2</sub> plan for Lucas County that the State of Ohio submitted to EPA is essentially the same as the existing federal plan. Therefore it is also deficient. Part D of the Clean Air Act Amendments of 1977 requires the State of Ohio to develop an enforceable plan to attain the SO<sub>2</sub> NAAQS for Lucas County. Such plan must be submitted to EPA within twelve months of the final rulemaking date.

EPA is today proposing to disapprove the State of Ohio's SO<sub>2</sub> SIP for Lucas County and calls upon the State of Ohio to reassess its SO<sub>2</sub> control strategy for Lucas County and adopt any additional regulations that may be needed to protect the primary and secondary SO<sub>2</sub> NAAQS. If more restrictive regulations are needed, then the State must also prescribe a schedule for compliance as expeditiously as practicable but in no case later than three and one-half years from the date of approval of the plan. The federal plan for Lucas County will remain in effect until the State of Ohio submits and EPA approves an SO<sub>2</sub> plan for Lucas County which will ensure attainment and maintenance of the NAAQS.

In a separate notice published elsewhere in today's Federal Register, EPA is approving a revision to the federal Ohio SIP for the Toledo Edison Company in Lucas County. EPA's approval of the emission limitations for the Toledo Edison Company does not affect the revised county plan requested of the State but rather provides interim emission limitations until the State of Ohio develops and EPA approves an adequate plan for Lucas County.

Under Executive Order 12291, EPA must judge whether a regulation is "major" and, therefore, subject to the requirement of a regulatory impact analysis. Today's proposed disapproval of the State's SO<sub>2</sub> plan for Lucas County does not constitute a major regulation since at the time of final rulemaking the sources will remain subject to the existing federal SO<sub>2</sub> plan for Lucas County.

Pursuant to the provisions of 5 U.S.C. section 605(b), the Administrator has certified that this proposed rule, will not if promulgated, have a significant impact on a substantial number of small entities. A copy of this certification is available in the rulemaking docket.

(Secs. 110, 172 and 301(a) of the Clean Air Act, as amended 42 U.S.C. 7410, 7502, 7602(a))

Dated: April 28, 1981.

Valdas V. Adamkus,  
Acting Regional Administrator.

**Certification of No Significant Impact on a Substantial Number of Small Entities**

Regulation: Proposed disapproval of Ohio State Implementation Plan for Sulfur Dioxide for Lucas County (Clean Air Act Part D)

Pursuant to the provisions of 5 U.S.C. § 605(b) I hereby certify that this proposed rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. This action will affect only major sources of sulfur dioxide in a single county in Ohio. Also, this action will impose no new regulatory requirements. Existing requirements promulgated by EPA will remain in effect. Moreover, due to the nature of the federal-state relationship under the Clean Air Act, federal inquiry into the economic reasonableness of the state actions would serve no practical purpose and could well be improper.

Dated: April 28, 1981.

Walter C. Barber, Jr.,  
Acting Administrator.

[FR Doc. 81-13506 Filed 5-1-81; 8:45 am]  
BILLING CODE 6560-38-M

**40 CFR Part 52**

[A1-FRL 1808-2]

**Revisions to the New Hampshire State Implementation Plan**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** On April 15 and December 9, 1980, the State of New Hampshire submitted revisions to its State Implementation Plan (SIP). The revisions include changes to the States Ambient Air Quality Standards and a lead SIP. The State of New Hampshire has had ambient standards that were more stringent than the National Ambient Air Quality Standards (NAAQS) and the affect of this State initiated request is to relax the requirements to bring them in line with the NAAQS. The lead SIP submitted by the State fulfills the EPA requirements to develop a plan to attain and maintain the NAAQS for lead (40 CFR Part 51).

**DATES:** Comments must be submitted on or before June 3, 1981.

**ADDRESSES:** Copies of the state's submission are available for inspection at the following addresses: Environmental Protection Agency, Air Branch, Room 1903, J. F. Kennedy Federal Building, Boston, MA 02203; Public Information Reference Unit, Environmental Protection Agency, 401 M Street, SW, Washington D.C. 20460; and Air Resources Agency, State Laboratory

Building, Hazen Drive, Concord, NH 03301. Comments may be submitted to Harley F. Laing, Chief, Air Branch, at the Boston Address given above.

**FOR FURTHER INFORMATION CONTACT:**

John L. Hanisch, Air Branch, EPA, Region I, Room 1903, J. F. Kennedy Federal Building, Boston, MA 02203, (617) 223-5630.

**SUPPLEMENTARY INFORMATION:** Section 116 of the Clean Air Act requires that state standards for criteria pollutants be at least as stringent as the federal standards. New Hampshire originally adopted standards more stringent than the federal requirements. However, the Governor of New Hampshire submitted revisions to Regulation 11 (Ambient Air Quality Standards for the State of New Hampshire) on April 15, 1980.

The changes include a relaxation of the state's standards for particulate matter, sulfur dioxide, carbon monoxide, nitrogen dioxide, ozone, and hydrocarbons to conform with the federal NAAQS and adoption of a state lead standard which also conforms with the federal NAAQS. The submittal provided for the use of reference methods in determining ambient pollutant concentrations "acceptable to the Environmental Protection Agency or the (New Hampshire Air Resources) Agency." However, EPA Regulations 40 CFR 50.4 through 50.11 specify that only EPA's reference methods or equivalent methods, as set forth in 40 CFR Part 53, are acceptable to show compliance with NAAQS. Therefore, in its December 9, 1980 submittal, New Hampshire confirmed that it will not use a reference method which has not been approved in accordance with 40 CFR Part 53. That submittal also included a definition for lead, which was omitted from the April 15 submittal.

**Proposed Action**

EPA is proposing to approve New Hampshire's ambient air quality standards changes.

On October 5, 1978 EPA promulgated primary and secondary National Ambient Air Quality Standards for lead (43 CFR 46246). Section 110 of the Clean Air Act, requires states to adopt and submit to the EPA Administrator, within nine months after promulgation of a National Ambient Air Quality Standard, a plan for attainment and maintenance of the Standard in their area. EPA has set forth the requirements of an approvable lead State Implementation Plan in 40 CFR Part 51 (43 FR 46246). These provisions require the submission of air quality data, emissions data, a control strategy, air quality modeling,



and a demonstration that the Standard will be attained within the time frame specified by the Clean Air Act.

The April 15, 1980 submittal from New Hampshire included technical support to satisfy 40 CFR Part 51, Implementation Plans for Lead. The document indicates that there are no significant stationary sources of lead in the state. County by county mobile source emissions were calculated from 1978 through 1984, showing a decrease in lead emissions during that period by nearly a factor of four.

Filter analyses were performed from the third quarter of 1978 through the second quarter of 1979. Six stations are continuing to be analyzed for lead content. A roadway monitoring station will be in operation by April 1981.

In the December 9, 1980 submittal, New Hampshire addressed how it would permit new sources of lead. Sources which emit five or more tons per year would be subject to New Hampshire's Regulations 16 and 17. They would be allowed to construct and operate only after receiving permits issued under Regulation 16, the state's new source review regulation. A review of the permit application would ascertain that the proposed lead source would be in compliance with Regulation 17, which specifically limits lead emissions from stationary sources. Such procedures are sufficient to control new stationary sources of lead emissions.

Since no lead standard violations have been recorded, the state is continuing to monitor for lead emissions and new source review procedures are in effect for new lead sources. New Hampshire appears to have met all the requirements of the Clean Air Act and applicable regulations for submittal of an adequate lead SIP.

#### Proposed Action

EPA is proposing to approve New Hampshire's lead SIP submittal. Pursuant to the provisions of 5 U.S.C. 605(b) the Administrator has certified that the SIP approvals under Sections 110 and 172 of the Clean Air Act will not have a significant economic impact on a substantial number of small entities. 46 Fed. Reg. 8709 (January 27, 1981). The attached rule, if promulgated, constitutes a SIP approval under Sections 110 and 172 within the terms of the January 27 certification. This action only approves state actions. It imposes no new requirements. Moreover, due to the nature of the federal-state relationship, federal inquiry into the economic reasonableness of the state actions would serve no practical purpose and could well be improper.

Under Executive Order 12291, EPA must judge whether a regulation is "Major" and therefore, subject to the requirements of a Regulatory Impact Analysis. This regulation is not Major because this action, if promulgated, only approves state actions and imposes no new requirements.

This regulation was submitted to the office of Management and Budget for review as required by Executive Order 12291. Any comments from OMB to EPA and any EPA response to those comments are available for public inspection at Room 1903, J. F. Kennedy Federal Building, Boston, Massachusetts 02203.

The Administrator's decision to approve or disapprove the plan revision will be based on whether it meets the requirements of Sections 110(a)(2)(A)-(K) and 110(a)(3) of the Clean Air Act, as amended, and EPA regulations in 40 CFR Part 51. This revision is being proposed pursuant to Section 110(a) and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7410(a) and 7601(a)).

Dated: April 6, 1981.

Leslie Carothers,

Acting Regional Administrator, Region I.

[FR Doc. 81-13222 Filed 5-1-81; 8:45 am]

BILLING CODE 6560-38-M

#### 40 CFR Part 123

[SW-7-FRL 1817-6]

#### Kansas Application for Interim Authorization, Phase I, Hazardous Wastes Management Program

**AGENCY:** Environmental Protection Agency, Region VII.

**ACTION:** Notice of Public Hearing and Public Comment Period.

**SUMMARY:** EPA regulations to protect human health and the environment from the improper management of hazardous waste were published in the *Federal Register* on May 19, 1980 (45 FR 33063). Subsequent amendments and additions to this promulgation have occurred since that date. These regulations include provisions for authorization of State programs to operate in lieu of the Federal program. Today EPA is announcing the availability for public review of the Kansas application for Phase I interim authorization, inviting public comment, and giving notice of a public hearing to be held on the application.

**DATE:** Comments on the Kansas interim authorization application must be received by June 3, 1981.

**Public hearing:** EPA will conduct a public hearing on the Kansas interim

authorization application at 1:00 p.m., on June 3, 1981. The Environmental Protection Agency reserves the right to cancel the public hearing if significant public interest in a hearing is not expressed. If you are interested in participating in a public hearing, please notify Mr. Robert L. Morby of EPA at the address below no later than Friday, May 29, 1981. The State of Kansas will participate in any public hearing held by EPA on this subject.

**ADDRESSES:** Copies of the Kansas interim authorization application are available during business hours at the following locations for inspection and copying by the public:

Kansas Department of Health and Environment, Bureau of Environmental Sanitation, Forbes Field, Topeka, Kansas 66620, 913/862-9360 Ext. 297, Business Hours: 8:00-4:30, \$.25 per page copying charge;  
U.S. Environmental Protection Agency, 324 East 11th Street, Kansas City, Missouri 64106, 816/374-6534, Business Hours: 7:30-4:30, \$.20 per page copying charge;  
U.S. Environmental Protection Agency, Office of Solid Waste, 401 M Street, S.W., Washington, D.C. 20460, 202/382-2210, Business Hours: 7:30-4:30.

*The public hearing will be held at:*

Shawnee County Health Department, Room 101 (Auditorium), 1615 W. 8th, Topeka, Kansas, June 3, 1981 1:00 P.M.;

Send written comments to: Robert L. Morby, U.S. Environmental Protection Agency, 324 East 11th Street, Kansas City, Missouri 64106.

**FOR FURTHER INFORMATION CONTACT:** Robert L. Morby (816) 374-3307.

**SUPPLEMENTARY INFORMATION:** In the May 19, 1980, *Federal Register* (45 FR 33063) the Environmental Protection Agency promulgated regulations, pursuant to Subtitle C of the Resource Conservation and Recovery Act of 1976 (as amended), to protect human health and the environment from the improper management of hazardous waste. These regulations included provisions under which EPA can authorize qualified State hazardous waste management programs to operate in lieu of the Federal program. The regulations provide for a transitional stage in which qualified State programs can be granted interim authorization. The interim authorization program is being implemented in two phases corresponding to the two stages in which the underlying Federal program will take effect. In order to qualify for issuance of interim authorization, the State hazardous waste program must:



(1) Have had enabling authority in existence prior to August 17, 1980, and

(2) Be substantially equivalent to the Federal program.

A full description of the requirements and procedures for State interim authorization is included in 40 CFR Part 123 Subpart F (45 FR 33479). As noted in the May 19, 1980, Federal Register copies of complete State submittals for Phase I interim authorization are to be made available for public inspection and comment. In addition, a public hearing is to be held on the submittal, unless significant public interest is not expressed.

Dated: April 24, 1981.

David A. Wagoner,

Acting Regional Administrator, Region VII.

[FR Doc. 81-13417 Filed 5-1-81; 8:45 am]

BILLING CODE 6560-30-M

## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### National Endowment for the Humanities

#### 45 CFR Ch. XI

#### Semiannual Agenda of Regulations

**AGENCY:** National Endowment for the Humanities.

**ACTION:** Publication of the Semiannual Agenda of Regulations.

**SUMMARY:** Pursuant to the Regulatory Flexibility Act, Pub. L. 96-354, and Executive Order 12291 "Federal Regulation" dated February 17, 1981 the National Endowment for the Humanities is required to publish in April and October of each year an agenda of proposed regulations that the endowment has issued or expects to issue and currently effective rules that are under agency review.

**FOR FURTHER INFORMATION CONTACT:** Mr. Joseph Schurman, General Counsel, National Endowment for the Humanities, 806 15th Street, N.W., Washington, DC 20506, 202-724-0367.

#### Semiannual Agenda of Regulations

##### Regulations to be issued:

Nondiscrimination on the Basis of Handicap;

Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from NEH; Nondiscrimination on the Basis of Sex;

Employment Part-Time Career Employment.

##### Regulation under review:

Nondiscrimination on the Basis of Race, Color, or National Origin Within NEH-Funded Programs.

None of the above regulations is a "major rule" within the meaning of Executive Order 12291, nor would any of the regulations have a significant economic impact on a substantial number of small entities.

Dated: April 28, 1981.

Joseph D. Duffey,

Chairman.

[FR Doc. 81-13395 Filed 5-1-81; 8:45 am]

BILLING CODE 7536-01-M

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Ch. I

#### Semi-Annual Agenda of Significant Proceedings

**AGENCY:** Federal Communications Commission.

**ACTION:** Publication of Semi-Annual Agenda.

**SUMMARY:** The Commission publishes a Semi-Annual Agenda to provide the public with adequate notice of significant proceedings under development or review, as prescribed in Executive Order 12291 (46 FR 13193; February 19, 1981). This edition of the agenda, in compliance with the Regulatory Flexibility Act of 1980 (P.L. 96-354) includes notations on the applicability of the Regulatory Flexibility Act to each item. This fulfills the requirement that all agencies publish Regulatory Flexibility Agenda in April and October of each year.

Henceforth, the FCC's Semi-Annual and Regulatory Flexibility Agenda, in combined form, will be published in the Federal Register each April and October hereafter. This supersedes all previously-announced publication dates for the Semi-Annual Agenda.

**EFFECTIVE DATE:** April 30, 1981.

**ADDRESS:** Federal Communications Commission, 1919 M Street N.W., Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:** Anne Riffey, Office of the Executive Director, (202) 632-7513.

## SUPPLEMENTARY INFORMATION:

### Semi-Annual Agenda of Significant Proceedings

The Commission wants to encourage greater public participation in the FCC rule making process. To help keep the public informed of significant rule making proceedings, the Commission has prepared an agenda of important proceedings now in progress. The Commission expects to publish an agenda of significant proceedings in the Federal Register every six months.

The following terms may be helpful in understanding the status of the proceedings included in this report:

A Docket Number is assigned to a proceeding if the Commission has issued either a Notice of Proposed Rule Making or a Notice of Inquiry in regard to the matter under consideration. Since January 1, 1978, the Commission has used docket numbers which consist of the last to digits of the calendar year in which the docket was established plus a sequential number which begins at 1 with the first docket initiated during a calendar year (e.g. Docket 78-1 or Docket 79-1). The abbreviation for the responsible Bureau usually precedes the docket number, as in "BC Docket 79-164." When a docket number consists of only five digits (e.g. Docket 29622), this indicates that the docket was established before January 1, 1978.

**Notice of Inquiry (NOI)**—issued by the Commission when it is seeking information on a broad subject or trying to generate ideas on a given topic. A comment period is specified during which all interested parties may submit comments.

**Notice of Proposed Rule Making (NPRM)**—issued by the Commission when it is proposing a specific change to the FCC Rules and Regulations. Before any changes are actually made, interested parties may submit written comments on the proposals.

**Memorandum Opinion and Order (MO&O)**—issued by the Commission to deny a petition for rule making, conclude an inquiry, modify a decision, or deny a petition for reconsideration of a decision.

**Report and Order (R&O)**—issued by the Commission to state a new or amended rule or state that the FCC Rules will not be changed.

**Rule Making (RM) Number**—assigned to a proceeding after the appropriate Bureau/Office has reviewed a petition for rule making, but before the Commission has taken action on the petition.

BILLING CODE 6712-01-M

## Broadcast Matters

Docket:	19142	20418	21049	21310
Title:	Children's Television Programming and Advertising Practices	New VHF Channel Assignments	Commercial Television Network Practices	FM Quadraphonic Broadcasting
Regulatory Flexibility Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description:	Evaluation of television licensees' compliance with the Commission's 1974 policy guidelines on children's television programming and advertising practices.	Study of possibility of assigning new VHF channels in the Top-100 markets, specifically at this time in Charleston, West Virginia, Johnstown or Altoona, Pennsylvania, Knoxville, Tennessee, and Salt Lake City, Utah.	Inquiry into practices and policies of the 3 major television networks regarding the acquisition and distribution of television programming.	Inquiry into whether Commission should authorize a quadraphonic FM broadcasting system.
Stage of Development:	NPRM adopted by Commission in December, 1979. The comment stage closed in August, 1980. R&O is being drafted. Oral presentation to Commission in Oct., 1980.	1) R&O on Petitions for reconsideration being drafted; 2) R&O on Rule Making being drafted. (See also entry for BC 80-719, below.)	Network Inquiry Special Staff has made final report to Commission. B/cast Bureau is drafting a further NOI or NPRM.	Notice of Proposed Rule Making (NPRM) adopted July 17, 1980. Reply comments closed on February 1981. R&O being drafted.
Projected Commission Action:	-----	1) 3rd Quarter; 2) 4th Quarter	4th Quarter	June, 1981
Contact Person & Telephone:	Steve Bookshester 632-7792	Roger Holberg 632-7792	Steve Bookshester 632-7792	Al Jarratt 632-9660
Docket:	21313	21474	21502	BC 78-239
Title:	AM Stereo	Equal Employment Opportunity in the Broadcast Industry	Subscription (Pay) TV Operations	Voting Trusts
Regulatory Flexibility Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description:	The Commission must decide if, and under what circumstances, standards for the transmission of stereophonic program material by AM broadcast stations should be established.	Revision of FCC Form 395, the annual employment form filed by broadcasters, to make it more useful in monitoring the broadcasters' commitment to equal employment opportunity.	Inquiry to determine whether current rules governing pay TV operation are necessary or desirable and whether any new rules are needed to govern the service.	Inquiry to determine what types of ownership interests are cognizable for purposes of the FCC's ownership rules.
Stage of Development:	NPRM adopted Sept., 1973; a Memorandum Rept. and Order and further NPRM adopted July 30, 1980 and released Sept. 11, 1980. Comment period closed in February, 1981. R&O is being drafted.	Further NPRM issued in 1980 seeking comments on a revised EEO program. Comments are being analyzed.	A further NPRM is being drafted which will include such issues as the "complement of four" requirement.	NOI/NPRM adopted July, 1978; comment period closed Dec., 1978.
Projected Commission Action:	1st Quarter 1982	-----	3rd Quarter	-----
Contact Person & Telephone:	Gregory DeFries 632-9660	Steve Bookshester 632-7792	Freda Thyden 632-7792	Steve Bookshester 632-7792

## Broadcast Matters (cont.)

Docket:	BC 78-253	BC 79-164	BC 79-219	BC 79-269
Title:	Inquiry into the Proper Role of Television Translators and Low-Power TV Broadcasting	Reduction of AM Bandwidth to 9 kHz	Deregulation of Radio	New Jersey UHF-TV Assignments
Regulatory Flexibility Act?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description:	Inquiry into uses of television translators, especially in rural areas, to determine if rules concerning translators should be changed to permit their increased use.	Inquiry into reduction of spacing between AM channels from 10 kHz to 9 kHz.	Study to determine if radio broadcasting should be partially or totally deregulated.	Study to assign 6 UHF-TV frequencies to various New Jersey communities.
Stage of Development:	Commission adopted NPRM in Sept., 1980. Reply comments due May 13, 1981.	Final resolution is awaiting results of Region 2 Conference on AM Broadcasting, to be held in November, 1981. In the interim, Commission will develop further reports.	Report and Order adopted January 14, 1981. Petitions for Reconsideration filed, and R&O being drafted.	NPRM adopted 10-18-79. Record closed 8/80, R&O being developed.
Projected Commission Action:	-----	1st Quarter	3rd Quarter	3rd Quarter
Contact Person & Telephone:	Molly Pauker 632-7792	Larry Olson 254-3394	Roger Holberg 632-7792	Gordon Godfrey 632-9660
Docket:	BC 79-270	BC 80-90	BC 80-130	BC 80-190
Title:	New Jersey UHF-TV Financial Viability	Use of FM Frequencies	Processing of FM Rule Making Petitions	Revision of Financial Qualifications Form
Regulatory Flexibility Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description:	Study of means by which the New Jersey UHF-TV stations created in BC Docket 79-269 (above) might best become financially viable.	Study of means for increasing the use of FM frequencies.	Study of possible modifications to the procedure for processing FM petitions.	Study to revise Form 324, Financial Qualifications Form, which broadcasters are required to file with the Commission.
Stage of Development:	NPRM adopted 10/18/79 in conjunction with BC Docket 79-269; record closed 8/80.	NPRM issued on Feb. 28, 1980; reply comments closed on Dec. 1, 1980. R&O being drafted.	R&O being drafted in conjunction w/BC 80-90 (see above).	NPRM adopted April 24, 1980; reply comments closed in Dec. R&O being drafted.
Projected Commission Action:	Final action projected for same time as BC Docket 79-269, above.	4th Quarter	-----	3rd Quarter
Contact Person & Telephone:	Martin Blumenthal 632-7792	Kathryn Hosford 632-9660	Jonathan David 632-7792	Alan Stillwell 632-6302

<u>Broadcast Matters (cont.)</u>		<u>Cable Matters</u>		
Docket:	BC 80-719	Rule Making 3727, 3876	18891 and 20423	21002
Title:	Reassignment of VHF-TV Frequency to New Jersey	Teletext Inquiry	Cable TV Systems: Multiple Ownership and Cross-Ownership	Cable TV Local Franchise Fees
Regulatory Flexibility Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Description:	Study of possibility of reassigning the Channel 9 VHF-TV frequency from New York City to a New Jersey community.	Petition by CBS, Inc. and United Kingdom Teletext Working Group to authorize use of teletext by TV stations.	Inquiry to determine if FCC should limit size of cable systems, multiple ownership and cross ownership.	Proposal to eliminate rule (\$76.31) that limits the ability of local authorities to collect franchise fees in excess of 3% of a cable system's gross revenues.
Stage of Development:	NPRM adopted 11/6/80. Matter being held in abeyance pending resolution of R60 appeal by Federal court.	Period for comments on the petition has closed. Staff is evaluating several alternatives with a view to taking action in the next two or three months.	Additional R60s are forthcoming in these dockets. Office of Plans and Policy has a study of these issues in progress. Study includes telephone cross-ownership issues also.	Draft of final R60 is in progress. Additional analysis of economic study (NERA study) submitted in comments may be required.
Projected Commission Action:	-----	2nd Quarter 1981	-----	-----
Contact Person & Telephone:	Mark Lipp 632-7792	Jim Green 632-6302	William Johnson 632-6468	Ooborah Stuehrmann, 632-6468
<u>Cable Matters (cont.)</u>		<u>Common Carriage Matters</u>		
Docket:	21284 and 20988	21472	21499	CC 78-72, Phase 1
Title:	Cable TV Impact on Broadcast Service	Cable TV Mandatory Local TV Signal Carriage Rules for "Saturated" Cable TV Systems	Bell System Operating Companies Tariff FCC No. 6	NIS-WATS Market Structure Inquiry
Regulatory Flexibility Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Description:	Inquiry into the economic relationship between television broadcasting and cable television to provide the Commission with better methods of predicting changes in these industries and analyzing cases where questions of impact are raised.	Proposal to amend the cable TV mandatory signal carriage rules with respect to those situations where the availability of additional channels on local cable systems has been exhausted.	Investigation into the lawfulness of facilities offerings by AT&T and its associated Bell companies to other common carriers; Bell System Operating Companies Tariff FCC No. 6.	Inquiry to determine whether public interest requires interstate Message Telecommunications Service (long distance telephone service) and/or Wide Area Telecommunications Service (bulk rate long distance service) or their functional equivalents, to be provided on a sole source basis.
Stage of Development:	R60 eliminating CATV rules has been adopted by Commission, but rule changes have been stayed in connection with an appeal of the Commission's decision. Court action is expected by the Spring of 1981.	Draft of final R60 is in progress.	NOI and proposed Rule Making adopted December 4, 1980.	Report and third supplemental notice, issued August 19, 1980, resolved entry policy question and issues other than access charges and Alaska entry policy. Staff preparing further order as access charges. Awaiting supplemental comment regarding Alaska entry policy.
Projected Commission Action:	-----	-----	September, 1981	Item ready for agenda scheduling in 2nd Quarter of CY 81.
Contact Person & Telephone:	William Johnson 632-6468	Stephen Bailey 632-6468	Kent Nakamura 632-6917	Carl Lawson 632-9342

## Common Carrier Matters (cont.)

Docket:	CC 78-196	CC 79-35	CC 79-105	CC 79-187
Title:	Uniform System of Accounts for Telephone Companies	INMARSAT Interconnection - Implementation of Sec. 503(G) of INMARSAT Act	Deregulation of Inside Wiring	AT&T Rate of Return
Regulatory Flexibility Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description:	Study to develop a system of accounts which can readily provide cost information by both jurisdiction and individual service categories.	Rule making regarding operational arrangements for maritime satellite service, interconnection with earth stations, and regulating safeguards against cross-subsidization of costs.	Inquiry into the complete deregulation of the business of furnishing inside telephone wiring.	Inquiry to determine if AT&T's rate of return during 1978 exceeded the limits specified by the Commission in Docket 20376.
Stage of Development:	Review of comments received on First Supplemental NPRM is ongoing. Staff will devise specifications of the new proposed Uniform System of Accounts.	Further Notice of Proposed Rule Making adopted Dec. 16, 1981.	Notice of Inquiry adopted March 11, 1981.	Draft M060 in preparation.
Projected Commission Action:	2nd Supplemental Notice of Proposed Rule Making - June, 1981	August, 1981	September, 1981	3rd Quarter CY 1981
Contact Person & Telephone:	David Chessler 653-7413	J. Ball 632-7834	Sandy Margolin 632-3863	Kent Nilsson 632-9342
Docket:	CC 79-245	CC 79-246	CC 79-318	CC 80-54
Title:	Cost Allocation Manual - AT&T	AT&T Rate Structure Rule Making	Cellular Mobile Communications	Resale and Shared Use of WATS
Regulatory Flexibility Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description:	Proceeding to develop and prescribe specific procedures to be followed by AT&T in allocating costs among its various services.	Inquiry into AT&T private line tariff and rate structures and volume discount policies.	Inquiry into implementation of cellular mobile communications systems.	Regulatory policies concerning resale and shared use of common carrier domestic public switched network services. (MCI Rule Making Petition #3453).
Stage of Development:	Report and Order adopted Dec. 19, 1980.	Notice of Inquiry and Proposed Rule Making adopted October 18, 1979. Staff preparing a First Report and Order and Further NPRM.	Report and Order adopted April 9, 1981.	R&O adopted December 8, 1980. Proposed tariff changes filed effective June 1, 1981. Petitions for reconsideration pending.
Projected Commission Action:	Action on Motion to Stay - April 23, 1981. Reconsideration/Order-June, 1981. 2nd NOI September, 1981.	June, 1981	Further NPRM contemplated in CY 1981	June, 1981 contingent on final outcome of CC Docket 80-765, WATS Tariff Revision.
Contact Person & Telephone:	Tim Stevens 632-9342	Leonard Kennedy 632-6917	Michael Sullivan 632-6450	Brad Allenby 632-6917



## Common Carrier Matters (cont.)

Docket:	Gen. Docket 80-112	CC 80-116	CC 80-170	CC 80-176
Title:	MDS Frequency Reallocation	MDS Licensing	"Authorized User" Petitions	International Resale and Shared Use
Regulatory Flexibility Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description:	Inquiry and rule making to consider reallocation of frequencies in the 2500-2690 MHz band.	Inquiry on alternatives to trial-type proceedings for awarding MDS licenses. Possible alternatives include paper hearings, lotteries, and auctions.	Study of whether to authorize non-carrier entities to obtain service directly from Comsat for provision of international communications.	Study of the restrictions on resale and shared use of international services.
Stage of Development:	NPRM issued March, 1980. Comment period extended to Sept. 26 and Oct. 27, 1980. Staff anticipates issuance of an R&O.	NPRM issued March, 1980. Staff is evaluating comments to draft an R&O.	Report and Order in preparation.	Staff preparing recommended decision.
Projected Commission Action:	2nd Quarter CY '81 or later	July, 1981	June, 1981	3rd Quarter CY '81
Contact Person & Telephone:	Kevin Kelley 632-6430	Cicely Holiday 632-6415	Gene Belardi 632-7265	James Ball 632-3214
Docket:	CC 80-632	CC 80-634	CC 80-765	Bureau Project #28
Title:	Overseas Communication Service	Communications Satellite Corporation Structure	WATS Offering	AT&T General Rate Increase
Regulatory Flexibility Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description:	The Commission has tentatively concluded that voice/record dichotomy in international services no longer best serves the public interest. This NPRM proposes to permit the IRGs to provide international voice services and AT&T to provide international record services. NPRM revisits 1964 TAT-4 decision which helped establish voice/record dichotomy.	An inquiry into changes in the corporate structure and operations of Communications Satellite Corporation.	AT&T tariff revisions reflect significant and complex changes in a major basic service. The filing represents substantial structural change in the WATS offering.	Tariff filing by AT&T that would increase its tariff charges, to become effective in part by June, 1980.
Stage of Development:	Notice of Proposed Rule Making adopted October 9, 1980.	NPRM adopted October 9, 1980.	HO&O adopted December 19, 1980, suspending tariff and initiating investigation.	Bureau's order was released on June 13, 1980, with Chief ordering an investigation of the across-the-board increases, but deferred that investigation until the hearing on AT&T's rate of return in Docket 79-63. MCI has challenged some procedural aspects of the decision; an application for review is pending.
Projected Commission Action:	September, 1981	July, 1981	May, 1981	Pending outcome of appeal by MCI pending in D.C. Circuit Court.
Contact Person & Telephone:	Stuart Chiron 632-7265	J. Ball 632-7834	Brad Allenby 632-6917	Brad Allenby 632-6917

<u>Common Carrier Matters (cont.)</u>		<u>Field Operations Bureau</u>	<u>General Counsel</u>	<u>Office of Plans &amp; Policy</u>
Docket:	Bureau Project #130	20817	Gen. Docket 78-205	Gen. Docket 78-391
Title:	Second Generation Satellites	Radio Operator Licensing	Reimbursement for Participation In Commission Proceedings	Improvements to UHF TV Reception
Regulatory Flexibility Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description:	The total number of applications for new domestic satellites may exceed the number that could be accommodated in the orbital arc useful for U.S. service. In order to avoid potential conflicts, a rule making approach is desired.	Inquiry to review radio operator rules and evaluate the current need for them.	Inquiry as to the rules under which FCC should reimburse expenses of public participants in its rule making proceedings.	A five-person task force has been created to examine comparability for UHF and VHF television reception and to assist in determining what regulatory changes are needed to achieve comparability.
Stage of Development:	Action on applications completed in December 1980. Staff now working on the follow-on proceedings to develop and promulgate long term policy and procedures.	Comments being evaluated.	Comments are being evaluated by staff.	Last Report was issued Nov., 1980. Contractor's reports pending.
Projected Commission Action:	June, 1981	2nd Quarter 1981 or later	2nd Quarter or later	-----
Contact Person & Telephone:	Ron Lepkowski 632-5930	Vernon Wilson 632-7240	Grey Pash 632-7020	Phil Giesler 653-5940

<u>Plans &amp; Policy Matters (cont.)</u>		<u>Private Radio Bureau Matters</u>		
Docket:	Gen. Docket 80-603	18921	20846	79-140
Title:	Direct Broadcast Satellite Inquiry	Multiple License Sharing of Private Land Mobile Radio Facilities on the Frequencies below 800 Mhz	Telephone Interconnection in Land Mobile Radio Services	Additional Personal Radio Service
Regulatory Flexibility Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description:	Study of regulatory options concerning direct broadcast satellite (DBS)	The development of rules and policies to better define and govern the multiple licensing and sharing of private land mobile radio facilities operating below 800 Mhz.	Proceeding to develop and prescribe specific rules for interconnection of private land mobile radio systems with the public switched telephone network.	Inquiry into need for new Personal Radio Service at 900 Mhz, and technical and operational characteristics of such a possible service.
Stage of Development:	NOI and R&O issued in Oct., 1980. Comments due by Dec. 5, 1980 and reply comments by Dec. 22, 1980.	Tentative Decision and Further Notice of Proposed Rule Making have been drafted by the staff.	A Report and Order is being prepared by the staff.	Staff is drafting an NPRM in conjunction with the Office of Science and Technology.
Projected Commission Action:	2nd Quarter, 1981	April, 1981	June, 1981	June, 1981
Contact Person & Telephone:	Florence Setzer 653-5940	J. Letterman 634-2443	John Borkowski 632-7597	Joe Johnson 632-6930

## Office of Science and Technology Matters

Docket:	20990	21371	Gen. Docket 78-369	Gen. Docket 79-188
Title:	Remote Control and Security Devices	Description of Test Measurement Facilities	Radio Frequency Interference to Electronic Equipment	Xerox XTEN Proposal
Regulatory Flexibility Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Description:	Amendment of Part 15 of the Rules to provide for the operation of low power communications devices used in remote control and security applications.	Amendment of Part 2 of the Rules establishing criterion to determine the suitability of a test site for making measurements to determine compliance of equipment subject to the Commission's authorization program.	Inquiry to determine extent of radio frequency interference to electronic equipment and need for government regulation to lessen such interference.	Xerox Corporation has proposed the allocation of microwave frequencies in the 10.55-10.68 GHz band for use in providing a new common carrier electronic message service.
Stage of Development:	A First Report & Order is being drafted.	A First Report & Order is being drafted.	Matter is undergoing reconsideration by Commission staff. A Memorandum to the Commission is being drafted.	First Report & Order adopted 14 Jan, 1981, with release expected April 1981. Further Notice of proposed rule is being drafted.
Projected Commission Action:	2nd Quarter, 1981	3rd Quarter, 1981	May, 1981	May, 1981
Contact Person & Telephone:	George Harenberg 653-8130	Syd Bradfield 653-8131	Al Paul 653-8126	Bert Withers, Beverly Baker, 653-8100 632-5930
Docket:	Gen. Docket 80-184	Gen. Docket 80-398	Gen. Docket 80-739	Gen. Docket 80-741
Title:	Mobile Services Conferences	Broadcasting-Satellite Planning Conference	WARC-79 Implementation	Space Services Planning Conference Space WARC
Regulatory Flexibility Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description:	Preparation of U.S. proposals to a 1982 ITU-World Conference on the Mobile Radio Services.	Preparation of U.S. Proposals to a 1983 ITU Region 2 Conference to plan the use of 12 GHz broadcasting satellites in the Western Hemisphere.	Inquiry to determine extent of radio frequency interference to electronic equipment and need for government regulation to lessen such interference.	Preparation of U.S. proposals to a 1984/85 (2nd session) ITU WARC on "Use of the Geostationary-Satellite Orbit and Planning of the Space Services Utilizing It."
Stage of Development:	3rd NOI to be issued April 1981. Report and Order containing recommended proposals anticipated for July 1981. 3rd NOI being drafted.	Memorandum Opinion and Order was issued February, 1981 establishing an Advisory Committee. 2nd NOI being drafted.	Matter is undergoing reconsideration by Commission staff. A memorandum to the Commission is being drafted.	Memorandum Opinion & Order establishing a Public Advisory Committee is expected May, 1981. A second NOI is being drafted.
Projected Commission Action:	April, 1981	May, 1981	May, 1981	3rd Quarter, 1981
Contact Person & Telephone:	Lawrence Palmer 653-8102	Edward Jacoba 653-8102	Fred Thomas 653-8171	Thomas S. Tycz 653-8102

## Office of Science and Technology Matters (cont.)

Docket:	RM 3524	RM 3747	Not yet Assigned
Title:	Air-to-Ground Telephone Service at 900 MHz	Utilities Telecommunications Council Power Line Carrier Petition	Spread Spectrum Communications Technology
Regulatory Flexibility Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description:	Proposed system for serving passengers on commercially scheduled airlines in the contiguous United States by using single side band modulation, to provide 310 two-way voice channels which will interconnect with the public telephone network.	The Petitioner seeks improved regulatory recognition and protection for electric utility powerline carrier systems in the 10-490 kHz band.	Inquiry into possible civil application of spread spectrum communications technology and possible rule makings needed to permit its use (it is implicitly forbidden under present rules).
Stage of Development:	Technical feasibility is being evaluated, after which it will be decided whether or not to proceed with rule making.	Reply comments period closed 4 February 1981, and comments are presently being evaluated. An NPRM is being drafted.	NOI is being circulated within the Commission.
Projected Commission Action:	-----	4th Quarter, 1981	May, 1981
Contact Person & Telephone:	Mal Murray 653-8166	Sam Tropea 653-8164	Michael Kennedy 632-7073

Federal Communications Commission.  
**William J. Tricarico,**  
*Secretary.*

[FR Doc. 81-13354 Filed 5-1-81; 8:45 am]

BILLING CODE 6712-01-C

## Notices

Federal Register

Vol. 46, No. 85

Monday, May 4, 1981

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

### CIVIL AERONAUTICS BOARD

[Docket 39106]

#### ICB International Airlines Fitness Investigation; Postponement of Hearing

By letter dated April 28, 1981, the applicant requested a postponement of the hearing date until May 21, 1981. The Bureau of International Aviation has no objection to this postponement.

Accordingly, notice is hereby given, pursuant to the Federal Aviation Act of 1958, as amended, that the hearing in the above entitled proceeding, which was assigned to be held on April 30, 1981 (46 FR 22417 April 17, 1981) is postponed until May 21, 1981 at 10:00 a.m. (local time), and will be held in Room 1003, Hearing Room A, Universal North Building, 1875 Connecticut Avenue, N.W., Washington, D.C., before the undersigned administrative law judge.

Dated at Washington, D.C., April 28, 1981.  
John M. Vitone,  
*Administrative Law Judge.*

[FR Doc. 81-13401 Filed 5-1-81; 8:45 am]  
BILLING CODE 6320-01-M

### COMMISSION ON CIVIL RIGHTS

#### Maine Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Maine Advisory Committee to the Commission will convene at 5:00 pm and will end at 10:00 pm, on May 28, 1981, at Hazel Green's restaurant, 349 Water Street, Augusta, Maine. The purpose of this meeting is to orientate new members; plan projects on domestic violence and on women in nontraditional jobs; also to discuss possible new projects.

Persons desiring additional information or planning a presentation

to the Committee, should contact the Chairperson, Ms. Madeleine D. Giguere, 35 Orange Extension, Lewiston, Maine 04240, (207) 780-4100; or the New England Regional Office; 55 Summer Street, 8th Floor, Boston, Massachusetts 02110; (617) 223-4671.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., April 29, 1981.

John I. Binkley,  
*Advisory Committee Management Officer.*

[FR Doc. 81-13424 Filed 5-1-81; 8:45 am]  
BILLING CODE 6335-01-M

#### Massachusetts Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Massachusetts Advisory Committee to the Commission will convene at 4:00 p.m. and will end at 6:00 p.m., on May 21, 1981, at the New England Regional Office, 55 Summer Street, 8th Floor, Boston MA 02110. The purpose of this meeting is to review progress on the reports of affirmative action at the MBTA and in State government.

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Dr. Bradford E. Brown, 17 Roberta Jean Circle, P.O. Box 95, E. Falmouth, MA 02536, (617) 548-5123; or the New England Regional Office, 55 Summer Street, 8th Floor, Boston, MA 02110, (617) 223-4671.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., April 29, 1981.

John I. Binkley,  
*Advisory Committee Management Officer.*

[FR Doc. 81-13425 Filed 5-1-81; 8:45 am]  
BILLING CODE 6335-01-M

#### Massachusetts Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Massachusetts Advisory Committee to the Commission will convene at 4:00 pm and will end at 6:00 pm, on June 11, 1981. The purpose of this meeting is to discuss affirmative

action in state government; project planning; and the domestic violence information card.

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Dr. Bradford E. Brown, 17 Roberta Jean Circle, P.O. Box 95, E. Falmouth, Massachusetts 02536, (617) 548-5123; or the New England Regional Office, 55 Summer Street, 8th Floor, Boston MA 02110, (617) 223-4671.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., April 29, 1981.

John I. Binkley,  
*Advisory Committee Management Officer.*

[FR Doc. 81-13428 Filed 5-1-81; 8:45 am]  
BILLING CODE 6335-01-M

#### Missouri Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Missouri Advisory Committee to the Commission will convene at 7:00 pm and will end at 8:30 pm, on May 18, 1981. The Committee will convene at 9:00 am and will end at 2:00 pm, on May 19, 1981, at the Ramada Inn, 1100 Vandiver Drive, Columbia, Missouri 65201. The purpose of this meeting is to orientate new members and review current projects and new program planning.

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Mrs. Joanne M. Collins, 4030 Bellefontaine, Kansas City, Missouri 64130, (816) 274-1321; or the Central States Regional Office, Old Federal Office Building, Room 3103, 911 Walnut Street, Kansas City, Missouri 64106; (816) 758-5253.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., April 29, 1981.

John I. Binkley,  
*Advisory Committee Management Officer.*

[FR Doc. 81-13428 Filed 5-1-81; 8:45 am]  
BILLING CODE 6335-01-M



**Nebraska Advisory Committee;  
Agenda and Notice of Open Meeting**

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Nebraska Advisory Committee to the Commission will convene at 9:00 a.m. and will end at 12 Noon, on May 29, 1981, at the Wesley House, 2001 North 35th Street, Omaha, Nebraska. The purpose of this meeting is to discuss implementation of the Omaha police-community relations project.

Persons desiring additional information or planning a presentation to the Committee should contact the Chairperson, Mrs. Shirley M. Marsh, 2701 South 34th Street, Lincoln, Nebraska 68509, (402) 471-2734; or the Central States Regional Office, Old Federal Office Building, Room 3103, 911 Walnut Street, Kansas City, Missouri 64106, (816) 758-5253.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., April 29, 1981.  
John I. Binkley,

Advisory Committee Management Officer.

[FR Doc. 81-13427 Filed 5-1-81; 8:45 am]

BILLING CODE 6335-01-M

**DEPARTMENT OF COMMERCE****International Trade Administration****Carnegie-Mellon University; Decision  
on Application for Duty-Free Entry of  
Scientific Article**

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 301).

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. in Room 3109 of the Department of Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket No. 80-00379. Applicant: Carnegie-Mellon University, Department of Chemistry, 4400 Fifth Avenue, Pittsburgh, PA 15213. Article: NMR Spectrometer System, Model WN-300 and Accessories. Manufacturer: Bruker, West Germany. Intended use of article: See Notice on page 68983 in the Federal Register of October 17, 1980.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent

scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (December 27, 1979).

Reasons: The foreign article provides a probe which can take a 15 millimeter size sample tube. The Department of Health and Human Services advises in its memorandum dated January 28, 1981 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the foreign article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81-13396 Filed 5-1-81; 8:45 am]

BILLING CODE 3510-25-M

**Louisiana State University-Medical  
Center; Decision on Application for  
Duty-Free Entry of Scientific Article**

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 301).

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. in Room 3109 of the Department of Commerce Building, 14th and Constitution Avenue NW., Washington, D.C. 20230.

Docket No. 80-00426. Applicant: Louisiana State University-Medical Center, 1440 Canal Street, Suite 1510, New Orleans, LA 70112. Article: Milk Fluoridizing Equipment. Manufacturer: E. W. Borrow Dental Foundation, United Kingdom. Intended use of article: See Notice on page 75729 in the Federal Register of November 17, 1980.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended

to be used, is being manufactured in the United States.

Reasons: The foreign article is designed and tested to provide milk containing 1.6 milligrams of fluoride ion/half pint with adequate sanitation and safety. The Department of Health and Human Services advises in its memorandum dated February 19, 1981 that (1) the capabilities of the foreign article described above are pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81-13397 Filed 5-1-1981; 8:45 am]

BILLING CODE 3510-25-M

**University of Utah Research Institute;  
Decision on Application for Duty-Free  
Entry of Scientific Article**

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 301).

A copy of the record pertaining to this decision is available for public review between 8:30 a.m. and 5:00 p.m. in Room 3109 of the Department of Commerce Building, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

Docket No. 80-00339. Applicant: University of Utah Research Institute, Purchasing Department, 420 Chipeta Way, Suite 100, Salt Lake City, Utah 84108. Article: NMR Spectrometer, Model CXP 200 and Accessories. Manufacturer: Bruker Physik AG, West Germany. Intended use of article: See Notice on page 54390 in the Federal Register of August 15, 1980.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides a spinning rate of four kilohertz. The National Bureau of Standards advises in its memorandum dated March 12, 1981 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81-13398 Filed 5-1-81; 8:45 am]

BILLING CODE 3510-25-M

#### Importers and Retailers' Textile Advisory Committee; Public Meeting

**AGENCY:** International Trade Administration, Department of Commerce.

**SUMMARY:** The Secretary of Commerce established the Importers and Retailers' Textile Advisory Committee on August 13, 1963 to advise U.S. Government officials of the effects on import markets of cotton, wool and man-made fiber textile agreements.

**TIME AND PLACE:** June 9, 1981 at 10:30 a.m. This meeting will take place at the Main Commerce Building, Room 4830, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230. (Public entrance to the building is on 14th Street, between Constitution Avenue and E Street, N.W.)

**AGENDA:** (1) Review of import trends, (2) Implementation of textile agreements, (3) Report on conditions in the domestic market, (4) Other business.

**PUBLIC PARTICIPATION:** The meeting will be open to public participation to the extent time is available. The public may file written statements with the Committee before or after the meeting. Approximately 30 seats will be available for the public on a first-come, first-served basis.

**FOR FURTHER INFORMATION CONTACT:** Helen L. LeGrande, Office of the Deputy Assistant Secretary for Textiles and Apparel, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230, telephone 202/377-3737.

Dated: April 29, 1981.  
Paul T. O'Day,  
Deputy Assistant Secretary for Textiles and Apparel.

[FR Doc. 81-13504 Filed 5-1-81; 8:45 am]

BILLING CODE 3510-25-M

#### Management-Labor Textile Advisory Committee; Public Meeting

**AGENCY:** International Trade Administration, Department of Commerce.

**SUMMARY:** The Management-Labor Textile Advisory Committee was established by the Secretary of Commerce on October 18, 1961 to advise U.S. Government officials on problems and conditions in the textile and apparel industry and furnish information on world trade in textiles and apparel.

**TIME AND PLACE:** June 9, 1981 at 1:30 p.m. This meeting will take place at the Main Commerce Building, Room 4830, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230. (Public entrance to the building is on 14th Street, between Constitution Avenue and E Street, N.W.)

**AGENDA:** (1) Review of import trends, (2) Implementation of textile agreements, (3) Report on conditions in the domestic market, (4) Other business.

**PUBLIC PARTICIPATION:** The meeting will be open to public participation to the extent time is available. The public may file written statements with the Committee before or after the meeting. Approximately 30 seats will be available for the public on a first-come, first-served basis.

**FOR FURTHER INFORMATION CONTACT:** Helen L. LeGrande, Office of the Deputy Assistant Secretary for Textiles and Apparel, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230, telephone 202/377-3737.

Dated: April 29, 1981.  
Paul T. O'Day,  
Deputy Assistant Secretary for Textiles and Apparel.

[FR Doc. 81-13505 Filed 5-1-81; 8:45 am]

BILLING CODE 3510-25-M

#### DEPARTMENT OF EDUCATION

##### National Advisory Council on Bilingual Education; Meeting

**AGENCY:** National Advisory Council on Bilingual Education.

**ACTION:** Notice.

**SUMMARY:** This notice sets forth the schedule and proposed agenda of forthcoming meetings of the National

Advisory Council on Bilingual Education. Notice of these meetings is required under the Federal Advisory Committee Act (U.S.C. Appendix 1, 10(a)(2)). This document is intended to notify the general public of their opportunity to attend.

**DATES:** May 27, 1981—Public Hearings—9:00-5:00 p.m. May 28, 1981—Business Meeting—9:00-5:00 p.m.

**ADDRESS:** The Public Hearings on May 27, 1981 will be held in the Kent Room of the Sheraton-Boston Hotel. The Business Meeting on May 28, 1981 will be held in Room 575 of the Sheraton-Boston Hotel. The Sheraton-Boston Hotel is located on 39 Dalton Street, Boston, Massachusetts. For further information contact: Louis J. Serpa, Office of Bilingual Education and Minority Languages Affairs, Reporters Building, Room 514, Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202 (202-472-3520).

The National Advisory Council on Bilingual Education is established under Section 732(a) of the Bilingual Education Act (20 U.S.C. 3242) to advise the Secretary of the Department of Education concerning the administration and operation of programs effecting limited English proficient children and adults.

On May 27, 1981, in consonance with the Council's advisory role, testimony will be heard on the following topics:

1. Impact of Proposed Budget Cuts;
2. Administration's Block Grant Proposals;
3. Lau Regulations;
4. Language Policy;
5. Status of the Department of Education;
6. Funding Process including role of non-federal readers;
7. Other topics of concern to the Public.

The following procedures shall be observed during the public hearings:

1. Witnesses shall be heard on a first come basis;
2. Witnesses shall limit their testimony to fifteen minutes: ten minutes of formal presentation followed by five of questioning from Council members;
3. Two or more persons from the same organization shall designate one person to speak for the group;
4. Witnesses shall present an oral synopsis of their written testimony. Witnesses who do not provide such a testimony will be heard after all who have written testimony are heard;
5. Witnesses shall provide fifteen copies of their written testimony;
6. Witnesses may address the Council in either English or in their native

language. The written testimony must be submitted in English;

7. All testimony shall be tape recorded;

8. Exceptions to the aforementioned procedures shall be at the discretion of the Chairman of the Public Hearings Committee.

May 28, 1981: The proposed agenda for the Business Meeting includes:

1. Old Business:
  - Committee Reports
  - Staff Reports
  - Action Items
  - Miscellaneous
2. New Business:
  - Digest of Testimony
  - Future Plans

Records will be kept of all Council proceedings and shall be available for public inspection after approval, by the Full Council, of said records has been obtained. These records will be available in Room 421, Reporters Building, 300 7th Street, SW., Washington, D.C. Written requests for such records should be sent to 400 Maryland Avenue, SW., Reporters Building Room 421, Washington, D.C. 20202.

In the event that the proposed agenda is completed prior to the projected date or time, the Council will adjourn the meeting.

Signed at Washington, D.C., on April 28, 1981.

Gilbert Chavez,

Acting Director, Office of Bilingual Education and Minority Languages Affairs.

[FR Doc. 81-13364 Filed 5-1-81; 8:45 am]

BILLING CODE 4000-01-M

## DEPARTMENT OF ENERGY

### Economic Regulatory Administration

#### Issuance of an Order Granting Temporary Public Interest Exemptions Pursuant to Section 311 of the Powerplant and Industrial Fuel Use Act

The Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice of its issuance of an Order granting temporary public interest exemptions, pursuant to the authorities granted it by section 311(e) of the Powerplant and Industrial Fuel Use Act of 1978, 42 U.S.C. 8301 *et seq.* (FUA or the Act) and the implementing regulations thereunder (10 CFR 501.68 and 10 CFR Part 508), from the natural gas use prohibitions of section 301(a)(2) and (3) of the Act to the following powerplants in order to displace low sulfur residual fuel oil:

Docket No.	Owner	Generating station	Powerplant identification
50101-0117-50-41	Arizona Public Service Co.....	Phoenix.....	CC 1.
50101-0117-51-41	.....do.....	do.....	CC 2.
50101-0117-52-41	.....do.....	do.....	CC 3.
51694-9190-12-41	Louisiana Power and Light Co.....	Monroe.....	No. 12.
51982-1450-10-41	City of Natchitoches.....	Natchitoches.....	No. 10.
52224-0271-06-41	Pacific Gas & Electric Co.....	Pittsburg.....	No. 6.
52224-0271-07-41	.....do.....	.....do.....	No. 7.
52224-0260-07-41	.....do.....	Moss Landing.....	No. 7.
52340-2475-01-41	Plains Electric Generation & Transmission Cooperative Inc.....	Algodones.....	No. 1.
52340-2475-02-41	.....do.....	.....do.....	No. 2.
52340-2475-03-41	.....do.....	.....do.....	No. 3.

The Order is set forth following this Notice and has been sent by certified mail to the petitioners.

The petitioners filed for these temporary public interest exemptions pursuant to 10 CFR Part 508 (Exemption for Use of Natural Gas by Existing Powerplants Under the Powerplant and Industrial Fuel Use Act of 1978, April 9, 1979, 44 FR 21230, hereafter referred to as the Special Rule). A Notice of the petitions and proposed order granting these temporary exemptions were published in the January 30, 1981, Federal Register (46 FR 9984) presenting an opportunity for public comments and for interested persons to request a hearing relating to the petitions and the proposed order. All comments that referred to specific petitions were supportive of them.

The powerplants listed above are either prohibited by section 301(a)(2) of FUA from using natural gas as a primary energy source or are prohibited from using natural gas as a primary energy source in excess of the average base year proportion allowed in section 301(a)(3) of the Act. These temporary exemptions will allow these units to burn natural gas, notwithstanding the prohibitions of section 301(a) (2) and (3) of FUA, to displace consumption of low sulfur residual fuel oil.

#### Statement of Reasons

Because world oil supplies continue to be unstable, there is an urgent need to use these natural resources wisely.

To the extent that the near-term choice of fuels for certain existing powerplants is limited to petroleum or natural gas, the use of natural gas is preferred over petroleum. The use of natural gas in these powerplants will be a significant step toward reducing our short-term oil consumption and will help the United States reduce its dependence on imported petroleum.

This increased use of natural gas will also protect the Nation from the effects of any oil shortages, and will cushion the impact of increasing world oil prices, which have a detrimental effect on the Nation's balance of payments and domestic inflation rate.

To the extent that increased use of natural gas will accomplish these goals, it will reduce the importation of petroleum and further the goal of national energy self-sufficiency.

The petitioners have demonstrated that these powerplants, for which they are requesting temporary exemptions, are existing units that are either prohibited from using natural gas as a primary energy source by section 301(a)(2) of FUA, or prohibited from using natural gas in excess of the average base year proportion allowed in section 301(a)(3) of FUA. The petitioners have also shown that the proposed use of natural gas as a primary energy source, to the extent that such use would be prohibited by section 301(a) (2) or (3) of FUA, will displace consumption of low sulfur residual fuel oil, and will not displace the use of coal or any other alternate fuel in any facility of the petitioners' utility systems, including the powerplants for which these temporary exemptions are issued.

By establishing these facts, the petitioners have met the eligibility criteria set out in 10 CFR § 508.2. Since the increased use of natural gas is in keeping with the purposes of FUA and is in the public interest, and since the petitioners have demonstrated that they have met the eligibility criteria, ERA is granting these temporary exemptions.

Copies of all comments received during the public comment period will be available for public inspection and copying in the Public Information Office located in Room B-110, 2000 M Street, N.W., Washington, D.C. 20461.

ERA's grant of these temporary public interest exemptions does not relieve an existing powerplant from compliance with any rules or regulations concerning the acquisition or the distribution of natural gas that are administered by the Federal Energy Regulatory Commission or any State regulatory agency or from any obligations the utility may have to its customers.

Any questions regarding these temporary exemptions should be directed to Mr. James W. Workman, Director, Powerplants Conversion Division, Office of Fuels Conversion,

Economic Regulatory Administration,  
Department of Energy, Room 3112D,  
2000 M Street, N.W., Washington, D.C.  
20461, (202) 653-4268.

#### Decision and Order

The Economic Regulatory Administration (ERA) of the Department of Energy hereby issues this Decision and Order granting temporary public

interest exemptions from the natural gas use prohibitions of section 301(a)(2) and (3) of the Powerplant and Industrial Fuel Use Act of 1978, 42 U.S.C. 8301 *et seq.* (FUA or the Act). This Decision and Order is issued pursuant to section 311(e) of FUA, 10 CFR 501.68 and 10 CFR Part 508 to the petitioners who own or operate the powerplants listed in the table below.

Docket No.	Owner	Generating station	Powerplant identification	Maximum duration date
50101-0117-50-41	Arizona Public Service Co.....	Phoenix.....	CC 1.....	6/30/85
50101-0117-51-41	.....do.....	.....do.....	CC 2.....	6/30/85
50101-0117-51-41	.....do.....	.....do.....	CC 3.....	6/30/85
51984-9190-12-41	Louisiana Power and Light Co.....	Monroe.....	No. 12.....	6/30/85
51982-1450-10-41	City of Natchitoches.....	Natchitoches.....	No. 10.....	6/30/85
52224-0271-06-41	Pacific Gas & Electric Co.....	Pittsburg.....	No. 6.....	6/30/85
52224-0271-07-41	.....do.....	.....do.....	No. 7.....	6/30/85
52224-0260-07-41	.....do.....	Moss Landing.....	No. 7.....	6/30/85
52340-2475-01-41	Plains Electric Generation & Transmission Cooperative Inc.....	Algodones.....	No. 1.....	6/30/85
52340-2475-02-41	.....do.....	.....do.....	No. 2.....	6/30/85
52340-2475-03-41	.....do.....	.....do.....	No. 3.....	6/30/85

#### Duration of Temporary Exemptions

ERA grants these temporary public interest exemptions from the effective date of this Decision and Order until April 15, 1983. These exemptions will be automatically extended for an additional period upon written acceptance by ERA of a system-wide fuel conservation plan submitted according to term and condition number three. However, a temporary public interest exemption, including all extensions and the period during which the petitioners were allowed to burn gas while their petitions were pending, may not exceed the maximum five year period authorized by the Act, or extend beyond June 30, 1985, whichever occurs first. The maximum termination dates of these temporary public interest exemptions are listed in this Decision and Order. The temporary exemptions are subject to termination by ERA, upon six months written notice, if ERA determines such termination to be in the public interest.

#### Effective Date of Decision and Order

This Decision and Order shall become effective on the sixtieth calendar day following publication in the Federal Register. However, in accordance with the policy set forth in the notice implementing this Special Rule (44 FR 21230, April 9, 1979), ERA will take no action with respect to any natural gas used by the exempted powerplants during the pendency period prior to the date this Decision and Order becomes effective.

#### Terms and Conditions

Pursuant to section 314 of FUA and 10 CFR 508.6, the temporary exemptions

granted under this Decision and Order are conditioned upon, and shall remain in effect, so long as each petitioner, its successors and assigns, complies with the following terms and conditions:

(1) Petitioner will report to ERA for the period during which the petition was pending, and for each subsequent six-month period thereafter (periods ending June 30 and December 31), the actual monthly volumes of natural gas consumed in each exempted powerplant, and an estimate of the number of barrels of low sulfur residual fuel oil displaced. The report must be submitted within thirty days of the end of each six-month period.

(2) Petitioner will submit to ERA, within one year after the date this Decision and Order is issued, a system-wide fuel conservation plan to include the initial period covered by these temporary exemptions, including the means by which the petitioner will measure progress in implementing this plan. If the petitioner has received temporary public interest exemptions under previous orders, the first granted exemption order establishes the due date for the pertinent system-wide conservation plan. Such annual progress report shall be submitted throughout the period covered by this Decision and Order.

(3) If the petitioner seeks to have the exemptions extended, the fuel conservation plan must cover both the initial period covered by these temporary exemptions and the additional period, including the means by which the petitioner will measure progress in implementing this plan.

(4) Petitioner will submit annually to ERA, commencing with the calendar

year ending December 31, 1982, a report on progress achieved in implementing the system-wide fuel conservation plan.

ERA's grant of these temporary public interest exemptions does not relieve an existing powerplant from compliance with any rules or regulations concerning the acquisition or the distribution of natural gas that are administered by the Federal Energy Regulatory Commission or any state regulatory agency or from any obligations the utility may have to its customers.

Issued in Washington, D.C. on April 23, 1981

Robert L. Davies,  
Assistant Administrator, Office of Fuels  
Conversion, Economic Regulatory  
Administration.

[FR Doc. 81-13334 Filed 5-1-81; 8:45 am]

BILLING CODE 6450-01-M

#### Federal Energy Regulatory Commission

[Docket No. TA81-1-32

(PGA81-1) (IPR81-1)]

#### Colorado Interstate Gas Co.; Order Establishing Hearing Procedures and Denying Request for Consolidation

Issued April 17, 1981.

On August 15, 1980, Colorado Interstate Gas Company (CIG) filed revised tariff sheets <sup>1</sup> to reflect a PGA increase of \$270.5 million due to an increase of approximately \$271.4 million in the cost of purchased gas and a reduction in CIG's basic tariff rates of approximately \$890 thousand pursuant to a settlement agreement approved by the Commission in its order issued March 5, 1980, in Docket No. RP79-59. The increase reflects, among other changes, an upward adjustment in the commodity rate of 84.55 cents per Mcf. Public notice of the filing was issued on August 26, 1980, providing for protests or petitions to intervene to be filed on or before September 19, 1980. Petitions to intervene which were subsequently granted were filed by those petitioners listed below.<sup>2</sup>

On review of CIG's filing, the Commission found that the proposed tariff sheets had not been shown to be just and reasonable, and might be unjust, unreasonable, unduly

<sup>1</sup> Seventh Revised Sheet Nos. 7 and 8 and First Revised Sheet No. 8a to FERC Gas Tariff, Original Volume No. 1.

<sup>2</sup> Petitions to intervene were received and were granted from the following: Citizens Utilities Company; City of Colorado Springs, Colorado; City and County of Denver, State of Colorado; Natural Gas Pipeline Company of America; and Public Utilities Commission of the State of Colorado.



discriminatory, or otherwise unlawful. Accordingly, by order issued September 29, 1980, the Commission accepted CIG's filing and suspended its effectiveness until October 1, 1980, subject to refund and subject to the conditions described in that order.<sup>3</sup>

On February 5, 1981, the Attorney General for the State of Texas (Texas) filed a "Petition Of The State Of Texas For Leave To Intervene Out Of Time And Request For Field Hearings" in the above-listed proceeding. In addition, on February 20, 1981, Texas filed a "Motion Of The State Of Texas To Consolidate For Hearing" the above-listed docket with certain other proceedings<sup>4</sup> involving the issue of the pass-through of prices paid for high cost natural gas in the pipelines' purchased gas cost adjustment.

Public notice of Texas' petition to intervene was issued on February 24, 1981, providing for written comments to be submitted on or before March 11, 1981. A petition to intervene was filed by Natural Gas Pipeline Company of America. In addition, Dallam-Hartley Gas Users Association and the City of Texline, Texas filed on March 9, 1981, a "Motion For Field Hearings." Both have filed prior petitions to intervene with the Commission in this docket wherein the petitioners state that they were not notified of the eighty-five cents per Mcf increase and had no opportunity to be heard and present testimony. On March 6, 1981, CIG filed its response to the late filed requests for intervention. In addition to the substantive reasons for opposing an inquiry into the ability to pass-through high-cost gas purchases, CIG has complained that the intervenors petitions and motions were procedurally out of time. Accordingly, CIG requests that we deny their requests due to failure to act in a timely manner.

Although the Commission is aware that the publication of the August 26, 1980 Commission notice in the Federal Register is legally deemed to be notice to all interested parties, we believe that the circumstances present in the instant case constitute good cause for allowing the late-filed interventions. Waiver of the Commission Rules of Practice and Procedure is granted to allow the

<sup>3</sup> CIG was required to file additional information supporting the inclusion of costs related to the retroactive payments to producers in the proposed tariffs. CIG was also required to file revised tariffs to become effective October 1, 1980, subject to refund, reflecting the elimination of costs related to anticipated well determinations which had not yet become final as of October 1, 1980. These filings have been made by CIG.

<sup>4</sup> *Trunkline Gas Company*, Docket No. TA81-1-30; *Transcontinental Gas Pipeline Company*, Docket No. TA81-1-29.

petitioners intervention in this proceeding.

In its motion for consolidation, Texas asserts that CIG's instant filing reflects CIG's purchases of high-cost gas at prices approaching \$7.00 per Mcf and requests that the Commission establish a hearing to determine whether the prices paid under the high-cost gas contracts executed by the pipeline company are excessive due to fraud, abuse or similar grounds in violation of Section 601(c) of the NGPA.

In its deliberations on Texas' request to set for hearing the question of whether CIG should be allowed to pass through the high-cost gas, the Commission remains uncertain as to the particularities of Texas' allegation. Situations might exist where we could deny pass-through of gas costs in accord with Section 601 (b) and (c). We are not able at this stage to say whether Texas' allegations sufficiently define a wrong which would lead the Commission to deny pass-through in accordance with Section 601(c). The mere conclusory allegation of a violation without any factual or indicative elements supporting such an allegation would ordinarily not be sufficient to lead the Commission to set the matter for hearing. However, this being a case of first impression, we believe it essential that the legal and factual issues relating to Section 601(c) be resolved at hearing. We therefore in this instance will refer such matters to an Administrative Law Judge for initial consideration.

More specifically, the Commission does not perceive that Section 601(c) provides for an examination of prudence, as would be the case under conventional Natural Gas Act rate proceedings, based upon CIG's purchasing the subject gas, rather than other types of gas. However, when assertions are presented that Section 107 purchases involve conduct which rise to the level of fraud, abuse, or similar circumstances, we have a duty to evaluate them under the statutory criteria in Section 601(c). Abuse, in this context, does not refer to imprudence but to serious improprieties. Texas' allegations suggest improper behavior which may rise to that level, and that is the question we are setting for the judge's consideration. Allegations of fraud, abuse and similar behavior are serious matters and the Commission will pursue such matters to the appropriate extent. However, it is important to emphasize that Section 601 establishes a guarantee of cost passthrough for Section 107 gas absent a finding of fraud, abuse or similar grounds, and

protestants have a heavy burden of proof.

As noted above, Texas, Dallam-Hartley Gas Users Association, and City of Texline request that the Commission hold field hearings in the Panhandle. These hearings, according to Texas, would allow the farmers directly affected to present evidence concerning the hardship imposed by CIG's proposed price increases. While we have determined that hearings should be conducted in this proceeding, the Commission believes that it would be appropriate to refer to the Administrative Law Judge the question as to whether field hearings should be held in this proceeding.

Texas requests that the above-listed proceeding be consolidated with the proceedings in Docket No. TA81-1-29 and TA81-1-30. In support, Texas indicates that all three dockets "involve significant PGA increases caused by high-cost gas supply contracts." Both CIG and Trunkline Gas Company have filed in opposition to consolidation and allege that the factual situations are separate and distinct.

The Commission notes that all these proceedings involve the question of whether the prices reflected in Section 107 high-cost purchase gas contracts are excessive due to fraud, abuse, or similar grounds under Section 601(c) of the NGPA. However, each proceeding involves the separate and distinct questions of fact as to whether the pipeline's conduct in contracting for this gas involved fraud, abuse or similar grounds. Since each proceeding involves a different pipeline and differing purchase gas contracts, the issues of fact do not warrant consolidating these proceedings. Accordingly, we deny the motion to consolidate.

#### *The Commission Orders:*

(A) Pursuant to the authority of the Natural Gas Act, particularly Sections 4, 5, 8 and 15 thereof, Section 601(c) of the Natural Gas Policy Act, and the Commission's Regulations, a public hearing shall be held concerning the lawfulness of the rates proposed by CIG in its August 15, 1980 PGA filing.

(B) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (18 C.F.R. 3.5(d)), shall convene a prehearing conference in this proceeding to be held within 30 days after the issuance of this order in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. The Presiding Administrative Law Judge is authorized to establish such further procedural dates as may be



necessary and to conduct further proceedings in accordance with this order and the Rules of Practice and Procedure.

(C) The issue of whether a field hearing would be appropriate is referred to the Administrative Law Judge for decision.

(D) The petitioners identified in this order are permitted to intervene in this proceeding subject to the Rules and Regulations of the Commission; *Provided, However,* That the participation of the intervenors shall be limited to matters affecting asserted rights and interests specifically set forth in their petitions to intervene and *Provided, Further,* That the admission of such intervenors shall not be construed as recognition that they might be aggrieved by any order entered in this proceeding.

By the Commission.  
Kenneth F. Plumb,  
Secretary.

[FR Doc. 81-13265 Filed 5-1-81; 8:45 am]  
BILLING CODE 6450-85-M

[Docket Nos. ER81-292-000, ER80-592, et al.]

**Louisville Gas & Electric Co. and Southern Indiana Gas & Electric Co.; Order Accepting for Filing and Suspending in Part Revised Rates, Initiating Hearing, and Consolidating Proceedings**

Issued April 24, 1981.

On February 23, 1981, Louisville Gas and Electric Company (LGE) and Southern Indiana Gas and Electric Company (SIGE) submitted for filing proposed amendments to their interconnection agreement.<sup>1</sup> The amendments provide for 1) an increase in the demand charge for short-term power, 2) replacement of percentage adders with fixed adders for third party short-term, emergency, and non-displacement service provided by LGE, and 3) an increase in the charge for third party short-term, emergency, and non-displacement service provided by SIGE.

At present, both LGE and SIGE employ a demand charge for short-term power of \$0.70 per kW/week. The instant filing would increase the demand charge employed by LGE and SIGE to \$0.85 per kW/week. Under the current agreement, LGE provides third party emergency and non-displacement energy service at LGE's purchased cost plus 10%. Third party short-term energy is provided by LGE at purchased cost

plus 15%. In order to comply with Commission Order No. 84,<sup>2</sup> LGE proposes to replace its percentage adders with a fixed 2 mill/kWh adder.

SIGE presently provides third party emergency and non-displacement power at a charge consisting of its purchased cost plus 10%. Third party short-term service is currently provided by SIGE at purchased cost plus 15%. In both cases, SIGE's percentage adder is not to exceed 2.1 mills/kWh. SIGE proposes to replace the charges for each of these services with a fixed adder of 2.7 mills/kWh.

Notice of the filing in this docket was issued on February 27, 1981, with comments due on or before March 20, 1981. No responses have been received.

*Discussion*

We have previously accepted, as cost justified, the short-term demand charge proposed in this filing.<sup>3</sup> Therefore, we shall accept that rate for filing to become effective, without suspension, on April 25, 1981—sixty days after filing.

Our analysis of SIGE's and LGE's proposed rates for third party service indicates that they have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful. Accordingly, we shall accept those rates for filing and suspend them as ordered below.

In a number of suspension orders,<sup>4</sup> we have addressed the considerations underlying the Commission's policy regarding rate suspensions. For the reasons given there, we have concluded that rate filings should generally be suspended for the maximum period permitted by statute where preliminary study leads the Commission to believe that the filing may be unjust and unreasonable or that it may run afoul of other statutory standards. We have acknowledged, however, that shorter suspensions may be warranted in circumstances where suspension for the maximum period may lead to harsh and inequitable results. Such circumstances have been presented here.

We note that there have been no objections filed with respect to the proposed third party rates. While we are unable to conclude that the charges

submitted are just and reasonable, it appears that LGE's proposed third party rate would likely produce revenues lower than those produced by the currently effective percentage adders. Moreover, we have consistently concluded that in the case of such interchange arrangements, which provide for the mutual availability of necessary temporary services, a nominal suspension and a refund obligation are desirable and should provide sufficient protection to affected customers. Accordingly, we shall exercise our discretion to suspend the third party rates for only one day. With respect to LGE, we also find that good cause exists to waive the notice requirements and to allow an earlier effective date. Order No. 84 anticipated that limitations be placed on percentage adders as of September, 1980; this filing by LGE implements that directive. In contrast, SIGE previously proposed a capped adder for third party services to LGE in response to Order No. 84.<sup>5</sup> The instant filing seeks to increase that adder. For the foregoing reasons, we shall suspend LGE's proposed third party rate for emergency, short-term, and non-displacement service for one day from September 1, 1980, to become effective on September 2, 1980, subject to refund. SIGE's proposed third party rate for emergency, short-term, and non-displacement service will be suspended for one day from sixty days after filing to become effective on April 26, 1981, subject to refund.

Finally, we note that the submittals in this docket present questions of law and fact common to those pending in the consolidated proceeding in Docket Nos. ER80-592, et al. We shall therefore order consolidation of these dockets for purposes of hearing and decision.

*The Commission orders:*

(A) LGE's and SIGE's proposed demand charge for short-term power is hereby accepted for filing, to become effective on April 25, 1981, without suspension.

(B) Waiver of the notice requirements is hereby granted with respect to LGE's third party rate. LGE's proposed third party rate for emergency, short-term, and non-displacement service is hereby accepted for filing, and suspended for one day, to become effective on September 2, 1980, subject to refund.

(C) SIGE's proposed third party rate for emergency, short-term, and non-displacement service is hereby accepted for filing and suspended for one day, to

<sup>1</sup> Docket No. RM79-29, issued May 7, 1980, 45 FR 31294 (1980).

<sup>2</sup> *Louisville Gas & Electric Co.*, Docket No. ER81-66-000, order issued March 13, 1981; *Southern Indiana Gas and Electric Co.*, Docket No. ER80-566, letter order dated September 19, 1980.

<sup>3</sup> E.g., *Boston Edison Co.*, Docket No. ER80-508 (August 29, 1980) (five-month suspension); *Alabama Power Co.*, Docket Nos. ER80-506, et al. (August 29, 1980) (one-day suspension); *Cleveland Electric Illuminating Co.*, Docket No. ER80-488 (August 22, 1980) (one-day suspension).

<sup>5</sup> *Southern Indiana Gas & Electric Co.*, Docket No. ER80-733.

<sup>1</sup> See Attachment A for rate schedule designations.

become effective on April 26, 1981, subject to refund.

(D) 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 and 206 thereof, and pursuant to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act [18 CFR, Chapter I (1979)], a public hearing shall be held concerning the adjustment and reasonableness of the third-party rates proposed in this filing.

(E) The proceedings in Docket No. ER81-292-000 are hereby consolidated with the pending proceedings in Docket Nos. ER80-592, *et al.*, for purposes of hearing and decision.

(F) The administrative law judge designated to preside in the consolidated proceeding in Docket Nos. ER80-592, *et al.*, shall determine the appropriate procedures necessary to accommodate consolidation of Docket No. ER81-292-000 with the existing proceedings.

(G) The Secretary shall promptly publish this order in the Federal Register.

By the Commission.  
Kenneth F. Plumb,  
Secretary.

**Attachment A—Louisville Gas and Electric Company, Docket No. ER81-292-000**

Filed: February 23, 1981  
Effective:

(A) SIGE's rate for third party short-term, emergency and non-displacement service—September 25, 1981, subject to refund.

(B) LGE's rate for third party short-term, emergency and non-displacement service—September 2, 1980, subject to refund.

(C) the balance of the submittal—April 25, 1981 (60 days after filing).

**Louisville Gas and Electric Company  
Designation and Description**

- (1) Supplement No. 9 to Rate Schedule FPC No. 23 (Supersedes Supplement No. 3 to Supplement No. 8, Supplement No. 1 and Supplement No. 2 to Rate Schedule FPC No. 23); Fifth Supplemental Agreement to Interconnection Agreement
- (2) Supplement No. 1 to Supplement No. 9 to Rate Schedule FPC No. 23; Service Schedule A
- (3) Supplement No. 2 to Supplement No. 9 to Rate Schedule FPC No. 23; Service Schedule B

- (2) Supplement No. 3 to Supplement No. 9 to Rate Schedule FPC No. 23; Service Schedule E

**Southern Indiana Gas and Electric Company**

- (5) Supplement No. 6 to Rate Schedule FPC No. 24 (Supersedes Supplement No. 4 to Rate Schedule FPC No. 24 and Concur in (1) through (4) above); C/C

[FR Doc. 81-13266 Filed 5-1-81; 8:45 am]  
BILLING CODE 6450-85-M

**[Docket Nos. ER81-306-000, ER80-454]**

**Ohio Edison Co.; Order Accepting for Filing and Suspending Revised Rates, Granting Intervention, Consolidating Proceedings, and Establishing Procedures**

Issued April 24, 1981.

On February 27, 1981, Ohio Edison Company (Ohio Edison) tendered for filing an application to implement the tax adjustment clause contained in its FERC Electric Rate Schedule Nos. 123 through 142 and FERC Electric Tariff Original Volume No. 1, governing sales to the company's full and partial requirements customers.<sup>1</sup> The filing has been submitted in compliance with the Commission's order of August 1, 1980, in *Ohio Edison Company*, Docket No. ER80-454, which accepted for filing and suspended Ohio Edison's rates, including the tax adjustment clause, but advised the company that implementation of the clause would require a timely filing pursuant to section 35.13 of the regulations.

The application to implement the tax adjustment provision seeks to recover additional excise taxes imposed by the State of Ohio.<sup>2</sup> The amount of the tax increase is estimated to be approximately \$353,000. Ohio Edison proposes to recover the additional taxes by collecting an additional 1% monthly on its wholesale sales from May 1, 1981, until the amount of the temporary tax increase is recouped. Although the additional revenues will be collected based upon gross receipts for the fiscal year commencing May 1, 1981, the tax liability itself will be based upon gross receipts for the prior fiscal year. Because revenues for the coming year are expected to exceed the prior year's revenues, the company states that the

<sup>1</sup> See Attachment A for rate schedule designations.

<sup>2</sup> Ohio Edison states that on December 19, 1980, the Ohio General Assembly increased the public utility excise tax rate from 4% to 5% of a utility's gross receipts for the previous fiscal year. According to Ohio Edison, the increased rate constitutes a temporary (one year) revenue measure which will become effective on May 1, 1981.

amounts collected, in all probability, will be at a rate of less than 1% for the last months of collection.

Notice of this filing was issued on March 6, 1981, with responses due on or before March 27, 1981. A timely protest and petition to intervene was filed by 21 wholesale customers of Ohio Edison (WCOE). WCOE "conditionally protests" Ohio Edison's submittal and requests that the Commission conditionally accept the filing and suspend its effectiveness for an unspecified period until such time as WCOE, Ohio Edison, and the Commission staff can discuss the proposed implementation of the tax adjustment clause and determine the most appropriate manner in which to further proceed in this docket.

**Discussion**

Initially, we find that participation by WCOE is in the public interest, and we shall therefore grant its petition to intervene.

The increase in the excise tax which Ohio Edison seeks to recoup from its wholesale customers is based upon the utility's underlying wholesale rates. We note, however, that the present rates to these customers (as filed in Docket No. ER80-454) were not found to be just and reasonable and have been collected subject to refund since January 10, 1981, following a five-month suspension. Thus, the additional amount to be collected by implementation of the tax clause may prove to be excessive since the company's tax liability will accrue on the basis of gross receipts for the year ending April 30, 1981, four months of which are being collected subject to refund.

According to our analysis, the revised rate resulting from implementation of the tax adjustment clause have not been shown to be just and reasonable, and may be unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful. Thus, we shall accept Ohio Edison's submittal for filings, and suspend its operation as ordered below.

In a number of suspension orders,<sup>3</sup> we have addressed the considerations underlying the Commission's policy regarding rate suspensions. For the reasons given there, we have concluded that rate filings should generally be suspended for the maximum period

<sup>3</sup> E.g., *Boston Edison Company*, Docket No. ER80-508 (August 29, 1980) (five month suspension); *Alabama Power Company* Docket Nos. ER80-506, *et al.* (August 29, 1980) (one day suspension); *Cleveland Electric Illuminating Company*, Docket No. ER80-488 (August 22, 1980) (one day suspension).

permitted by statute where preliminary study leads the Commission to believe that the filing may be unjust and unreasonable or that it may run afoul of other statutory standards. We have acknowledged, however, that shorter suspensions may be warranted in circumstances where suspension for the maximum period may lead to harsh or inequitable results. Such circumstances have been presented here.

As noted above, Ohio Edison's underlying rates, including the tax adjustment clause, were suspended for the maximum statutory period. Upon implementation of the clause, it does not appear appropriate to impose another extended suspension. A nominal suspension and a refund obligation should adequately protect the affected customers in the event that revenues associated with the tax adjustment must later be revised to reflect any required changes in the underlying rates.

Accordingly, we shall exercise our discretion to suspend the instant submittal for one day, to take effect May 2, 1981, subject to refund and the outcome of a hearing in this docket.

Because the instant docket and Docket No. ER80-454 present common questions of law and fact, and in order to avoid unnecessary duplication of effort, expenditures, or resources, we shall consolidate the instant docket with Docket No. ER80-454 for purposes of hearing and decision.

#### The Commission Orders:

(a) Ohio Edison's February 27, 1981 submittal is hereby accepted for filing and suspended for one day, to become effective May 2, 1981, subject to refund pending hearing and decision.

(b) The petition of WCOE to intervene is hereby granted subject to the rules and regulations of the Commission; *Provided, however*, that participation by the intervenors shall be limited to matters set forth in their petition to intervene; and *provided, further*, that the admission of the intervenors shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders by the Commission entered in this proceeding.

(c) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the DOE Act and by the Federal Power Act, particularly sections 205 and 206 thereof, and pursuant to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act [(18 CFR Chapter I (1980))], a public hearing shall be held concerning the justness and

reasonableness of Ohio Edison's revised rates.

(D) The proceedings in Docket No. ER81-306-000 are hereby consolidated with the proceedings in Docket No. ER80-454 for purposes of hearing and decision.

(E) The administrative law judge designated to preside in Docket No. ER80-454 shall determine procedures and a schedule best suited to accommodate this consolidated proceeding.

(F) The Secretary shall promptly publish this order in the *Federal Register*.

By the Commission.

Kenneth F. Plumb,  
Secretary.

Ohio Edison Company, Docket No. ER81-306-000

Filed: February 27, 1981.

#### Designation and Other Party

- (1) Supplement No. 3 to Rate Schedule FPC No. 142; Amherst
- (2) Supplement No. 3 to Rate Schedule FPC No. 123; Beach City
- (3) Supplement No. 3 to Rate Schedule FPC No. 124; Brewster
- (4) Supplement No. 3 to Rate Schedule FPC No. 125; Columbiana
- (5) Supplement No. 3 to Rate Schedule FPC No. 126; Cuyahoga Falls
- (6) Supplement No. 3 to Rate Schedule FPC No. 127; Galion
- (7) Supplement No. 3 to Rate Schedule FPC No. 128; Grafton
- (8) Supplement No. 3 to Rate Schedule FPC No. 129; Hubbard
- (9) Supplement No. 3 to Rate Schedule FPC No. 130; Monroeville
- (10) Supplement No. 3 to Rate Schedule FPC No. 131; Hudson
- (11) Supplement No. 3 to Rate Schedule FPC No. 132; Lodi
- (12) Supplement No. 3 to Rate Schedule FPC No. 133; Lucas
- (13) Supplement No. 3 to Rate Schedule FPC No. 134; Milan
- (14) Supplement No. 3 to Rate Schedule FPC No. 135; Prospect
- (15) Supplement No. 3 to Rate Schedule FPC No. 136; Seville
- (16) Supplement No. 3 to Rate Schedule FPC No. 137; South Vienna
- (17) Supplement No. 3 to Rate Schedule FPC No. 138; Wadsworth
- (18) Supplement No. 3 to Rate Schedule FPC No. 139; Willington
- (19) Supplement No. 3 to Rate Schedule FPC No. 140; Oberlin
- (20) Supplement No. 3 to Rate Schedule FPC No. 141; Niles
- (21) Supplement No. 4 to Rate Schedule FPC No. 122; Newton Falls
- (22) Supplement No. 1 to FERC Electric Tariff Original Volume No. 1; Partial Requirements Tariff Customers

[FR Doc. 81-13392 Filed 5-1-81; 8:45 am]

BILLING CODE 6450-85-M

#### Office of Hearings and Appeals

##### "Objection to Proposed Remedial Order Filed; Period of March 30 Through April 10, 1981"

During the period of March 30 through April 10, 1981, the notice of objection to proposed remedial order listed in the Appendix to this Notice was filed with the Office of Hearings and Appeals of the Department of Energy.

Any person who wishes to participate in the proceeding the Department of Energy will conduct concerning the proposed remedial orders described in the Appendix to this Notice must file a request to participate pursuant to 10 CFR 205.194 within 20 days after publication of this Notice. The Office of Hearings and Appeals will then determine those persons who may participate on an active basis in the proceeding and will prepare an official service list, which it will mail to all persons who filed requests to participate. Persons may also be placed on the official service list as non-participants for good cause shown.

All requests to participate in these proceedings should be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20461.

George B. Breznay,

Director, Office of Hearings and Appeals.  
April 28, 1981.

*B.M. Hester Products, Inc., Oklahoma city, Oklahoma, BRO-1430, Crude oil*

On April 6, 1981, B. M. Hester c/o Energy Regulatory Consultant, 6805 S. Western, Suite 602, Oklahoma City, Oklahoma 73139 filed a Notice of Objection to Proposed Remedial Order which the DOE Southwest District Office of Enforcement issued to the firm on March 11, 1981. In the PRO the Southwest District found that during September 1, 1973 to May 31, 1979, B. M. Hester sold crude oil at prices on excess of what was allowable under 10 CFR § 212.73.

According to the PRO the B. M. Hester violation resulted in \$285,567.73 of overcharges.

[FR Doc. 81-13335 Filed 5-1-81; 8:45 am]

BILLING CODE 6450-01-M

##### Issuance of Proposed Decisions and Orders; Week of April 6 Through April 10, 1981

During the week of April 6 through April 10, 1981, the proposed decisions and orders summarized below were issued by the Office of Hearings and Appeals of the Department of Energy with regard to applications for exceptions.

Under the procedural regulations that apply to exception proceedings (10 CFR

Part 205, Subpart D), any person who will be aggrieved by the issuance of a proposed decision and order in final form may file a written notice of objection within ten days of service. For purposes of the procedural regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date an aggrieved person receives actual notice, whichever occurs first.

The procedural regulations provide that an aggrieved party who fails to file a Notice of Objection within the time period specified in the regulations will be deemed to consent to the issuance of the proposed decision and order in final form. An aggrieved party who wishes to contest a determination made in a proposed decision and order must also file a detailed statement of objections within 30 days of the date of service of the proposed decision and order. In the statement of objections, the aggrieved party must specify each issue of fact or law that it intends to contest in any further proceeding involving the exception matter.

Copies of the full text of these proposed decisions and orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room B-120, 2000 M Street NW., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays.

George B. Breznay,  
Director, Office of Hearings and Appeals.  
April 27, 1981.

*Continental Gas Transmission Co., Adams County, Colorado, BEE-1578, crude oil*

Continental Gas Transmission Company (Continental) filed an Application for Exception from the provisions of § 212.131. The exception request, if granted, would permit Continental to classify as newly discovered crude oil the crude oil the firm produced from the No. 1-22 Harvey Well Lease during the months of February and March 1980. The firm would then be allowed to receive market level price for the crude oil produced at the property. On , 1981, the Department of Energy issues a Proposed Decision and Order which determined that the exception request be denied.

*Despot Production, Shreveport, Louisiana, DEE-2231, crude oil*

On February 27, 1979, Despot Production filed an Application for Exception from the provisions of 10 CFR Part 212, Subpart D. The exception request, if granted, would permit Despot to reclassify crude oil produced prior to decontrol in order to increase its return on past investments through retroactive billing. On April 6, 1981, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be denied.

*Texaco, Incorporated, Los Angeles, California, DEE-1777, crude oil*

Texaco, Inc., filed an Application for Exception from the provisions of 10 CFR Part 212, Subpart D. The exception request, if granted, would permit Texaco to sell crude oil produced prior to decontrol from the TS-1 and TS-3 wells in the Cook Inlet of Alaska at market prices. On April 10, 1981, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be denied.

*UV Industries, Incorporated, Salt Lake City, Utah, BEE-1085, propane*

UV Industries, Inc. filed an Application for Exception from the reporting requirements set forth in Form EIA-23. The exception request, if granted, would relieve UV of any obligation to prepare and file Part II of Form EIA-23 for report year 1978. On April 9, 1981, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be granted.

[FR Doc. 81-13336 Filed 5-1-81; 8:45 am]  
BILLING CODE 6450-01-M

### Issuance of Proposed Decisions and Orders; Week of April 13 Through April 17, 1981

During the week of April 13 through April 17, 1981, the proposed decisions and orders summarized below were issued by the Office of Hearings and Appeals of the Department of Energy with regard to applications for exception.

Under the procedural regulations that apply to exception proceedings (10 CFR Part 205, Subpart D), any person who will be aggrieved by the issuance of a proposed decision and order in final form may file a written notice of objection within ten days of service. For purposes of the procedural regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date an aggrieved person receives actual notice, whichever occurs first.

The procedural regulations provide that an aggrieved party who fails to file a Notice of Objection within the time period specified in the regulations will be deemed to consent to the issuance of the proposed decision and order in final form. An aggrieved party who wishes to contest a determination made in a proposed decision and order must also file a detailed statement of objections within 30 days of the date of service of the proposed decision and order. In the statement of Objections, the aggrieved party must specify each issue of fact or law that it intends to contest in any further proceeding involving the exception matter.

Copies of the full text of these proposed decisions and orders are available in the Public Docket Room of

the Office of Hearings and Appeals, Room B-120, 2000 M Street, N.W., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays.

George B. Breznay,  
Director, Office of Hearings and Appeals.  
April 28, 1981.

*Cibro Petroleum Products, Inc., Albany, New York, DPI-0038, crude oil*

Cibro Petroleum Products, Inc. (Cibro) filed an Application for Exception from the provisions of Section 212.22(a) of the Mandatory Oil Import Program. The exception request, if granted, would result in the issuance of an Order exempting Cibro from sanctions which may be applied to the firm due to its illegal sale of crude oil which was imported on a license free-exempt basis. On April 14, 1981, the Department of Energy issued a Proposed Decision and Order which tentatively determined that the exception request be denied.

*Texas City Refining, Incorporated, Texas City, Texas, DEE-1419, crude oil*

On July 12, 1978, Texas City Refining, Inc., filed an application for Exception from the provisions of 10 CFR 211.67. The exception request, if granted, would permit Texas City Refining, Inc. to sell additional entitlements to compensate the firm for the effects of a refinery fire and explosion. On April 15, 1981, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be denied.

[FR Doc. 81-13337 Filed 5-1-81; 8:45 am]  
BILLING CODE 6450-01-M

## ENVIRONMENTAL PROTECTION AGENCY

[RD-FRL 1817-5]

### Symposium on the Health Effects of Diesel Emissions

AGENCY: Environmental Protection Agency.

ACTION: Call for papers and notice of meeting.

**SUMMARY:** This notice sets forth the schedule and proposed agenda of a forthcoming symposium on diesel emissions. This notice also calls for papers to be presented at the symposium. Agenda items include: (1) Exposure, dosimetry, epidemiology, and risk assessment; (2) general toxicology, including biochemistry and metabolism; (3) emission studies, including combustion, fuel characterization, and control technology; (4) carcinogenesis; (5) mutagenesis and reproduction; (6) inhalation toxicology; and (7) bioassay and/or chemical characterization.



**ELIGIBILITY:** All parties currently involved in diesel fuel emissions research.

**ABSTRACTS:** Abstracts for papers or posters are required no later than May 15, 1981. Abstracts should not exceed 200 words and should be submitted to Ms. Olga Wierbicki, Symposium Coordinator, Northrop Services, Inc., P.O. Box 12313, Research Triangle Park, North Carolina 27709, (919) 549-0411. Presented papers and a selection of posters will be published in a proceeding.

**DATE:** October 5-7, 1981.

**FOR FURTHER INFORMATION CONTACT:**

Mr. James Smith, U.S. Environmental Protection Agency, Health Effects Research Laboratory, Research Triangle Park, North Carolina 27711, (919) 541-2909.

Roger S. Cortesi,

*Assistant Deputy Assistant Administrator for Health Research (RD-683).*

April 28, 1981.

[FR Doc. 81-13363 Filed 5-1-1981; 8:45 am]

BILLING CODE 6560-35-M

[OPTS-51256; TSH-FRL 1818-1]

**Certain Chemicals Premanufacture Notices**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) EPA at least 90 days before manufacture or import commences. Section 5(d)(2) requires EPA to publish in the Federal Register certain information about each PMN within 5 working days after receipt. This notice announces receipt of six PMN's and provides a summary of each.

**DATE:** Written comments by:

PMN 81-157—June 5, 1981.

PMN 81-161—June 6, 1981.

PMN 81-171, 81-173, 81-174, 81-175—  
June 8, 1981.

**ADDRESS:** Written comments to:  
Document Control Officer (TS-793),  
Office of Pesticides and Toxic  
Substances, Environmental Protection  
Agency, Rm. E-401, 401 M St., SW.,  
Washington, DC 20460, (202-426-2610).

**FOR FURTHER INFORMATION CONTACT:**

For PMN No.	Notice manager and telephone	Room No.
81-157.....	Michael Brown, (202-755-1150).....	E-335.
81-161, 81-171, 81-174, and 81-175.	George Badley, (202-426-2601).....	E-210.
81-173.....	Carrie Berlin, (202-472-2532).....	E-711C.

Mail address of notice managers:  
Chemical Control Division (TS-794),  
Office of Toxic Substances,  
Environmental Protection Agency, 401 M  
St., SW., Washington, DC 20460.

**SUPPLEMENTARY INFORMATION:** Section 5(a)(1) of TSCA (90 Stat. 2064) (15 U.S.C. 20604), requires any person who intends to manufacture or import a new chemical substance to submit to a PMN to EPA at least 90 days before manufacture or import commences. A "new" chemical substance is any substance that is not on the Inventory of existing substances compiled by EPA under section 8(b) of TSCA. EPA first published the Initial Inventory of June 1, 1979. Notices of availability of the Initial Inventory were published in the Federal Register of May 15, 1979 (44 FR 28558—Initial) and July 29, 1980 (45 FR 50544—Revised). The requirement to submit a PMN for new chemical substances manufactured or imported for commercial purposes became effective on July 1, 1979.

EPA has proposed premanufacture notification rules and forms in the Federal Register issues of January 10, 1979 (44 FR 2242) and October 6, 1979 (44 FR 59764). These regulations, however, are not yet in effect. Interested persons should consult the Agency's Interim Policy published in Federal Register of May 15, 1979 (44 FR 28564) for guidance concerning premanufacture notification requirements prior to the effective date of these rules and forms. In particular, see page 28567 of the Interim Policy.

A PMN must include the information listed in section 5(d)(1) of TSCA. Under section 5(D)(2), EPA must publish in the Federal Register nonconfidential information on the identity and uses of the substance, as well as a description of any test data submitted under section 5(b). In addition, EPA has decided to publish a description of any test data submitted with the PMN and EPA will publish the identity of the submitter unless this information is claimed confidential.

Publication of the section 5(d)(2) notice is subject to section 14 concerning disclosure of confidential information. A company can claim confidentiality for any information submitted as part of a PMN. If the company claims confidentiality for the

specific chemical identity or use(s) of the chemical, EPA encourages the submitter to provide a generic use description, a nonconfidential description of the potential exposures from use, and a generic name for the chemical. EPA will publish the generic name, the generic use, and the potential exposure descriptions in the Federal Register.

If no generic use description or generic name is provided, EPA will develop one and after providing due notice to the submitter, will publish an amended Federal Register notice. EPA immediately will review confidentiality claims for chemical identity, chemical use, the identity of the submitter, and for health and safety studies. If EPA determines that portions of this information are not entitled to confidential treatment, the Agency will publish an amended notice and will place the information in the public file, after notifying the submitter and complying with other applicable procedures.

After receipt, EPA has 90 days to review a PMN under section 5(a)(1). The section 5(d)(2) Federal Register notice indicates the date when the review period ends for each PMN. Under section 5(c), EPA may, for good cause, extend the review period for up to an additional 90 days. If EPA determines that an extension is necessary, it will publish a notice in the Federal Register.

Once the review period ends, the submitter may manufacture the substance unless EPA has imposed restrictions. When the submitter begins to manufacture the substance, he must report to EPA, and the Agency will add the substance to the Inventory. After the substance is added to the Inventory, any company may manufacture it without providing EPA notice under section 5(a)(1)(A).

Therefore, under the Toxic Substances Control Act, summaries of the data taken from the PMN is published herein.

Interested persons may, on or before the dates shown under "DATES", submit to the Document Control Officer (TS-793), Management Support Division, Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-401, 401 M St., SW., Washington, DC 20460, written comments regarding these notices. Three copies of all comments shall be submitted, except that individuals may submit single copies of comments. The comments are to be identified with the document control number "[OPTS-51256]" and the specific PMN number. Comments received may be seen in Rm. E-106 at the above address between 8:00



a.m. and 4:00 p.m., Monday through Friday, excluding legal holidays.

(Sec. 5, 90 Stat. 2012 (15 U.S.C. 2604))

Dated: April 28, 1981.

Edward A. Klein,

Director, Chemical Control Division.

**PMN 81-157**

The following summary is taken from data submitted by the manufacturer in the PMN.

*Close of Review Period.* July 5, 1981.

*Manufacturer's Identity.* Claimed confidential business information.

*Organizational information provided:*

Annual sales—In excess of \$500 million.  
Manufacturing site—East-North Central U.S.

Standard Industrial Classification Code—28.

*Specific Chemical Identity.* Claimed confidential business information. Generic name provided: Ester of fatty acid, monobasic acid, tribasic acid, and styrene copolymer.

*Use.* Claimed confidential business information. Generic use provided: Intermediate for use in the manufacture of surface coatings.

*Production Estimates.* Claimed confidential business information

*Physical/Chemical Properties.* No data were submitted.

*Toxicity Data.* No data were submitted.

*Exposure.* The manufacturer states that four workers could be exposed to the new substance as a result of accidental spills during processing and disposal.

*Environmental Release/Disposal.* The submitter claims that there will be no release points during use of the new chemical. Disposal, if required, will be by incineration or in an approved disposal site.

**PMN 81-161**

The following summary is taken from data submitted by the manufacturer in the PMN.

*Close of Review Period.* July 6, 1981.

*Manufacturer's Identity.* Claimed confidential business information. *Organizational information provided:*

Annual sales—\$.5 million—\$1 billion.  
Manufacturing site—Middle Atlantic.

*Specific Chemical Identity.* Claimed confidential business information. Generic name provided: Polyacrylate.

*Use.* Claimed confidential business information. Generic use provided: Pressure-sensitive adhesive (psa).

*Production Estimates.* claimed confidential business information.

*Physical/Chemical Properties.*

Minimum average molecular weight—150,000.

*Toxicity Data.* No data were submitted.

*Exposure.* The submitter states that 1-2 workers could be exposed to potential dermal contact 1-2 hr/da, 30 da/yr. Incidental exposure could occur during blending and packaging operation.

*Environmental Release/Disposal.*

During use, the manufacturer states that adhesive will be applied via automatic dispensing equipment onto a moving web. The coated web then immediately moves into a curing unit, after which the substance is crosslinked.

**PMN 81-171**

The following summary is taken from data submitted by the manufacturer in the PMN.

*Close of review period.* July 8, 1981.

*Manufacturer's Identity.* Claimed confidential business information. *Organizational information provided:*

Annual sales—In excess of \$500 million.  
Manufacturing site—Pacific region.  
Standard Industrial Classification Code—285.

*Specific Chemical Identity.* 1,3-Isobenzofurandione, polymer with 2,2-dimethyl-1,3-propanediol 1,2-ethanediol, 2-hydroxymethyl-1,3-propanediol, and tall oil acids.

*Use.* Claimed confidential business information. Generic use information provided: The PMN substance will be used in an open use involving exposure to both chemical and non-chemical industry employees.

*Production estimates.* Claimed confidential business information.

*Physical/Chemical Properties.* No data were submitted.

*Exposure.* The submitter states that during manufacture, a maximum of 2 workers could be exposed dermally, 2 hr/da, 150 da/yr with a peak concentration in excess of 100 mg/m<sup>3</sup>.

*Environmental Release/Disposal.* The manufacturer claims that there will be no release of the new substance into the environment.

**PMN 81-173**

The following summary is taken from data submitted by the manufacturer in the PMN.

*Close of Review Period.* July 8, 1981.

*Manufacturer's Identity.* Claimed confidential business information. *Organizational information provided:*

Annual sales—In excess of \$500 million.  
Manufacturing site—East-North Central U.S.  
Standard Industrial Classification Code—285.

*Specific Chemical Identity.* Adipic acid, isophthalic acid, trimethylolpropane 2,2,4-trimethyl-1,3-

pentanediol, trimellitic anhydride polymer.

*Use.* Captive intermediate used in metal coating formulation.

**Production Estimates**

	Kilograms per year	
	Minimum	Maximum
1st year .....	1,500	10,000
2d year .....	10,000	100,000
3d year .....	100,000	350,000

*Physical/Chemical Properties.* Neat Polymer

Viscosity—Semi-solid.

Non-volatiles—100%.

Acid value—40 mg KOH/g.

Water solubility—0.41%.

Molecular weight—Mn 1560 (by VPO).

Elemental Analysis—C—61.99%, O—32.73%, H—3.28%.

*Toxicity Data.* No data were submitted.

*Exposure.* The manufacturer states that a maximum of five workers involved in the manufacture, processing, and disposal could have skin exposure 1-2 hr/da, 20-35 da/yr at average concentration of 0-1 and peak concentration of 1-10 mg/m<sup>3</sup>.

In a typical user's site, three workers involved in disposal could have skin exposure during disposal 1 hr/da, 20 da/yr at same concentrations as above.

*Environmental Release/Disposal.* The manufacturer claims that less than 10 kg/yr of the substance may be released into the environment. Wastes, if any, will be disposed of by incineration, through an approved landfill, or through the sewage system.

**PMN 81-174**

The following summary is taken from data submitted by the manufacturer in the PMN.

*Close of Review Period.* July 8, 1981.

*Manufacturer's Identity.* Claimed confidential business information.

*Specific Chemical Identity.* Claimed confidential business information.

Generic name provided:

Disubstituted naphthalenol.

*Use.* Claimed confidential business information. Generic use information provided: Company-limited chemical intermediate to manufacture a final chemical with none of the new intermediate as an impurity.

**Production Estimates**

	Kilograms per year	
	Minimum	Maximum
1st year .....	200	500
2d year .....	500	1,500
3d year .....	1,500	3,500

**Physical/Chemical Properties.**

Solubilities—Water—<0.0004% Octanol >0.1%.  
Melting point—73°C.

**Toxicity Data**

Acute oral LD<sub>50</sub> (rats)—>3,000 mg/kg.  
Acute dermal LD<sub>50</sub> >1,000 mg/kg.  
Skin irritation—Slight.  
Repeated 10-day skin application—Slight exacerbation of the irritative response.  
Skin sensitization potential—Low.  
Eye irritation—Slight.  
Repeated 2-week feeding study 1.0% and 0.1% in diet—There were no effects on weight gain, feed intake, hematology, clinical chemistry organ weights, gross and histopathology.

**Environmental Test Data**

Chemical oxygen demand (COD)—2.59 g/g.  
Secondary waste treatment compatibility study—A saturated solution of less than 500 ppb (measured concentration) showed no effects on the microbiological carbon metabolism.

Acute effects on six aquatic species—A saturated solution of less than 500 ppb (measured concentration) showed no effects on the six test species.

**Exposure.** The submitter states that during manufacture of the PMN substance, a maximum of 36 workers could have skin and inhalation exposure 2 hr/da, 10 da/yr at an average concentration of 1–10 mg/m<sup>3</sup> and a peak concentration of 10–100 mg/m<sup>3</sup>.

At a typical user's site, six workers could have skin and inhalation exposure .75 hr/da, 8 da/yr at average and peak concentrations of 1–10 mg/m<sup>3</sup>.

**Environmental Release/Disposal.** The manufacturer claims that there will be no environmental release of the new substance.

**PMN 81-175**

The following summary is taken from data submitted by the manufacturer in the PMN.

**Close of Review Period.** July 8, 1981.

**Manufacturer's Identity.** Claimed confidential business information.

**Specific Chemical Identity.** Claimed confidential business information.

Generic name provided:

Disubstitutednaphthalenol.

**Use.** Claimed confidential business information. Generic use information provided: The manufacturer states that the new chemical will be incorporated as a minor constituent of an article for consumer use.

**Production Estimates**

	Kilograms per year	
	Minimum	Maximum
1st year	100	250
2d year	500	1,200
3d year	1,000	2,500

**Physical/Chemical Properties**

Solubilities—Water—<0.0005%; Octanol—~0.2%.  
Melting point—98°C.

**Toxicity Data**

Taute oral LD<sub>50</sub> (rats)—>3,000 mg/kg.  
Acute dermal LD<sub>50</sub>—>1,000 mg/kg.  
Skin irritation—Slight.  
Repeated 10-day skin application—There was no exacerbation of the irritation.  
Skin sensitization potential—Moderate activity.  
Eye irritation—Slight to moderate—prompt washing with water significantly reduces the irritative effect.  
Repeated 2-week feeding study 1.0% and 0.1% in diet—There were no effects on weight gain, feed intake, hematology, clinical chemistry organ weights, gross and histopathology.

**Environmental Test Data.**

Chemical oxygen demand (COD)—2.25 g/g.  
Secondary waste treatment compatibility study—A saturated solution of the test compound had no effect on the microbial carbon metabolism.

Acute effects on six aquatic species—A solution of less than 500 ppb (measured concentration) showed no effects on the six test species.

Germination effects on three species—A solution of less than 500 ppb (measured concentration) showed no effects on the three test species.

**Exposure.** The submitter states that during manufacture and processing of the new chemical, a maximum of 21 workers could have skin and inhalation exposure .3–4 hr/da, 15–25 da/yr with average concentration range of 0–10 mgm<sup>3</sup> and peak range of 1–100 mg/m<sup>3</sup>.

**Environmental Release/Disposal.** The manufacturer states that a negligible amount of the new substance may be released into the air and less than 60 kg/yr into navigable waterway.

[FR Doc. 81-13357 Filed 5-1-81; 8:45 am]

BILLING CODE 6560-31-M

**[OPTS-51255; TSH-FRL 1817-8]****Certain Chemicals Premanufacture Notices**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Section 5(d)(2) requires EPA to publish in the Federal Register certain information about each PMN within 5 working days after receipt. This notice

announces receipt of ten PMN's and provides a summary of each.

**DATES:** Written comments by:

PMN 81-148, 81-149—May 26, 1981.

PMN 81-151—May 29, 1981.

PMN 81-158, 81-159, 81-162, 81-165, 81-166 & 81-167—June 6, 1981.

PMN 81-168—June 7, 1981.

**ADDRESS:** Written comments to: Document Control Officer (TS-793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-401, 401 M St., SW., Washington, DC 20460 (202-426-2610).

**FOR FURTHER INFORMATION CONTACT:**

For PMN number	Notice manager	Telephone	Room number
81-148, 81-149 and 81-165.	George Bagley.	(202-426-2601)	E-210.
81-151, 81-158 and 81-159.	David Dull.....	(202-382-2277)	E-229.
81-162.....	Carrie Berlin.....	(202-472-2532)	E-711C.
81-166 and 81-167.	Rick Green.....	(202-426-8815)	E-208.
81-168.....	Wendy Cleland-Hamnett.	(202-382-2277)	E-229.

Mail address of notice managers: Chemical Control Division (TS-794), Office of Toxic Substances, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

**SUPPLEMENTARY INFORMATION:** Section 5(a)(1) of TSCA (90 Stat. 2012 (15 U.S.C. 20604)), requires any person who intends to manufacture or import a new chemical substance to submit a PMN to EPA at least 90 days before manufacture or import commences. A "new" chemical substance is any substance that is not on the Inventory of existing substances compiled by EPA under section 8(b) of TSCA. EPA first published the Initial Inventory on June 1, 1979. Notices of availability of the Initial Inventory were published in the Federal Register of May 15, 1979 (44 FR 28558—Initial) and July 29, 1980 (45 FR 50544—Revised). The requirement to submit a PMN for new chemical substances manufactured or imported for commercial purposes became effective on July 1, 1979.

EPA has proposed premanufacture notification rules and forms in the Federal Register issues of January 10, 1979 (44 FR 2242) and October 6, 1979 (44 FR 59764). These regulations, however, are not yet in effect. Interested persons should consult the Agency's Interim Policy published in the Federal Register of May 15, 1979 (44 FR 28564) for guidance concerning premanufacture notification requirements prior to the effective date of these rules and forms.

In particular, see page 28567 of the Interim Policy.

A PMN must include the information listed in section 5(d)(1) of TSCA. Under section 5(d)(2), EPA must publish in the Federal Register nonconfidential information on the identity and uses of the substance, as well as a description of any test data submitted under section 5(b). In addition, EPA has decided to publish a description of any test data submitted with the PMN and EPA will publish the identity of the submitter unless this information is claimed confidential.

Publication of the section 5(d)(2) notice is subject to section 14 concerning disclosure of confidential information. A company can claim confidentiality for any information submitted as part of a PMN. If the company claims confidentiality for the specific chemical identity or use(s) of the chemical, EPA encourages the submitter to provide a generic use description, a nonconfidential description of the potential exposures from use, and a generic name for the chemical. EPA will publish the generic name, the generic use, and the potential exposure descriptions in the Federal Register.

If no generic use description or generic name is provided, EPA will develop one and after providing due notice to the submitter, will publish an amended Federal Register notice. EPA immediately will review confidentiality claims for chemical identity, chemical use, the identity of the submitter, and for health and safety studies. If EPA determines that portions of this information are not entitled to confidential treatment, the Agency will publish an amended notice and will place the information in the public file, after notifying the submitter and complying with other applicable procedures.

After receipt, EPA has 90 days to review a PMN under section 5(a)(1). The section 5(d)(2) Federal Register notice indicates the date when the review period ends for each PMN. Under section 5(c), EPA may, for good cause, extend the review period for up to an additional 90 days. If EPA determines that an extension is necessary, it will publish a notice in the Federal Register.

Once the review period ends, the submitter may manufacture the substance unless EPA has imposed restrictions. When the submitter begins to manufacture the substance, he must report to EPA, and the Agency will add the substance to the Inventory. After the substance is added to the Inventory, any company may manufacture it without

providing EPA notice under section 5(a)(1)(A).

Therefore, under the Toxic Substances Control Act, summaries of the data taken from the PMN is published herein.

Interested persons may, on or before the dates shown under "DATES", submit to the Document Control Officer (TS-793), Management Support Division, Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-401, 401 M St., SW., Washington, DC 20460, written comments regarding these notices. Three copies of all comments shall be submitted, except that individuals may submit single copies of comments. The comments are to be identified with the document control number "[OPTS-51255]" and the specific PMN number. Comments received may be seen in Rm. E-106 at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding legal holidays.

(Sec. 5, 90 Stat. 2012 (15 U.S.C. 2604))

Dated: April 28, 1981.

Edward A. Klein,  
Director, Chemical Control Division.

#### PMN 81-148

The following summary is taken from data submitted by the manufacturer in the PMN.

*Close of Review Period.* June 25, 1981.  
*Manufacturer's Identity.* Celanese Plastics & Specialties Co., 26 Main St., Chatham, NJ 07928.

*Specific Chemical Identity.* Claimed confidential business information. Generic name provided: Carbocyclic sulfonic acid salt.

*Use.* Claimed confidential business information. Category of use provided: Component.

*Production Estimates.* Claimed confidential business information.

#### Physical/Chemical Properties

% Non-volatile—15%.  
Viscosity—A.  
Color—4 max.  
Acid value—150-175.  
Density—.854.  
Solubility at 25% of PMN product—Insoluble in water, acetone, toluene, 2-methyl-1-propanol, and ethylene glycol monoethyl ether acetate; 11% soluble in butanol and 33% soluble in methanol.

#### Toxicity Data

Oral LD<sub>50</sub> (rats)—3.7 ml/kg.  
Primary irritation index (rabbits)—0.29. Not considered a primary skin irritant.  
Dermal LD<sub>50</sub> (rabbits)—> 2 g/kg.

*Exposure.* The manufacturer states that 12 workers could have skin exposure 4-8 hr/da, 150-191 da/yr during manufacture and processing of the new substance. Exposure could

result during drum filling, transfer of the product from the system to drum container, and cleanup operations.

In a typical user's site, 9 workers could be exposed dermally, 8 hr/da, 150 da/yr.

*Environmental Release/Disposal.* The submitter states that up to 1,000 kg/yr (total sites) may be released to landfill.

#### PMN 81-149

The following summary is taken from data submitted by the manufacturer in the PMN.

*Close of Review Period.* June 25, 1981.

*Manufacturer's Identity.* Celanese Plastics & Specialties Co., 26 Main St., Chatham, NJ 07928.

*Specific Chemical Identity.* Claimed confidential business information. Generic name provided: Styrene acrylic polymer.

*Use.* Claimed confidential business information. Generic use provided: Chemical intermediate.

#### Production Estimates

	Kilograms per year	
	Minimum	Maximum
1st year		50,000
2d year	100,000	200,000
3d year	200,000	450,000

#### Physical-Chemical Properties

Non-volatile by weight—47-49%.  
Viscosity (Gardner Holdt)—T-Z.  
Acid value, mg KOH/g—205-215.  
Flash point, Seta flash—95°F.  
Weight/gallon—8.4-8.5 lbs.  
Appearance—Clear.  
Solubility of polymer—Soluble in ketone, toluene/xylene, butanol, glycol ethers and alkali pH>8; insoluble in water.

*Toxicity Data.* No data were submitted on the PMN substance. The manufacturer states that based on molecular weight, volatility, and solubility considerations, the polymer is expected to be less toxic than the monomers.

*Exposure.* The manufacturer states that during the manufacture and processing of the new substance, 100 workers could be exposed dermally, 8 hr/da, 100-120 da/yr during sampling, handling and transferring of the substance, and during cleanup operations.

In a typical user's site, 250 workers may be exposed dermally 8 hr/da, 200 da/yr.

*Environmental Release/Disposal.* The submitter states that up to 2,000 kg/yr may be released into the land in both the manufacturing and processing sites and up to 10,000 kg/yr in the user's site. Disposal will be by landfill.

## PMN 81-151.

The following summary is taken from data submitted by the manufacturer in the PMN.

*Close of Review Period.* June 28, 1981.  
*Manufacturer's Identity.* E. I. du Pont de Nemours & Co. Inc., 1007 Market St., Wilmington, DE 19898.

*Specific Chemical Identity.* Claimed confidential business information. Generic name provided: Copolymer of styrene and mixed alkyl acrylates.

*Use.* Isolate chemical intermediate.  
*Production Estimates.* No data were submitted.

*Physical/Chemical Properties.* No data were submitted.

*Toxicity Data*

Acute oral toxicity, LD<sub>50</sub> (rats)—Very low toxicity. ALD is 25,000 mg/kg.

Eye irritation (rabbits)—Mild irritation.  
skin irritation (rabbits)—Slight irritation.

*Exposure.* E. I. du Pont states that 6 workers could be exposed to the new substance dermally, 8 hr/da, 30 da/yr during manufacture, processing, or use of the chemical.

In a typical user's site, 16 workers could be exposed through the skin and by inhalation, 8 hr/da, 225 da/yr.

*Environmental Release/Disposal.* The submitter claims that environmental release of the new substance will be incidental & minimal. Eighty percent of wash solvent is recycled, the rest is incinerated.

## PMN 81-158

The following summary is taken from data submitted by the manufacturer in the PMN.

*Close of Review Period.* July 6, 1981.  
*Manufacturer's Identity.* E. I. du Pont de Nemours & Co., Inc., 1007 Market St., Wilmington, DE 19898.

*Specific Chemical Identity.* Claimed confidential business information. Generic name provided: Ethylene interpolymer.

*Use.* Molded parts.

## Production Estimates

	Kilograms
1st year.....	120,000
2d year.....	240,000
3d year.....	480,000

*Physical/Chemical Properties.* No data were submitted.

*Toxicity Data.* No data were submitted.

*Exposure.* The submitter states that 4-5 workers could have skin exposure during manufacture 5-10 da/yr.

*Disposal.* E. I. du Pont de Nemours states that up to 10,000 kg/yr of the product will be sold as scrap to be molded into non-critical plastic parts.

## PMN 81-159

The following summary is taken from data submitted by the manufacturer in the PMN.

*Close of Review Period.* July 6, 1981.  
*Manufacturer's Identity.* E. I. du Pont de Nemours & Co., Inc., 1007 Market St., Wilmington, DE 19898.

*Specific Chemical Identity.* Claimed confidential business information. Generic name provided: Ethylene interpolymer.

*Use.* Captive intermediate and as hot melt adhesive.

## Production Estimates

	Kilograms
1st year.....	375,000
2d year.....	930,000
3d year.....	1,640,000

*Physical/Chemical Properties.* No data were submitted.

*Toxicity Data.* No data were submitted.

*Exposure.* E. I. du Pont states that during manufacture of the new substance, 4-6 workers could have skin exposure 5-6 da/yr.

*Disposal.* The submitter states that up to 4,000 kg/yr of the material will be blended with other ethylene polymers for non-critical parts.

## PMN 81-162

The following summary is taken from data submitted by the manufacturer in the PMN.

*Close of Review Period.* July 6, 1981.  
*Manufacturer's Identity.* Diamond Shamrock Corp., Process Chemicals Division, P.O. Box 2386R, Morristown, NJ 07960.

*Specific Chemical Identity.* Claimed confidential business information. Generic name provided: Hydroxy-alkoxy alkyl alkane.

*Use.* Claimed confidential business information. Generic use provided: Site-limited chemical intermediate.

## Production Estimates

	Kilograms per year	
	Minimum	Maximum
1st year.....	2,000	25,000
2d year.....	6,000	45,000
3d year.....	12,000	80,000

*Physical/Chemical Properties*

Density—1.03 g/cc.  
Vapor pressure— $1.5 \times 10^{-3}$  torr.  
Boiling range—Initial—225-232°C; Final— $>270^\circ\text{C}$ .  
Freezing point— $<0^\circ\text{F}$ .  
Solubility in water—130 g/l.

*Toxicity Data.* Draize skin irritation (rabbit)—Slightly irritating.

*Exposure.* The manufacture states that a maximum of 6 workers could have skin and inhalation exposure during manufacture and processing of the new substance 2 hr/da, 20 da/yr with average concentration of 0-1 ppm and peak concentration of 1-10 ppm.

*Environmental Release/Disposal.* The submitter estimates that less than 10 kg/yr will be released with the atmosphere and up a 100 kg/yr to water. Duration of release will range 1-4 hr/da; 20 da/yr.

Primary and secondary on site treatment includes blending of effluent streams, pH adjustment, aeration, settling, and biological processes.

## PMN 81-165

The following summary is taken from data submitted by the manufacturer in the PMN.

*Close of Review Period.* July 6, 1981.

*Manufacturer's Identity.* Spencer Kellog Division of Textron, Inc. 120 Delaware Ave., Buffalo, NY 14240.

*Specific Chemical Identity.* Claimed confidential business information. Generic name provided: Siliconized alkyl resin.

*Use.* Claimed confidential business information. Generic use information provided: The manufacturer states that the new substance will be used in a dispersive use that will release more than 50 but less than 5,000 kg/yr with potential skin exposure to chemical industry employees and consumers.

*Production Estimates.* Claimed confidential business information.  
*Physical/Chemical Properties.* (Water dispersible silicone modified alkyl resin solution).

Flash point (Closed cup)—155°F.  
Weight/gallon—8.8 lbs.  
Specific gravity 25/25°C—1.06.  
Viscosity at 25°C—90 Stokes.  
Acid value (solids)—34.4.  
Non-volatile—75%  
Solvent—2-Butoxy ethanol.

*Toxicity Data.* No data were submitted.

*Exposure.* The submitter states that a maximum of 4 workers could be exposed dermally during manufacture 8 hr/da, 8 da/yr. Exposure could occur during sampling and analyzing of the product and filling product to containers.

*Environmental Release/Disposal.* Wastes are collected and disposed of in permitted facilities for incineration or secure landfill.

## PMN 81-166

The following summary is taken from data submitted by the manufacturer in the PMN.

*Close of Review Period.* July 6, 1981.



**Manufacturer's Identity.** American Hoechst Corp., Route 202-206, North Bridgewater, NJ 08876.

**Specific Chemical Identity.** 2-Naphthalenesulfonyl chloride, 2-acetamino.

**Use.** Site-limited dye intermediate. **Production Estimates.** Claimed confidential business information.

**Physical/Chemical Properties.** No data were submitted.

**Toxicity Data.** No data were submitted. The submitter claims that the chemical intermediate has been produced for five years without known adverse effects on worker.

**Exposure.** The manufacturer states that production will be at only one site and will be consumed by subsequent reaction to another chemical intermediate. Dermal exposure could occur to three workers at one hour each.

**Exposure during the third year of production is expected to be 81 man-hours per year.**

**Disposal.** Filtered product from the reaction medium (less than 1%) is treated at an NPDES permitted biological treatment facility.

#### PMN 81-167

The following summary is taken from data submitted by the manufacturer in the PMN.

**Close of Review Period.** July 6, 1981.

**Manufacturer's Identity.** American Hoechst Corp., Route 202-206, North Bridgewater, NJ 08876.

**Specific Chemical Identity.** Ethanol, 2-(6-acetaminonaphth-2-yl sulfonyl).

**Use.** Site-limited use dye intermediate. **Production Estimates.** Claimed confidential business information.

**Physical/Chemical Properties.** No data were submitted.

**Toxicity Data.** No data were submitted. The submitter claims that the chemical intermediate has been produced for five years without known adverse effects on workers.

**Exposure.** The manufacturer states that production will be at only one site and will be consumed by subsequent reaction to another chemical intermediate. Dermal exposure could occur to three workers at one hour each.

**Exposure during the third year of production is expected to be 81 man-hours per year.**

**Disposal.** Filtered product from the reaction medium (less than 1%) is treated at an NPDES permitted biological treatment facility.

#### PMN 81-168

The following summary is taken from data submitted by the manufacturer in the PMN.

**Close of Review Period.** July 7, 1981.

**Manufacturer's Identity.** Polymer Applications, Inc., 3445 River Rd., Tonawanda, NY 14150.

**Specific Chemical Identity.** Reaction products of *p*-chlorophenol and resorcinol with formaldehyde; further reaction product with carbanil.

**Use.** Rubber adhesive used to treat nylon for aerospace applications.

#### Production Estimates

	Kilograms per year	
	Minimum	Maximum
1st year .....	4,000	8,000
2d year .....	6,000	10,000
3d year .....	10,000	14,000

#### Physical/Chemical Properties

Specific gravity at 25°C—1.38±0.02.

B and R softening point—85°C±10°C.

Appearance and odor—Thin flaked dark amber material with slight phenolic odor.

**Toxicity Data.** No data were submitted. The manufacturer states that there are no health or hazardous effects known.

**Exposure.** The manufacturer states that a worker may be exposed to the substance while packaging 3 hr/da; 5 da/yr with average and peak concentrations of 1-10 ppm.

**Environmental Release/Disposal.** The manufacturer claims that less than 10 kg/yr will be released into the environment.

[FR Doc. 81-13358 Filed 5-1-81; 8:45 am]

BILLING CODE 6560-31-M

### FEDERAL ELECTION COMMISSION

[Notice 1981-6]

#### Filing Dates for Ohio Special Primary and General Elections

**AGENCY:** Federal Election Commission.

**ACTION:** Notice of filing for Ohio special primary and general elections.

**SUMMARY:** Committees required to file reports in connection with the special primary election to be held in the 4th Congressional District of Ohio on June 2, 1981 must file the 12-day pre-primary report by May 21, 1981, and the semi-annual report by July 31, 1981. Committees required to file reports in connection with both the special primary election and the special general election to be held on June 2, 1981 and June 25, 1981, respectively, must file the 12-day pre-primary report by May 21, 1981, the 12-day pre-general report by June 13, 1981, and the 30-day post-election report by July 25, 1981. The semi-annual report is waived for committees involved in the special

general election, provided that the 30-day post-election report is timely filed.

#### FOR FURTHER INFORMATION CONTACT:

Ms. Judith Corley, Public Information Office, 1325 K Street, NW., Washington, D.C. 20463, Tel: (202) 523-4068, Toll-free: (800) 424-9530.

#### Notice of Filing Dates for Special Primary and Special General Elections, 4th Congressional District, Ohio

All principal campaign committees of candidates in the special primary election and all other semi-annually filing political committees supporting candidates in this special primary election shall file a 12-day pre-election report due on May 21, 1981, with coverage dates from date of candidacy, or last report, through May 13, 1981, and a semi-annual report due on July 31, 1981, with coverage dates from May 14, 1981 through June 30, 1981.

All principal campaign committees of candidates in the special general election and all other semi-annually filing political committees supporting candidates in this special general election shall file a 12-day pre-election report due on June 13, 1981, with coverage dates from May 14, 1981 through June 5, 1981, and a 30-day post-election report due on July 25, 1981, with coverage dates from June 6, 1981 through July 15, 1981. The semi-annual report is waived for committees involved in the special general election, provided that the 30-day post-election report is timely filed.

Dated: April 29, 1981.

John Warren McGarry,  
Chairman, Federal Election Commission.

[FR Doc. 81-13361 Filed 5-1-81; 8:45 am]

BILLING CODE 6715-01-M

### FEDERAL MARITIME COMMISSION

#### Independent Ocean Freight Forwarder License; Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarders pursuant to section 44(a) of the Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(c)).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, D.C. 20573.

Gerald R. Boudreaux, 1251 Homestead Avenue, Metairie, LA 70005;



Harris Brown, Inc., Foreign Trade Zone #24,  
Commerce Road, P.O. Box 15, Avoca, PA  
18641, Officers: Harris R. Brown, President,  
Wayne A. Smith, Vice President, Nancy E.  
Brown, Secretary/Treasurer;

Jim Slack, Jr., d.b.a. Tradewinds International  
Services, Cargo Bldg. E, 3000 Igloo, P.O.  
Box 60964, Houston, TX 77205;

Falcon Freight Forwarding, Inc., 1490 N.W.  
78th Avenue, Miami, FL 33126, Officer:  
Arturo A. Ferreira;

Atlantic Forwarding Co., A Division of Fabius  
& Co. Customs Brokers, Inc., One World  
Trade Center, Suite 1361, New York, NY  
10048, Officers: F. J. Stia, President, F.  
Hemmerling, Vice President, Gladys  
Mason, Secretary;

Eagle International, Ltd., 10600 Higgins Rd.,  
Suite 207, O'Hare Office Bldg. II, Rosemont,  
IL 60018, Officers: L. Gene Mueller,  
President, Rosalee Mueller, Secretary, Vern  
J. Weberski, Vice President, Mary Susan  
Weberski, Treasurer;

Salvatore Arzillo, Jr., d.b.a. Rapid Air &  
Ocean, 4860 S.W. 193rd Lane, Ft.  
Lauderdale, FL 33332.

Dated: April 28, 1981.

By the Federal Maritime Commission.

Joseph Polking,  
*Acting Secretary.*

[FR Doc. 81-13321 Filed 5-1-81; 8:45 am]  
BILLING CODE 6730-01-M

**[Independent Ocean Freight Forwarder  
License No. 1899]**

**Ford Pak, Inc.; Order of Revocation**

Section 44(c), Shipping Act, 1916,  
provides that no independent ocean  
freight forwarder license shall remain in  
force unless a valid bond is in effect and  
on file with the Commission. Rule 510.9  
of Federal Maritime Commission  
General Order 4 further provides that a  
license will be automatically revoked or  
suspended for failure of a licensee to  
maintain a valid bond on file.

The bond issued in favor of Ford Pak,  
Inc., 7011 Market Street, El Paso, Texas  
79915, was cancelled effective March 28,  
1981.

By letter dated March 16, 1981, Ford  
Pak, Inc. was advised by the Federal  
Maritime Commission that Independent  
Ocean Freight Forwarder No. 1899  
would be automatically revoked or  
suspended unless a valid surety bond  
was filed with the Commission.

Ford Pak, Inc., has failed to furnish a  
valid bond.

By virtue of authority vested in me by  
the Federal Maritime Commission as set  
forth in Manual of Orders, Commission  
Order No. 201.1 (Revised), section  
5.01(d) dated August 8, 1977;

Notice is hereby given, that  
Independent Ocean Freight Forwarder  
License No. 1899 be and is hereby  
revoked effective March 28, 1981.

It is ordered, that Independent Ocean  
Freight Forwarder License No. 1899  
issued to Ford Pak, Inc., be returned to  
the Commission for cancellation.

It is further ordered, that a copy of  
this Order be published in the Federal  
Register and served upon Ford Pak, Inc.

Daniel J. Connors,  
*Director, Bureau of Certification and  
Licensing.*

[FR Doc. 81-13319 Filed 5-1-81; 8:45 am]  
BILLING CODE 6730-01-M

**[Independent Ocean Freight Forwarder  
License No. 330]**

**Emmett F. McCarren d.b.a. Wheeler &  
Miller; Order of Revocation**

On April 14, 1981, Emmett F.  
McCarren d.b.a. Wheeler & Miller, 350  
Pacific Avenue, San Francisco, CA  
94126 requested the Commission to  
revoke his Independent Ocean Freight  
Forwarder License No. 330.

Therefore, by virtue of authority  
vested in me by the Federal Maritime  
Commission as set forth in Manual of  
Orders, Commission Order No. 201.1  
(Revised), section 5.01(c), dated August  
8, 1977;

It is ordered, that Independent Ocean  
Freight Forwarder License No. 330  
issued to Emmett F. McCarren d.b.a.  
Wheeler & Miller, be revoked effective  
April 21, 1981, without prejudice to  
reapplication for a license in the future.

It is further ordered, that Independent  
Ocean Freight Forwarder License No.  
330 issued to Emmett F. McCarren  
d.b.a. Wheeler & Miller be returned to  
the Commission for cancellation.

It is further ordered, that a copy of  
this Order be published in the Federal  
Register and served upon Emmett F.  
McCarren d.b.a. Wheeler & Miller.

Daniel J. Connors,  
*Director, Bureau of Certification and  
Licensing.*

[FR Doc. 81-13318 Filed 5-1-81; 8:45 am]  
BILLING CODE 6730-01-M

**FEDERAL RESERVE SYSTEM**

**Bank Holding Companies; Proposed  
de Novo Nonbank Activities; Federal  
Reserve Bank of Boston, et al.**

The bank holding companies listed in  
this notice have applied, pursuant to  
section 4(c)(8) of the Bank Holding  
Company Act (12 U.S.C. 1843(c)(8)) and  
§ 225.4(b)(1) of the Board's Regulation Y  
(12 CFR 225.4(b)(1)), for permission to  
engage *de novo* (or continue to engage in  
an activity earlier commenced *de novo*),  
directly or indirectly, solely in the  
activities indicated, which have been

determined by the Board of Governors  
to be closely related to banking.

With respect to each application,  
interested persons may express their  
views on the question whether  
consummation of the proposal can  
"reasonably be expected to produce  
benefits to the public, such as greater  
convenience, increased competition, or  
gains in efficiency, that outweigh  
possible adverse effects, such as undue  
concentration of resources, decreased or  
unfair competition, conflicts of interest,  
or unsound banking practices." Any  
comment on an application that requests  
a hearing must include a statement of  
the reasons a written presentation  
would not suffice in lieu of a hearing,  
identifying specifically any questions of  
fact that are in dispute, summarizing the  
evidence that would be presented at a  
hearing, and indicating how the party  
commenting would be aggrieved by  
approval of that proposal.

Each application may be inspected at  
the offices of the Board of Governors or  
at the Federal Reserve Bank indicated  
for that application. Comments and  
requests for hearings should identify  
clearly the specific application to which  
they relate, and should be submitted in  
writing and, except as noted, received  
by the appropriate Federal Reserve  
Bank not later than May 26, 1981.

A. *Federal Reserve Bank of Boston*  
(Richard E. Randall, Vice President) 600  
Atlantic Avenue, Boston, Massachusetts  
02106.

WORCESTER BANCORP, INC.,  
Worcester, Massachusetts (insurance  
activities; Massachusetts); to engage  
through its wholly-owned subsidiary,  
Wornat Insurance Agency, Inc., in the  
sale of property and casualty insurance  
on real or personal property in  
connection with extensions of credit  
made by banking and nonbanking  
subsidiaries of Worcester Bancorp, Inc.;  
also, to engage in the brokering of  
insurance for the banking subsidiaries of  
Worcester Bancorp, Inc. The activities  
would be conducted at existing offices  
of its banking subsidiaries located in  
and serving various communities  
throughout the Commonwealth of  
Massachusetts.

B. *Federal Reserve Bank of New York*  
(A. Marshall Puckett, Vice President) 33  
Liberty Street, New York, New York  
10045:

1. THE CHASE MANHATTAN  
CORPORATION, New York, New York  
(finance, servicing, and insurance  
activities; Arizona); to engage through  
its subsidiary, Chase Manhattan  
Financial Services, Inc., in the activities  
of making, acquiring and servicing, for  
its own account or for the account of

others, loans and other extensions of credit, including consumer, commercial, and mortgage loans and acting as agent or broker for the sale of credit life and credit accident and disability insurance related to such extensions of credit. These activities will be conducted from an office in Phoenix, Arizona, serving the State of Arizona.

2. **MANUFACTURERS HANOVER CORPORATION**, New York, New York (finance and insurance activities; Arizona): to engage through its subsidiary, Termplan, Inc., in the activities of purchasing motor vehicle sales finance contracts; and in acting as agent in the sale of credit life insurance directly related to such finance activity. These activities would be conducted from offices in Phoenix and Tucson, Arizona, serving Maricopa, Pima, Pinal, and Santa Cruz Counties, and parts of Cochise, Gila, Graham, and Yavapai Counties, Arizona. In addition, the applicant proposes to relocate an office of Termplan, Inc., conducting consumer and home equity lending and credit-related insurance activities, within Phoenix, Arizona, serving the geographic area described above.

3. **MANUFACTURERS HANOVER CORPORATION**, New York, New York, (home equity lending, sales finance activities and insurance activities; New Jersey): to engage through a *de novo* office of Investors Loan Corporation of New Jersey in arranging, making or acquiring for its own account or for the account of others, loans and other extensions of credit secured by a homeowner's equity interest in a home such as would be made by a consumer finance company, servicing such loans and other extensions of credit for any person, acting as an agent or broker for the sale of single and joint credit life insurance which is directly related to such loans and extensions of credit, and through its subsidiary Tempco Life Insurance Company, reinsuring such credit life insurance; and purchasing installment sales finance contracts, acting as an agent or broker for the sale of single and joint credit life insurance and credit accident and health insurance which is directly related to such loans and extensions of credit, and through Tempco Life Insurance Company, reinsuring such credit life insurance. These activities would be conducted from a *de novo* office of Investors Loan Corporation of New Jersey located at Greentree Square, 934 Route 73 North, Marlton, New Jersey 08053 and serving the following counties or portions thereof: Mercer, Burlington, Camden, Gloucester, Monmouth, Ocean, Atlantic and Salem Counties.

C. **Federal Reserve Bank of Cleveland** (Harry W. Hunning, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

**PITTSBURGH NATIONAL CORPORATION**, Pittsburgh, Pennsylvania, (mortgage banking activities; Pennsylvania): to engage through its subsidiary, The Kissell Company, in mortgage banking, including the making or acquiring and servicing for its own account or the accounts of others, loans and other extensions of credit. These activities would be conducted from an office in the metropolitan area of Williamsport, Pennsylvania, serving Northeastern Pennsylvania. Comments on this application must be received not later than May 20, 1981.

D. **Federal Reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

**AMERICAN BANK OF FLORIDA, INC.**, Jacksonville, Florida (insurance activities; Florida): to engage, through its subsidiary, ABFI, Inc. in selling credit life and credit accident and health insurance directly related to its extensions of credit from the offices of its subsidiary banks, American National Bank and American State Bank, in Jacksonville, Florida, serving the Jacksonville area.

E. **Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

**NATIONAL DETROIT CORPORATION**, Detroit, Michigan (investment advisory activities, Florida): to engage, through its subsidiary, NBD Financial Services of Florida, Inc., in investment advisory activities, including the provision of portfolio investment advice and the furnishing of general economic information and advice, general economic statistical forecasting services and industry studies, principally to natural persons. These activities would be conducted from offices in West Palm Beach, Florida and would principally serve an area within a 40-mile radius from said office.

F. **Federal Reserve Bank of Kansas City** (Thomas M. Hoening, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

**LOCUST GROVE BANSHARES, INC.**, Locust Grove, Oklahoma (insurance activities; Oklahoma): to act as agent or broker for the sale of life insurance, accident and health insurance, or any insurance that is directly related to an extension of credit by its subsidiary, Bank of Locust Grove. These activities would be conducted from the subsidiary's office in Locust Grove, serving Locust Grove and the area

within a twenty-five mile radius of Locust Grove.

G. **Other Federal Reserve Banks:** None.

Board of Governors of the Federal Reserve System, April 27, 1981.

D. Michael Manies,  
Assistant Secretary of the Board.

[FR Doc. 81-13328 Filed 5-1-81; 8:45 am]

BILLING CODE 6210-01-M

### Good Thunder Bancshares, Inc.; Formation of Bank Holding Company

Good Thunder Bancshares, Inc., Good Thunder, Minnesota, 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 89.5 percent of the voting shares of First State Bank of Good Thunder, Good Thunder, Minnesota. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (2 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 May 26, 1981. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any question of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, April 27, 1981.

D. Michael Manies,  
Assistant Secretary of the Board.

[FR Doc. 81-13331 Filed 5-1-81; 8:45 am]

BILLING CODE 6210-01-M

### Grant Bancshares, Inc.; Formation of Bank Holding Company

Grant Bancshares, Inc., Grant, Nebraska, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 92.8 percent or more of the voting shares of The Farmers National Bank of Grant, Grant, Nebraska. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

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 May 26, 1981. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, April 27, 1981.

D. Michael Manies,  
Assistant Secretary of the Board.

[FR Doc. 81-13332 Filed 5-1-81; 8:45 am]

BILLING CODE 6210-01-M

#### Lakeville Financial Services, Inc., Formation of Bank Holding Company

Lakeville Financial Services, Inc., Lakeville, Minnesota, 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 holding company by acquiring 90.8 percent of the voting shares of First Lakeville State Bank, Lakeville, Minnesota. 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 May 26, 1981. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, April 27, 1981.

D. Michael Manies,  
Assistant Secretary of the Board.

[FR Doc. 81-13330 Filed 5-1-81; 8:45 am]

BILLING CODE 6210-01-M

#### Texas Commerce Bancshares, Inc.; Acquisition of Bank

Texas Commerce Bancshares, Inc., Houston, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares, less directors' qualifying shares, of Texas Commerce Bank-Clear Lake, National Association, Houston, Texas. 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 Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than May 26, 1981. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, April 27, 1981.

D. Michael Manies,  
Assistant Secretary of the Board.

[FR Doc. 81-13333 Filed 5-1-81; 8:45 am]

BILLING CODE 6210-01-M

#### FEDERAL TRADE COMMISSION

##### American Medical International Inc.; Early Termination of the Waiting Period of the Premerger Notification Rules

**AGENCY:** Federal Trade Commission.  
**ACTION:** Granting of request for early termination of the waiting period of the premerger notification rules.

**SUMMARY:** American Medical International Inc. is granted early termination of the waiting period provided by law and the premerger notification rules with respect to the proposed merger with Brookwood Health Services, Inc. The grant was made by the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by both parties. Neither agency intends to take any action with respect to this acquisition during the waiting period.

**EFFECTIVE DATE:** April 10, 1981.

**FOR FURTHER INFORMATION CONTACT:** Roberta Baruch, Senior Attorney, Premerger Notification Office, Bureau of Competition, Room 303, Federal Trade Commission, Washington, D.C. 20580 (202-523-3894).

**SUPPLEMENTARY INFORMATION:** Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait

designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the Federal Register.

By direction of the Commission.

Carol M. Thomas,

Secretary

[FR Doc. 81-13355 Filed 5-1-81; 8:45 am]

BILLING CODE 6750-01-M

##### E. F. Hutton, Inc.; Early Termination of the Waiting Period of the Premerger Notification Rules

**AGENCY:** Federal Trade Commission.  
**ACTION:** Granting of request for early termination of the waiting period of the premerger notification rules.

**SUMMARY:** E.F. Hutton Group, Inc. is granted early termination of the waiting period provided by law and the premerger notification rules with respect to the proposed acquisition of all voting securities of International Paper Credit Corporation. The grant was made by the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by both parties. Neither agency intends to take any action with respect to this acquisition during the waiting period.

**EFFECTIVE DATE:** April 6, 1981.

**FOR FURTHER INFORMATION CONTACT:** Roberta Baruch, Senior Attorney, Premerger Notification Office, Bureau of Competition, Room 303, Federal Trade Commission, Washington, D.C. 20580 (202-523-3894)

**SUPPLEMENTARY INFORMATION:** Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the Federal Register.

By direction of the Commission.

Carol M. Thomas,

Secretary

[FR Doc. 81-13356 Filed 5-1-81; 8:45 am]

BILLING CODE 6750-01-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Resources Administration

#### Advisory Committee; Announcement of Meeting; Cancellation

In FR Doc. 81-11376 appearing on pages 22041-22042 in the issue for Wednesday, April 15, 1981, the May 7, 1981 meetings of the National Guidelines and Technology Subcommittee and the Implementation and Administration Subcommittee of the National Council on Health Planning and Development have been cancelled.

Dated: April 28, 1981.

Irene D. Skinner,

Advisory Committee Management Officer,  
HIRA.

[FR Doc. 81-13324 Filed 5-1-81; 8:45 am]

BILLING CODE 4110-83-M

### Office of Human Development Services

#### Native American Programs; Program Announcement 13612-817

**AGENCY:** Administration for Native Americans, Office of Human Development Services, DHHS.

**SUBJECT:** Announcement of Availability of Fiscal Year 1981 Financial Assistance for a Native Alaskan Project.

**SUMMARY:** The Administration for Native Americans, Office of Human Development Services, announces that applications are being accepted for financial assistance under Section 803 of the Native American Programs Act of 1974, Pub. L. 93-644, as amended. Regulations covering this program are published in the Code of Federal Regulations in 45 CFR Part 1336.

**DATE:** Closing date for receipt of all applications under this program announcement is July 6, 1981.

#### Program Purpose

The purpose of the Native American Program is to promote the goal of economic and social self-sufficiency for Native Americans.

To carry out its programs, including those for Alaska Natives, the Administration for Native Americans (ANA) focuses on barriers to self-sufficiency. Guided by the principle that economic and social development are interrelated, ANA maintains that development in both areas must be balanced if Native Americans are to achieve self-sufficiency.

ANA's approach is to support locally determined strategies for economic and social development. These strategies move the focus from increasing reliance on social services, to increasing

community productivity. This will promote a social and economic climate which offers jobs and opportunities for self-support.

ANA's approach is rooted in the concept that the local community knows its own needs and is therefore in the position to know what activities are required to create an appropriate balance between social and economic development. This approach, then, promotes local decision-making, fosters individual and community productivity, and encourages the development of natural and physical resources in a way which benefits those Native Americans who own them.

Also, this approach is directed toward strengthening Native leadership and community institutions, especially local governing bodies, so that all resources (Federal and otherwise) are locally controlled and managed. It also provides an opportunity for Native people to adopt whatever social and economic technologies are important to their local priorities without sacrificing the essential elements of the traditional culture which undergird the community and its people. The goal is to achieve an enduring social and economic foundation, not one which lasts only when it is maintained by outside supports.

#### Alaskan Program Objectives

Currently, ANA makes direct grants to the Native Alaskan Regional Non-Profit corporations and Native Alaskan Urban Centers, and provides technical assistance and training to Alaskan grantees to help them accomplish their own locally-determined objectives. ANA also assists Native Alaskan organizations in sponsoring or co-sponsoring projects or activities of mutual concern and need, most especially those which relate to the Alaska Native Claims Settlement Act.

In order to expand its efforts for Native Alaskans, ANA intends, under this program announcement, to award a grant to a Native Alaskan organization to address the array of social and economic issues which confront Alaska Natives since the passage and implementation of the Alaska Native Claims Settlement Act of 1972.

These problems include the impact of the stepped up development of resources and the rapid application of a corporate structure, both profit and non-profit, on a subsistence economy and lifestyle.

Applicants for this award should indicate that the proposed project will achieve or is capable of achieving and addressing one or a combination of the following objectives:

- To identify and explore the issues and problems which have resulted from the Alaska Native Claims Settlement Act and which are facing Alaska Natives today.

- To develop an information network and other ways of making Alaska Natives more aware of their rights and the issues resulting from the implementation of the Alaska Native Claims Settlement Act.

- To determine the impact of private, State and Federal development on Native subsistence communities. The applicant will provide research data to the Regional Profit and Non-Profit Native corporations and make recommendations in areas that include, but are not limited to, marine mammal protection, Native hunting and fishing rights clarification, caribou migration and protection and the impact of oil and gas development on Native subsistence communities.

- To consult and coordinate with the Alaska Native corporations in the area of land development, including land access, land easement, land identification and marking and land management.

Applicants who wish further clarification or explanation of this announcement should call Ms. Jan Phalen, Administration for Native Americans, (202) 245-7730, Mr. Ted George, (ANA Seattle) (206) 442-0992.

#### Eligible Applicants

Private, non-profit Native Alaskan organizations in Alaska that are state-wide focused or focused on a region within the State of Alaska are eligible to apply for a grant award under this announcement.

#### Available Funds

ANA expects to award approximately \$250,000 in Fiscal Year 1981 for one project under this program. The budget period for the grant award will be twelve (12) months. The project period for the grant will be two years. Refunding on a non-competitive basis after the first year will depend upon the grantee's satisfactory progress, the availability of funds, and the grantee's compliance with the Native American Programs Regulations.

#### Grantee Share of Project

The grantee must provide up to 20% of the total cost of the project. Grantee contributions may be in cash or in kind, fairly evaluated, including, but not limited to, plant, equipment, and services. The contribution must be project related and must be allowable under the Department's applicable



regulations in 45 CFR 74, Subparts G and Q.

#### The Application Process

**Availability of application forms.** In order to be considered for a grant under this program announcement, an application must be submitted on the forms supplied and in the manner prescribed by ANA. An application kit containing the necessary forms as well as supplemental descriptive project information may be obtained from: Administration for Native Americans, Department of Health and Human Services, Room 5300, North Building, 330 Independence Avenue, SW., Washington, D.C. 20201, (202) 245-7730, Attention: No. 13612-817, Janice B. Phalen.

**Application submission.** One signed original and six copies of the grant application, including all attachments, must be submitted to the address specified in the application kit.

The application shall be executed by an individual authorized to act for the applicant agency and to assume for the agency the obligations imposed by the terms and conditions of the grant award, including Native American Programs Rules and Regulations.

**A-95 notification process.** In compliance with the Department of Health and Human Service's implementation of the Office of Management and Budget Circular No. A-95 Revised (procedures at 41 FR 2052, January 13, 1976), applicants, with the exception of Federally recognized tribes, who request grant support must, prior to submission of an application, notify both the State and Areawide Clearinghouses of the intent to apply for Federal financial assistance. Some State and Areawide Clearinghouses provide their own forms for the notification and others use the facesheet (SF-424) of the application form. Applicants should contact the appropriate Clearinghouses (listed at 45 FR 2210, January 19, 1977) for information on how they can meet the A-95 requirements.

**Application consideration.** The Commissioner determines the final action to be taken with respect to each grant application for this program. Applications which do not conform to this announcement or are not complete will not be accepted for review and applicants will be notified in writing accordingly. Applications which are complete and conform to the requirements of this program announcement are subjected to a competitive review and evaluation by qualified persons who are independent of the Administration for Native Americans.

The results of the review assist the Commissioner in the consideration of competing applications. The Commissioner's consideration also takes into account the comments of the A-95 Clearinghouse, ANA staff, and other interested parties. The Commissioner makes grant awards consistent with the purpose of the Act, the regulations and the program announcement within the limits of funds available.

After the Commissioner has reached a decision either to disapprove or to fund a competing grant application, unsuccessful applicants are notified of the decision in writing. Successful applicants are notified through the issuance of a Notice of Financial Assistance Awarded which sets forth to the recipient in writing the amount of funds awarded, the purpose of the grant, the terms and conditions of the grant award, the effective date of the award, the budget period for which support is given and the amount of recipient participation. It also specifies the total project period for which support is contemplated.

#### Criteria for Review and Evaluation

Competing grant applications will be reviewed and evaluated against the following criteria:

(1) That the applicant demonstrates a strong knowledge of Alaska Native Affairs and has experience in working with Native Alaskan organizations. (15 points)

(2) That the applicant demonstrates participation of the Alaska Native leadership in the development of the project objectives and continued involvement of the Alaska Native leadership in the implementation of the project objectives. (15 points)

(3) That the project objectives are specific, measurable (quantifiable) and capable of achieving the specific objectives defined in this announcement. (20 points)

(4) That the proposed activities (procedures) of the work program, if well executed, will achieve the proposed objectives. (10 points)

(5) That the project personnel are or will be well qualified and that the applicant has adequate facilities for the implementation of project objectives. (10 points)

(6) That the estimated cost to the government is reasonable considering the anticipated results of the project. (15 points)

(7) That there is a monitoring and evaluation plan which details how progress toward meeting the project objectives will be measured. (5 points)

(8) That the applicant has an effective plan for coordinated use of present and

future resources which are in addition to the resources made available under this grant. (10 points)

#### Closing Date for Receipt of Application

The closing date for receipt of all applications under this program announcement is July 6, 1981. Applications may be mailed or hand-delivered. An application will be considered received on time if:

- The application was sent by registered or certified mail not later than July 6, 1981 as evidenced by the U.S. Postal Service postmark or the original receipt from the U.S. Postal Service;

- The application is received on or before close of business, July 6, 1981 in the OHDS Receiving Office in Washington, D.C.; or

- The application is hand-delivered to the address on the application kit by close of business July 6, 1981. Hand-delivered applications will be accepted daily from 9 a.m. to 5:30 p.m. except Saturdays, Sundays, and Federal holidays. The official time and date of receipt is that registered by the Department of Health and Human Services.

Applications received after the deadline because they were postmarked or hand-delivered too late or addressed incorrectly will not be accepted and will be returned to the applicant without consideration.

(Catalog of Federal Domestic Assistance Program Number 13.612 Native American Programs)

Dated: April 22, 1981.

A. David Lester,  
Commissioner, Administration for Native Americans.

Approved: April 29, 1981.

Warren Master,  
Acting Assistant Secretary for Human Development Services.

[FR Doc. 81-13346 Filed 5-1-1981; 8:45 am]

BILLING CODE 4110-92-M

#### National Institute for Occupational Safety and Health, Centers for Disease Control

##### Chemical Protective Clothing; Open Meeting

The following meeting will be convened by the National Institute for Occupational Safety and Health (NIOSH) of the Centers for Disease Control and will be open to the public for observation and participation, limited only by space available:

##### Chemical Protective Clothing

Date: June 3, 1981 (also June 4, if necessary)  
Time: 9 a.m. to 5 p.m.



Place: Conference Rooms E and F, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857

Purpose: To discuss the possible ineffectiveness of protective clothing to prevent worker exposure to toxic chemicals, and a recent NIOSH report demonstrating that against certain carcinogens chemical protective gloves studied may not afford worker protection.

Single, free copies of the report entitled, "Permeation of Protective Garment Material by Liquid Halogenated Ethanes and A Polychlorinated Biphenyl," are available from the NIOSH Publications Clearinghouse, 4676 Columbia Parkway, Cincinnati, Ohio 45226. Inclusion of a self-addressed label will help speed replies. Viewpoints and suggestions from manufacturers and users of chemical protective clothing, industry, organized labor, academia, and other government agencies are invited.

Because of limited resources, NIOSH believes that a coordinated public and private sector effort is necessary to assure the adequacy of clothing to protect workers from chemical hazards. NIOSH will serve as a catalyst for the collection of information on problems, for identifying and prioritizing areas requiring further effort, and for developing an overall program to address the problem.

Written requests to address the meeting must be received by Dr. May (at the address below) no later than 5 p.m. on May 20, 1981. These requests should include the name, address, and telephone number of the participant, and the approximate time needed for the presentation and the discussion items to be addressed. A complete typed copy of the presentation should be delivered to Dr. May on or before the meeting. For those persons who cannot participate at the meeting, written comments may also be submitted to Dr. May.

Additional information may be obtained from: Jon R. May, Ph.D., Special Assistant to the Acting Director (for Testing and Certification), National Institute for Occupational Safety and Health, Centers for Disease Control, 5600 Fishers Lane, Room 8A-53, Rockville, MD 20857, Telephone: (301) 443-3680.

**SUPPLEMENTARY INFORMATION:** Discussion items that NIOSH feels are pertinent are listed below. However, participants are encouraged to include others that they feel are pertinent.

1. Information Collection: Product evaluation information for distribution to the user; information required by material developers; information on actual use of products in the industrial environment; information on what

products are available; information on industrial situations requiring investigation (i.e., number of people using and needing protection, chemicals involved, and conditions of Use).

2. Information Distribution: Most effective way to reach the end user/product purchaser (technical report, product class system, user education, newsletter, etc.).

3. Evaluation of Existing Products: Laboratory chemical, physical, or combination tests performed on piece/part of whole product (i.e., permeation, penetration, degradation with time or use, flexing, abrading); developing of effective screening tests; predictions of performance against untested chemicals by use of modeling, extrapolating, interpolating, etc., of existing similar chemical data; relation of tests to the industrial environment (i.e., multicomponent, splashes, conditions, reuse, chemical phase); actual product quality; resources which are available to perform product evaluations.

4. Development of More Effective Materials: Identify chemicals, industries, or work situations requiring increased protection; multimaterial products; new materials.

5. Prioritizing of Chemicals for Permeation Testing: Criteria to use (toxicological data, number of exposures, amount of chemicals used, etc.).

6. Strategy of Dealing with Problem: Identify and prioritize areas requiring study; identify resources and establish time frames to accomplish the studies; establish mechanism for getting results to user and evaluating effect.

Dated: April 27, 1981.

Donald R. Hopkins,

Acting Director, Centers for Disease Control.

[FR Doc. 81-13388 Filed 5-1-81; 8:45 am]

BILLING CODE 4110-87-M

#### **Control Technology Assessment of Chemical Process Batch Unit Operations; Open Meeting**

The following meeting will be convened by the National Institute for Occupational Safety and Health (NIOSH) of the Centers for Disease Control and will be open to the public for observation and participation, limited only by space available:

**Control Technology Assessment of Chemical Process Batch Unit Operations**

Date: May 20, 1981

Time: 9:30 a.m. to 3 p.m.

Place: The Carousel Inn, 8001 Reading Road, Cincinnati, Ohio 45237

Purpose: To discuss the study which will document effective means of controlling occupational exposure to hazardous

chemicals during batch unit operations in chemical processing industries. Viewpoints and suggestions from industry, organized labor, academia, and other government agencies are invited.

Additional information may be obtained from: Harold D. Van Wagenen, Division of Physical Sciences and Engineering, National Institute for Occupational Safety and Health, Centers for Disease Control, 4676 Columbia Parkway, Cincinnati, Ohio 45226, Telephone: (513) 684-4295.

Dated: April 28, 1981.

William C. Watson, Jr.,

Acting Director, Centers for Disease Control.

[FR Doc. 81-13389 Filed 5-1-81; 8:45 am]

BILLING CODE 4110-87-M

## **DEPARTMENT OF THE INTERIOR**

### **Bureau of Land Management**

[INT DEIS 81-18]

#### **Draft Lakeview Grazing Management Environmental Impact Statement; Public Hearings and DEIS Availability**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public Hearing on Lakeview Grazing Management DEIS.

**SUMMARY:** Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969, the Department of Interior has prepared a draft environmental impact statement for the Lakeview EIS area. The proposal involves implementing a livestock grazing program on public lands within the Lakeview District in south central Oregon.

Public reading copies will be available for review at the following locations: Bureau of Land Management, Office of Public Affairs, 18th and C Streets NW, Washington, D.C.

Bureau of Land Management, Office of Public Affairs, 729 N.E. Oregon Street, Portland, Oregon

Bureau of Land Management, Lakeview District Office 1000 Ninth St. S., Lakeview, Oregon 97630

Oregon Institute of Technology Library, Klamath Falls, OR 97601

Library, University of Oregon, Eugene, Oregon 97403

Central Oregon Community College, College Way, Bend, Oregon 97701

Library, Portland State University, 727 SW Harrison, Portland, Oregon 97201

Harney County Library, 80 West D, Burns, Oregon 97720

Library, Oregon State University, Corvallis, Oregon 97331

Klamath County Library, 126 South 3rd,  
Klamath Falls, Oregon 97601  
Lake County Library, County  
Courthouse, Lakeview, Oregon 97630  
A limited number of copies are  
available upon request to the Oregon  
State Director the Lakeview District at  
the above addresses.

Oral and/or written comments will be  
received at a formal public hearing held  
at the following location:  
Lakeview District Office, 1000 Ninth St.  
S., Lakeview, Oregon

DATE: June 18, 1981—7:00 p.m

ADDRESS: Written comments on the  
Draft EIS may be sent to: Oregon State  
Director (922), Bureau of Land  
Management, P.O. Box 2965, Portland,  
OR 97208.

All comments must be postmarked no  
later than June 29, 1981.

FOR FURTHER INFORMATION CONTACT:  
Gerry Fullerton, Team Leader, Oregon  
State Office, Telephone: (503) 231-6951.

Dated: April 24, 1981.  
Paul M. Vetterick,  
Associate State Director.  
[FR Doc. 81-13378 Filed 5-1-81; 8:45 am]  
BILLING CODE 4310-84-M

## Fish and Wildlife Service

### Endangered Species Permit; Receipt of Applications

The applicants listed below wish to  
conduct various activities with  
Endangered Species:

Applicant: David A. Etnier, Knoxville, TN;  
PRT 2-7818

The applicant requests a permit to  
take for scientific purposes 40 snail  
darters (*Percina tanasi*) from the South  
Chickamauga Creek, Tennessee and  
Hiwassee River, Tennessee. The fish  
will be sacrificed as a result of this  
work.

Applicant: Bell and Schultheis Game Birds,  
Nogales, AZ; PRT 2-7840

The applicant requests a permit to  
purchase in interstate commerce  
masked bobwhite quail (*Colinus  
virginianus ridgwayi*) for the purpose of  
enhancement of propagation.

Applicant: Gladys Porter Zoo, Brownsville,  
TX; PRT 2-7904

The applicant requests a permit to  
export in international commerce one  
female white-cheeked gibbon  
(*Hylobates concolor leucogenys*) from  
Brownsville, Texas to Parkville,  
Victoria, Australia for the purpose of  
enhancement of propagation.

Applicant: Institute for Raptor Studies,  
Oracle, AZ; PRT 2-7889

The applicant requests a permit to  
import salvaged parts of one Andean  
condor (*Vultur gryphus*) from Argentina  
to Oracle, Arizona for scientific  
research.

Applicant: Clarence J. Fordham, Miami, FL;  
PRT 2-7622

The applicant requests a permit to  
purchase in interstate commerce six  
masked bobwhite quail (*Colinus  
virginianus ridgwayi*) for the purpose of  
enhancement of propagation.

Applicant: Joshua Charap, Pittsburg, PA; PRT  
2-6334.

The applicant requests an amendment  
to his permit to import in the course of a  
commercial activity 12 scarlet chested  
parakeets (*Neophema splendida*). The  
amendment would allow additional  
import of 6 golden-shouldered parakeets  
(*Psephotus chrysopterygus*) and 6  
turquoise grass parakeets (*Neophema  
pulchella*) for the purpose of  
enhancement of propagation.

Humane care and treatment during  
transport, if applicable, has been  
indicated by the applicants.

Documents and other information  
submitted with these applications are  
available to the public during normal  
business hours in Room 601, 1000 N.  
Glebe Road, Arlington, Virginia, or by  
writing to the Director, U.S. Fish &  
Wildlife Service, WPO, P.O. Box 3654,  
Arlington, VA 22203.

Interested persons may comment on  
these applications on or before June 3,  
1981, by submitting written data, views,  
or arguments to the Director at the  
above address.

Dated: April 28, 1981.  
Robert J. Batky,  
Acting Chief, Permit Branch, Federal Wildlife  
Permit Office, Fish and Wildlife Service.  
[FR Doc. 81-13378 Filed 5-1-81; 8:45 am]  
BILLING CODE 4310-55-M

### Endangered Species Permit; Receipt of Application

Applicant: Beardsley Zoological  
Gardens, Bridgeport, CT.

The applicant requests a permit to  
export one captive-bred female ring-  
tailed lemur (*Lemur catta*) from  
Baltimore Zoo, Baltimore, Maryland to  
Baby Zoo, Wingst, West Germany for  
enhancement of propagation.

Humane care and treatment during  
transport has been indicated by the  
applicant.

Documents and other information  
submitted with this application are  
available to the public during normal  
business hours in Room 601, 1000 N.  
Glebe Road, Arlington, Virginia, or by  
writing to the Director, U.S. Fish and

Wildlife Service (WPO), P.O. Box 3654,  
Arlington, VA 22203.

This application has been assigned  
file number PRT 2-7930. Interested  
persons may comment on this  
application on or before June 3, 1981 by  
submitting written data, views, or  
arguments to the Director at the above  
address. Please refer to the file number  
when submitting comments.

Dated: April 29, 1981.  
Larry LaRochelle,  
Acting Chief, Permit Branch, Federal Wildlife  
Permit Office, Fish and Wildlife Service.

[FR Doc. 81-13379 Filed 5-1-81; 8:45 am]  
BILLING CODE 4310-55-M

### Endangered Species Permit; Receipt of Application

Applicant: The Fort Wayne Children's  
Zoo, Fort Wayne, IN.

The applicant requests a permit to  
purchase two male and four female  
captive born cheetahs (*Acinonyx  
jubatus*) from various locations within  
the United States for purpose of  
enhancement of propagation and  
survival.

Humane care and treatment during  
transport has been indicated by the  
applicant.

Documents and other information  
submitted with this application are  
available to the public during normal  
business hours in Room 601, 1000 N.  
Glebe Road, Arlington, Virginia, or by  
writing to the Director, U.S. Fish and  
Wildlife Service (WPO), P.O. Box 3654,  
Arlington, VA 22203.

This application has been assigned  
file number PRT 2-7931. Interested  
persons may comment on this  
application on or before June 3, 1981, by  
submitting written data, views, or  
arguments to the Director at the above  
address. Please refer to the file number  
when submitting comments.

Dated: April 23, 1981.  
Larry LaRochelle,  
Acting Chief, Permit Branch, Federal Wildlife  
Permit Office, Fish and Wildlife Service.

[FR Doc. 81-13380 Filed 5-1-81; 8:45 am]  
BILLING CODE 4310-55-M

### Endangered Species Permit; Receipt of Application

Applicant: William Gruenerwald,  
Colorado Springs, CO.

The applicant requests a permit to  
purchase in foreign commerce and to  
import two (2) captive bred Asian wild  
asses (*Equus hemionus kulan*) from  
Northants, England to Wagon Mound,

New Mexico for enhancement of propagation.

Humane care and treatment during transport has been indicated by the applicant.

Documents and other information submitted with this application are available to the public during normal business hours in Room 601, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the Director, U.S. Fish and Wildlife Service (WPO), P.O. Box 3654, Arlington, VA 22203.

This application has been assigned file number PRT 2-7958. Interested persons may comment on this application on or before June 3, 1981 by submitting written data, views, or arguments to the Director at the above address. Please refer to the file number when submitting comments.

Dated: April 29, 1981.

**Larry LaRochelle,**

*Acting Chief, Permit Branch, Federal Wildlife Permit Office, Fish and Wildlife Service.*

[FR Doc. 81-13381 Filed 5-1-81; 8:45 am]

BILLING CODE 4310-55-M

#### **Endangered Species Permit; Receipt of Application**

Applicant: Pleasant Word Burtis, Irving, TX 75062.

The applicant requests a permit to import one hunting trophy of a captive-bred bontebok antelope (*Damaliscus dorcas dorcas*) that was culled from a herd ranch in South Africa.

Documents and other information submitted with this application are available to the public during normal business hours in Room 601, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the Director, U.S. Fish and Wildlife Service (WPO), P.O. Box 3654, Arlington, VA 22203.

This application has been assigned file number PRT 2-7834. Interested persons may comment on this application on or before June 3, 1981, by submitting written data, views, or arguments to the Director at the above address. Please refer to the file number when submitting comments.

Dated: April 24, 1981.

**Robert J. Balty,**

*Acting Chief, Permit Branch, Federal Wildlife Permit Office, Fish and Wildlife Service.*

[FR Doc. 81-13382 Filed 5-1-81; 8:45 am]

BILLING CODE 4310-55-M

#### **Endangered Species Permit; Receipt of Application**

Applicant: Department of Zoology, University of Rhode Island, Kingston, RI 02881.

The applicant requests an amendment to his sea turtle permit to allow tagging and attachment of radio transmitters for tracking studies.

Humane care and treatment has been indicated by the applicant.

Documents and other information submitted with this application are available to the public during normal business hours in Room 601, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the Director, U.S. Fish and Wildlife Service (WPO), P.O. Box 3654, Arlington, VA 22203.

This application has been assigned file number PRT 2-3160. Interested persons may comment on this application on or before June 3, 1981, by submitting written data, views, or arguments to the Director at the above address. Please refer to the file number when submitting comments.

Dated: April 24, 1981.

**Robert J. Balty,**

*Acting Chief, Permit Branch, Federal Wildlife Permit Office, Fish and Wildlife Service.*

[FR Doc. 81-13383 Filed 5-1-81; 8:45 am]

BILLING CODE 4310-55-M

#### **National Park Service**

##### **Intention To Negotiate Concession Contract; Glen Canyon National Recreation Area**

Pursuant to the provisions of Section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that by June 3, 1981, the Department of the Interior, through the Regional Director of the Rocky Mountain Region, National Park Service, proposes to negotiate a concession contract with Hite Resort and Marina, Inc., authorizing it to continue to provide marina facilities and services for the public at Glen Canyon National Recreation Area for a period of eight (8) years from January 1, 1979, through December 31, 1986.

An assessment of the environmental impact of this proposed action has been made and it has been determined that it will not significantly affect the quality of the environment, and that it is not a major Federal action having a significant impact on the environment under the National Environmental Policy Act of 1969. The environmental assessment and finding of no significant impact may be reviewed at the following location: National Park Service, Rocky Mountain Regional Office, Concessions Management Division, 655 Parfet Street, Denver, Colorado 80225.

The foregoing concessioner has performed its obligations to the

satisfaction of the Secretary under an existing permit which expired by limitation of time on December 31, 1978, and therefore, pursuant to the Act of October 9, 1965, as cited above, is entitled to be given preference in the renewal of the permit and in the negotiation of a new contract. This provision, in effect, grants Hite Resort and Marina, Inc., as the present satisfactory concessioner, the right to meet the terms of responsive proposals for the proposals for the proposed new contract and a preference in the award of the contract, if, thereafter, the proposal of Hite Resort and Marina, Inc., is substantially equal to others received. In the event a responsive proposal superior to that of Hite Resort and Marina, Inc. (as determined by the Secretary) is submitted, Hite Resort and Marina, Inc., will be given the opportunity to meet the terms and conditions of the superior proposal the Secretary considers desirable, and, if it does so, the new contract will be negotiated with Hite Resort and Marina, Inc. The Secretary will consider and evaluate all proposals received as a result of this notice.

Any proposal, including that of the existing concessioner, must be post marked or hand delivered on or before the thirtieth (30th) day following publication of this notice to be considered and evaluated.

Interested parties should contact the Regional Director, Rocky Mountain Region, 655 Parfet Street, Denver, Colorado 80225, for information as to the requirements of the proposed contract.

Dated: April 23, 1981.

**Lorraine Mintzmyer,**

*Regional Director, Rocky Mountain Region.*

[FR Doc. 81-13394 Filed 5-1-81; 8:45 am]

BILLING CODE 4310-70-M

##### **Ladd Petroleum Corp., Big Thicket National Preserve, Texas; Availability of Plan of Operations and Environmental Assessment for the Purpose of Conducting a Seismograph Survey**

Notice is hereby given in accordance with § 9.52(b) of Title 36 of the Code of Federal Regulations that the National Park Service has received from Ladd Petroleum Corporation a plan of operations for the purpose of conducting a seismograph survey in the Lance Rosier Unit of Big Thicket National Preserve, Hardin County, Texas.

The Plan of Operations and Environmental Assessment are available for public review and comment for a period of 30 days from

the publication date of this notice in the Office of the Superintendent, Big Thicket National Preserve, 8725 Eastex Freeway, Post Office Box 7408, Beaumont, Texas 77706; and the Southwest Regional Office, National Park Service, 1100 Old Santa Fe Trail, Santa Fe, New Mexico 87501. Copies of the document are available from Big Thicket National Preserve and will be sent upon request.

Dated: April 23, 1981.

Donald A. Dayton,

Acting Regional Director, Southwest Region.

[FR Doc. 81-13393 Filed 5-1-81; 8:45 am]

BILLING CODE 4310-70-M

## INTERSTATE COMMERCE COMMISSION

### Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 CFR 1100.247. Special Rule 247 was published in the Federal Register of July 3, 1980, at 45 FR 45539.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

### Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests in the form of verified statements filed within 45 days of

publication of this decision-notice (or, if the application later becomes unopposed) appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notice that the decision-notice is effective. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board Number 2, Members Charleton, Fortier, and Williams. Member Fisher not participating.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

### Volume No. OP3-229

Decided: April 24, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fortier and Williams. (Member Fisher not participating.)

MC 94285 (Sub-373), filed February 26, 1981, previously published in the Federal Register of February 24, 1981, and March 4, 1981. Applicant: BONNEY MOTOR EXPRESS, INC., P.O. Box 305, Windsor, VA 23487. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328.

Note.—The publication of March 4, 1981, in this proceeding should be disregarded; the publication of February 24, 1981 is correct.

MC 145494 (Sub-6), filed February 6, 1981, previously published in the Federal Register of March 9, 1981 and March 19, 1981. Applicant: EDINA CARTAGE COMPANY, a corporation, P.O. Box 42, Mauricetown, NJ 08329. Representative: Laurence J. DiStefano, Jr., 1101 Wheaton Ave., Millville, NJ 08332.

Note.—The publication of March 9, 1981 is correct; the publication of March 19, 1981 should be disregarded.

MC 150954 (Sub-5), filed December 5, 1980, previously published in the Federal Register of April 16, 1981, in Volume OP3-217 and Volume OP3-224. Applicant: TRAVIS TRANSPORTATION, INC., 123 Coulter Ave., Ardmore, PA 19003. Representative: William E. Collier, 8918 Tesoro Drive, Suite 515, San Antonio, TX 78217.

Note.—The publication in Volume OP3-217, on April 16, 1981, should be disregarded; the publication in Volume OP3-224, on April 16, 1981 is correct.

### Volume No. OP4-83

Decided: April 28, 1981.

By the Commission, Review, Board No. 2, Members Carleton, Fortier and Williams.

MC 138426 (Sub-3F), filed August 19, 1980, previously noticed in the Federal Register issue of September 4, 1980, and republished this issue. Applicant: CENTRAL CARRIER CORP., P.O. Box 7, Leominster, MA 01453. Representative: Arthur W. Allen, 313 Central St., Leominster, MA 01453, (617) 534-3438. Transporting *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S. Condition: Issuance of an amended certificate is conditioned upon a request, in writing, from applicant for coincidental cancellation of the certificate erroneously issued on March 6, 1981.

Note.—The purpose of this republication is to correct the commodity description.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-13351 Filed 5-1-81; 8:46 am]

BILLING CODE 7035-01-M

### Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 CFR 1100.247. Special Rule 247 was published in the Federal Register of July 3, 1980, at 45 FR 45539. For compliance procedures, refer to the Federal Register issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

### Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to



perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient interest in the form of verified statements filed on or before 45 days from date of publication (or, if the application later becomes unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

#### Volume No. OP4-82

Decided: April 28, 1981.

By The Commission, Review Board No. 2, Members Carleton, Fortier, and Williams.

MC 147096 (Sub-7), filed December 4, 1981. Applicant: MADISON BROTHERS DELIVERY SERVICE, INC., 101 Indiana Ave., Toledo, OH 43602. Representative: Paul R. Brown, 31 West Whittier St., Columbus, OH 43206, (614) 445-7228. Transporting *general commodities* (except classes A and B explosives), between the facilities of Grumman Flexible Corporation, Dow Chemical U.S.A., General Motors Corporation, Ford Motor Company, Chrysler Corporation, and Reynolds Metal Company, at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 149028 (Sub-24), filed February 6, 1981, previously noticed in the *Federal Register* issue of March 5, 1981, and republished this issue. Applicant:

TRANS-STATES LINES, INC., P.O. Box 1486, Van Buren, AR 72956. Representative: Larry C. Price (same address as applicant). Transporting *machinery*, between points in Sebastian County, AR, and Hillsdale and Jackson Counties, MI, on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this republication is to correctly state the territorial description.

Agatha L. Mergenovich,  
Secretary.

[FR Doc. 81-13350 Filed 5-1-81; 8:45 am]  
BILLING CODE 7035-01-M

#### Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the *Federal Register* of December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the *Federal Register* issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A Copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

#### Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication (or, if the

application later becomes unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

#### Volume No. OPY-056

Decided: April 27, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Taylor.

MC 87103 (Sub-91F), filed April 17, 1981. Applicant: MILLER TRANSFER & RIGGING CO., P.O. Box 322, Cuyahoga Falls, OH 44222. Representative: A. Charles Tell, 100 E. Broad St., Columbus, OH 43215, (614) 228-1541. (1)

*Commodities* which because of their size or weight require the use of special handling or equipment, (2) *machinery*, (3) *metal products* (4) *construction equipment, materials and supplies*, and (5) *such commodities as are manufactured, processed or dealt in by container manufacturers, between points in the U.S., in and east of MN, IA, MO, AR and LA, on the one hand, and, on the other, points in the U.S.*

MC 107012 (Sub-861) (correction), filed February 9, 1981, published in the *Federal Register* issue dated March 16, 1981, and republished as corrected in this issue. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Hwy 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: Gerald A. Burns (same address as applicant), 219-429-2234. Transporting *equipment, materials, parts and supplies* used in the manufacture, repair, and installation of electronic equipment and "third proviso" household goods as defined by the Commission at 49 CFR 1056.1(a)(3), between points in the U.S.



The purpose of this republication is to correct the commodity description.

MC 112963 (Sub-91), filed April 17, 1981. Applicant: ROY BROS., INC. 764 Boston Road, Pinehurst, MA 01866. Representative: Leonard E. Murphy (same as applicant), (617) 272-6617. *Commodities, in bulk*, between points in ME, NH, VT, MA, RI, CT, NY, NJ and PA, on the one hand, and, on the other, points in the U.S.

MC 128473 (Sub-23), filed April 17, 1981. Applicant: MONTANA EXPRESS, INC., P.O. Box 3346, Butte, MT 59701. Representative: Timothy R. Stivers, P.O. Box 1576, Boise, ID 83701, (208) 343-3071. Transporting *such commodities as are dealt in by grocery and food business houses*, between points in ID, OR, UT, and WY, on the one hand, and, on the other, points in AZ, CA, ID, MT, NV, OR, UT, WA, and WY.

MC 134783 (Sub-75), filed April 16, 1981. Applicant: DIRECT SERVICE, INC., 940 East 66th St., P.O. Box 2491, Lubbock, TX 79408. Representative: Charles M. Williams, 655 Capitol Life Center, 1600 Sherman St., Denver, CO 80203, (303) 839-5856. Transporting *food and related products*, between points in Delta County, CO, on the one hand, and, on the other, points in KS, NM, OK, and TX.

MC 147712 (Sub-20), filed April 6, 1981. Applicant: MID-WESTERN TRANSPORT, INC., 14625 Carmenita Road, Norwalk, CA 90650. Representative: Joseph Fazio (same address as applicant), (213) 921-7474. Transporting *such commodities as are dealt in or used by manufacturers of fireplaces, air heating and ventilating equipment and barbeque grills*, between points in the U.S., under continuing contract(s) with Superior Fireplace Company, of Fullerton, CA.

MC 136123 (Sub-26), filed April 17, 1981. Applicant: MEAT DISPATCH, INC., P.O. Box 1058, Palmetto, FL 33561. Representative: William L. Beasley (same as applicant), (813) 722-0506. Transporting *general commodities* (except classes A and B explosives), between the facilities of Southeastern Bonded Warehouse at points in Fulton County, GA, on the one hand, and, on the other, those points in the U.S., in and east of ND, SD, NE, KS, OK, and TX.

MC 147712 (Sub-23), filed April 9, 1981. Applicant: MID-WESTERN TRANSPORT, INC., 14625 Carmenita Rd., Norwalk, CA 90650. Representative: Joseph Fazio (same address as applicant), 213-921-7474. Transporting *machinery*, between the facilities of Evapco Incorporated, at points in the

U.S., on the one hand, and, on the other, points in the U.S.

MC 150982, filed April 10, 1981. Applicant: DUTRA TRUCKING CO., INC., P.O. Box 277, Arcata, CA 95521. Representative: Gene Carmody, 15523 Sedgeman St., San Leandro, CA 94579, 415-357-6236. Transporting *petroleum, natural gas and their products*, between points in the U.S., under continuing contract(s) with Union Oil Company of California, of Los Angeles, CA.

Note.—To the extent any certificate issued in this proceeding authorizes the transportation of classes A and B explosives, it shall be limited in point of time to a period expiring 5 years from its date of issuance.

#### Volume No. OPY-2-058

Decided: April 27, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Taylor.

FF 252 (Sub-8), filed April 13, 1981. Applicant: CHI-CAN FREIGHT FORWARDING, LTD., 3600 S. Western Avenue, Chicago, IL 60609. Representative: H. Barney Firestone, 10 South La Salle, Suite 1600, Chicago, IL 60603, (312) 263-1600. As a freight forwarder, in connection with the transportation of *general commodities* (except classes A and B explosives), between ports of entry on the international boundary line between the U.S., and Canada, on the one hand, and, on the other, points in OH, MS, LA and MI.

MC 1753 (Sub-8), filed April 17, 1981. Applicant: RENZ TRUCK LINES, INC., #4 Midwest Drive, Pacific, MO 63069. Representative: Charles A. Price (same address as applicant), 314-257-3870. Transporting *such commodities as are dealt in or used by manufacturers and distributors of building and construction materials*, between points in MO, on the one hand, and, on the other, points in the U.S.

MC 47583 (Sub-142), filed April 14, 1981. Applicant: TOLLIE FREIGHTWAYS, INC., 1020 Sunshine Rd., Kansas City, KS 66115. Representative: D. S. Hulst, P.O. Box 225, Lawrence, KS 66044, 913-843-0110. Transporting *chemicals and related products*, between points in the U.S.

Note.—Issuance of this certificate is subject to prior or coincidental cancellation at applicant's written request of Certificate No. MC-47583 Sub-Nos. 76 (issued May 3, 1979), 105 (issued August 1, 1980), 106 (issued July 7, 1980), and 123 (issued November 18, 1980).

MC 47583 (Sub-143), filed April 16, 1981. Applicant: TOLLIE FREIGHTWAYS, INC., 1020 Sunshine Rd., Kansas City, KS 66115. Representative: D. S. Hulst, P.O. Box

225, Lawrence, KS 66044, 913-843-0110. Transporting *general commodities* (except classes A and B explosives), between points in Dickinson County, KS, on the one hand, and, on the other, points in the U.S.

MC 73502 (Sub-1), filed April 21, 1981. Applicant: THE DEROSIER STORAGE COMPANY, 110 Mayfair Pl., Stratford, CT 06497. Representative: Paul J. Goldstein, 109 Church St., New Haven, CT 06510. Transporting: *household goods*, between points in CT, on the one hand, and, on the other, points in CT, MA, ME, NH, VT, RI, NY, NJ, PA, DE, MD, VA, and DC. Condition: Issuance of certificate in this proceeding is subject to coincidental cancellation, at applicant's written request, of any duplication of authority in certificate No. MC 73502.

MC 77972 (Sub-45), filed April 20, 1981. Applicant: MERCHANTS TRUCK LINE, INC., P.O. Box 908, New Albany, MS 38652. Representative: James R. Holt, P.O. Box 523, Collierville, TN 38017. Transporting *general commodities* (except Classes A and B explosives), between points in Lee County, MS, on the one hand, and, on the other, points in the U.S.

Note.—Applicant intends to tack the authority sought with its existing regular route authority in MC-77972 and subs thereto.

MC 77972 (Sub-46), filed April 20, 1981. Applicant: MERCHANTS TRUCK LINE, INC., P.O. Box 908, New Albany, MS 38652. Representative: James R. Holt, P.O. Box 523, Collierville, TN 38017, 901-853-7208. Transporting *textile mill products*, between points in Lee County, MS, on the one hand, and, on the other, points in the U.S.

Note.—Applicant intends to tack the authority sought with its existing regular route authority in Docket No. MC-77972 and subs thereto.

MC 107012 (Sub-895), filed April 13, 1981. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same address as applicant), 219-429-2110. Transporting *such commodities as are dealt in or used by manufacturers and distributors of shoes*, between points in the U.S.

MC 107012 (Sub-896), filed April 13, 1981. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same address as applicant), 219-429-2110. Transporting *such commodities as are dealt in or used by manufacturers and distributors of tools*, between points

in Pickens County, SC, on the one hand, and, on the other, points in Johnson County, AR.

MC 107012 (Sub-701), filed April 21, 1981. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same address as applicant), 219-429-2110. Transporting *furniture and fixtures*, between Pickens County, SC, on the one hand, and, on the other, points in AL, AR, CT, DE, FL, GA, IA, KY, LA, MA, MD, ME, MN, MS, NC, NH, NJ, NY, PA, RI, TN, TX, VA, VT, WV, and DC.

MC 112184 (Sub-21), filed April 20, 1981. Applicant: THE MANFREDI MOTOR TRANSIT CO., 14841 Sperry Rd., Newbury, OH 44065.

Representative: David A. Turano, 100 E. Broad St., Columbus, OH 43215, 614-228-1541. Transporting *commodities in bulk*, between points in the U.S., under continuing contract(s) with PPG Industries, Inc., of Pittsburgh, PA.

MC 124212 (Sub-112), filed April 16, 1981. Applicant: MITCHELL TRANSPORT, INC., 6500 Pearl Rd., P.O. Box 30248, Cleveland, OH 44130. Representative: J. A. Kundtz, 1100 National City Bank Bldg., Cleveland, OH 44114, 216-566-5639. Transporting (1) *commodities in bulk*, and (2) *building materials*, between points in the U.S., under continuing contract(s) with Alpha Portland Cement Company, division of Alpha Portland Industries, Inc., of Easton, PA.

MC 126822 (Sub-117), filed April 20, 1981. Applicant: WESTPORT TRUCKING COMPANY, 15580 South 169 Hwy., Olathe, KS 66061. Representative: John T. Pruitt (Same address as applicant). Transporting *general commodities* (except Classes A and B explosives), between points in the U.S.

MC 134542, filed April 20, 1981. Applicant: QUICK-LIVICK, INC., 708 "C" St., Staunton, VA 24401. Representative: Earl F. Quick, (Same address as applicant) 703-886-6297. Transporting *passengers*, in charter operations, from points in Frederick, Shenandoah, Highland, Rockbridge, Clarke, Page, Augusta, Alleghany, Warren, Bath, Rockingham, Loudoun, Culpepper, Orange, Amherst, Bedford, Faccour, Madison, Albemarle, Botetourt, Campbell, Rappahannock, Greene, Nelson, and Roanoke Counties VA, and Grant, Hardy, Pendleton and Jefferson Counties WV, to points in the U.S.

MC 134783 (Sub-74), filed April 16, 1981. Applicant: DIRECT SERVICE,

INC., 940 East 66th St., P.O. Box 2491, Lubbock, TX 79408. Representative: Charles M. Williams, 655 Capitol Life Center, 1600 Sherman St., Denver, CO 80203, 303-839-5858. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Swift Independent Packing Company, of Chicago, IL.

MC 142122 (Sub-3), filed April 16, 1981. Applicant: PASCUZZO AND HONEYMAN TRUCKING, INC., 5127 Maywood, Ave., Maywood, CA 90270. Representative: Peter Sowa (same address as applicant) 213-583-4855. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of salt and salt products, between points in the U.S., under continuing contract(s) with Utah Salt Co., Inc., of Salt Lake City, UT.

MC 144802 (Sub-2), filed April 20, 1981. Applicant: RAYMOND C. ULMER, d.b.a. R. U. CARTAGE, 7953 South Lavergne Ave., Burbank, IL 60459. Representative: Donald S. Mullins, 1033 Graceland, Ave., Des Plaines, IL 60018, 312-298-1094. Transporting *metal products and waste or scrap materials not identified by industry producing*, between points in Cook County, IL, on the one hand, and, on the other, points in IN, IA, KY, MI, MO, OH, and WI.

MC 155312, filed April 13, 1981. Applicant: F.M. TRUCKING COMPANY, 8075 Fairchild Ave., NE., Minneapolis, MN 55432. Representative: James L. Nelson, 1241 Pierce Butler Rte., St. Paul, MN 55104, 612-646-6677. Transporting *ores and minerals*, between points in Ramsey, Washington, Dakota, Scott, and Stearns Counties, MN, on the one hand, and, on the other, points in WI.

MC 155372, Filed April 17, 1981. Applicant: MID-SOUTH FREIGHT LINES, INC., P.O. Box 213, Jasper, GA 30143. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240, 317-846-6655. Transporting *clay, concrete, glass or stone products*, between points in the U.S., under continuing contract(s) with Georgia Marble Company, of Atlanta, GA.

Volume No. OPY-4-97

Decided: April 28, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fortier, and Williams.

MC 143956 (Sub-27) Filed April 16, 1981. Applicant: GARDNER TRUCKING CO., INC., P.O. Drawer 493, Walterboro, SC 29488. Representative: Steven W. Gardner, 3574 Piedmont Rd., Atlanta, GA 30305 (404) 266-2896. Transporting *welding products, welding gases and compounds, and industrial cylinders*, between points in the U.S., under continuing contract(s) with A-L Welding

Products, Inc., of Walnut Creek, CA, and its subsidiaries.

MC 153646, Filed April 20, 1981. Applicant: DONALD L. YODER, d.b.a. YODER TRUCKING, G-5181 Dania St., Flint, MI 48504. Representative: Bruce A. Newman, 1000 Beach St., Flint, MI 48502 (313) 232-4186. Transporting *petroleum lubricants and related products*, between points in the U.S., under continuing contract(s) with Metalworking Lubricants Company, of Birmingham, MI.

MC 154696 (Sub-2), Filed April 20, 1981. Applicant: SILLIMAN BROS. FREIGHT CO., INC., Route 1, Box 150, Bernie, MO 63822. Representative: B. W. LaTourette, Jr., 11 S. Meramec, Suite 1400, St. Louis, MO 63105 (314) 727-0777. Transporting *anhydrous ammonia*, between points in Mississippi County, AR, and Shelby County, TN, on the one hand, and, on the other, points in Stoddard County, MO.

MC 154696 (Sub-3), filed April 20, 1981. Applicant: SILLIMAN BROS. FREIGHT CO., INC., Route 1, Box 150, Bernie, MO 63822. Representative: B. W. LaTourette, Jr., 11 S. Meramec, Suite 1400, St. Louis, MO 63105 (314) 727-0777. Transporting *liquid propane*, between Memphis, TN, and points in Greene and Crittenden Counties, AR, and Madison County, IL, on the one hand, and, on the other, points in Stoddard County, MO. Condition: Any certificate issued will be limited to 5 years from the date of issuance.

MC 154696 (Sub-4), filed April 20, 1981. Applicant: SILLIMAN BROS. FREIGHT CO., INC., Route 1, Box 150, Bernie, MO 63822. Representative: B. W. LaTourette, Jr., 11 S. Meramec, Suite 1400, St. Louis, MO 63105 (314) 727-0777. Transporting *dry fertilizer*, between points in Phillips, Tunica, and Mississippi Counties, AR, Calloway County, KY, Shelby County, TN, and Eddy County, NM, on the one hand, and, on the other, points in Stoddard County, MO.

MC 155416, filed April 20, 1981. Applicant: ROGERS TRUCKS & EQUIPMENT, INC., 1265 Mission Rd., South San Francisco, CA 94080. Representative: David Marchant, One Maritime Plaza, San Francisco, CA 94211 (415) 954-0200. Transporting *hazardous materials*, between points in the U.S., under continuing contract(s) with Crowley Environmental Service, Inc., of Richmond, CA.

Volume No. OPY-4-107

Decided: April 28, 1981.

By The Commission, Review Board No. 2, members Carleton, Fortier, and Williams.

MC 95876 (Sub-398), filed April 20, 1981. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. No., St. Cloud, MN 56301. Representative: Robert D. Gisvold, 1600 TCF Tower, Minneapolis, MN 55402 (612) 333-1341. Transporting *general commodities* (except classes A and B explosives), between points in the U.S.

MC 117786 (Sub-133), filed April 17, 1981. Applicant: RILEY WHITTLE, INC., P.O. Box 19038, Phoenix, AZ 85005. Representative: A. Michael Bernstein, 1441 E. Thomas Rd., Phoenix, AZ 85014 (602) 264-4891. Transporting *general commodities* (except classes A and B explosives), between points in OH, IL, GA, FL, AL, MS, LA, TX, IN, MI, PA, WV, KY, TN, MO, OK, and VA.

MC 118776 (Sub-72), filed April 20, 1981. Applicant: GULLY TRANSPORTATION, INC., 3820 Wisman Lane, Quincy, IL 62301. Representative: Frank W. Taylor, Jr., 1221 Baltimore Ave., Suite 600, Kansas City, MO 64105, (816) 221-1464. Over regular routes, transporting *general commodities* (except classes A and B explosives), (1) between Quincy, IL and Memphis, MO: from Quincy over U.S. Hwy 61 to junction U.S. Hwy 136, then over U.S. Hwy 136 to Memphis, and return over the same route, (2) between Quincy, IL and Kansas City, MO, serving the off-route points of Moberly and Kirksville, MO: from Quincy over U.S. Hwy 61 to junction U.S. Hwy 36, then over U.S. Hwy 36 to junction Interstate Hwy 35, then over Interstate Hwy 35 to Kansas City, and return over the same route, (3) between Burlington, IA and St. Louis, MO: from Burlington over U.S. Hwy 61 to junction Interstate Hwy 70, then over Interstate Hwy 70 to St. Louis, and return over the same route, and (4) between St. Louis and Kansas City, MO over Interstate Hwy 70, serving all intermediate points on routes (1), (2), (3), and (4) above, and (B) transporting *general commodities* (except classes A and B explosives), between Memphis, MO, on the one hand, and, on the other, points in IA and IL.

MC 121626 (Sub-25), filed February 23, 1981. Applicant: BAYVIEW TRUCKING, INC., 7080 Florin-Perkins Rd., P.O. Box 28639, Sacramento, CA 95828. Representative: Ann M. Pougiales, 100 Bush St., 21st Floor, San Francisco, CA 94104. Transporting *general commodities* (except classes A and B explosives), between those points in the U.S. on and west of a line beginning at Sault Ste. Marie, MI, then over Interstate Hwy 75 to Cincinnati, OH, then over

Interstate Hwy 71 to Louisville, KY, then over Interstate Hwy 65 to Mobile, AL.

MC 125996 (Sub-96), filed April 20, 1981. Applicant: GOLDEN TRANSPORTATION, INC., P.O. Box 26908, Salt Lake City, UT 84125. Representative: Stanley C. Olsen, Jr., 5200 Willson Rd., Suite 307, Edina, MN 55424, (612) 927-8855. Transporting *food and related products*, between points in Cass County, IN, Saline County, MO, and Warren and Peoria Counties, IL, and points in MN, WI, IA, NE, and SD, on the one hand, and, on the other, points in CO, UT, AZ, CA, NV, ID, OR, and WA.

MC 129086 (Sub-36), filed April 17, 1981. Applicant: SPENCER TRUCKING CORP., Route #2, P.O. Box 254A, Keyser, WV 26726. Representative: Dwight L. Koerber, Jr., 110 N. 2nd St., P.O. Box 1320, Clearfield, PA 16830, (814) 765-9611. Transporting *general commodities* (except classes A and B explosives), between the facilities of Ralston-Purina Company at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 138206 (Sub-21), filed April 20, 1981. Applicant: TRULINE CORPORATION, 4455 South Cameron Ave., Las Vegas, NV 89103. Representative: Robert G. Harrison, 4299 James Dr., Carson City, NV 89701. Transporting *general commodities* (except classes A and B explosives), between points in CA, NV, AZ, UT, OR, ID, MT, WY, CO, NM, NE, OK, and TX.

MC 146226 (Sub-9), filed April 17, 1981. Applicant: J & P TRUCKING CO., INC., P.O. Box 457, Lincolnton, NC 28092. Representative: Dwight L. Koerber, Jr., 110 N. Second St., Clearfield, PA 16830 (814) 765-9611. Transporting *general commodities* (except classes A and B explosives), between the facilities of ConAgra, Inc., at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 148536 (Sub-1), filed April 20, 1981. Applicant: ANTHONY W. CATRONE, d.b.a. CATRONE TRUCKING, 848 Lee Dr., Orrville, OH 44667. Representative: Stephen J. Habash, 100 E. Broad St., Columbus, OH 43215 (614) 228-1541. Transporting (1) *waste or scrap materials* and (2) *metal products*, between points in the U.S., under continuing contract(s) with Atlas Lederer Co., of Cleveland, OH.

MC 152596 (Sub-1), filed April 20, 1981. Applicant: DOWNEAST DISPATCH, INC., 38 Rolfe Lane, Newbury, MA 01950. Representative: John C. Kightbody, 30 Exchange St., Portland, ME 04101. Transporting *general commodities* (except classes A

and B explosives), between points in MA, CT, ME, NH, NJ, NY, PA, RI, and VT.

MC 152826 (Sub-1), filed April 20, 1981. Applicant: HAROLD MYERSCOUGH, d.b.a. MYERSCOUGH TRUCKING, RR #1 Box 32, Seymour, IL 61875. Representative: David A. Turano, 100 E. Broad St., Columbus, OH 43215 (614) 228-1541. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with SRC, Inc., of Cleveland, OH.

MC 154426 (Sub-1), filed April 17, 1981. Applicant: DITZFELD TRANSFER, INC., 104 W. Pacific, Sedalia, MO 65301. Representative: Jeremiah D. Finnegan, 501 E. Armour Blvd., Kansas City, MO 64109 (816) 753-1122. Transporting *textile mill products*, between points in the U.S., under continuing contracts(s) with J. A. Lamy Manufacturing Company of Sedalia, MO.

MC 155386, filed April 17, 1981. Applicant: BOMGAARS TRANSPORTATION, INC., P.O. Box 3408, Sioux City, IA 51102. Representative: Rick A. Rude, Suite 611, 1730 Rhode Island Ave., NW, Washington, DC 20036 (202) 223-5900. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Bomgaars Supply, Inc., of Sioux City, IA. Agatha L. Mergenovich, Secretary.

[FR Doc. 81-13349 Filed 5-1-81; 8:45 am]  
BILLING CODE 7035-01-M

#### Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule 251 of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the Federal Register on December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the Federal Register issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. Applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service or to comply with the appropriate statutes and Commission regulations. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

#### Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulation. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication (or, if the application later become unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

#### Volume No. OPY-2-057

Decided: April 27, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Taylor.

MC 142122 (Sub-2), filed April 16, 1981. Applicant: PASCUZZO AND HONEYMAN TRUCKING, INC., 5127 Maywood Ave., Maywood, CA 90270. Representative: Peter Sowa (same address as applicant) 213-583-4855. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

MC 146842 (Sub-3), filed April 15, 1981. Applicant: BELL TRUCKING COMPANY, INC., Rte. 1, Box 81-H, Jonesboro, LA 71251. Representative: James M. Duckett, 411 Pyramid Life Bldg. Little Rock, AR 72201, 501-375-3022. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

MC 151953 (Sub-2), filed April 17, 1981. Applicant: MOTOR CARRIER SERVICES, INC., 6335 Old Pineville Rd., Charlotte, NC 28210. Representative: A. Doyle Cloud, Jr., 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137, (901) 767-5600. As a *broker of general commodities* (except household goods), between points in the U.S.

MC 155173, filed April 6, 1981. Applicant: DAVID G. LATHAM, 4625 Routt St., Wheat Ridge, CO 80033. Representative: Edward C. Hastings, 653 Grant St., Denver, CO 80203, 303-837-1204. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners*, by the owner of the motor vehicle in such vehicle, between points in the U.S.

MC 155213, filed April 9, 1981. Applicant: LEONARD W. BAUR, JR., AND ASSOCIATES, INC., 721 Lind Ave. SW., Renton, WA 98055. Representative: George H. Hart, 1100 IBM Bldg., Seattle, WA 98101, 206-624-7373. As a *broker of general commodities* (except household goods), between points in the U.S.

MC 155352, filed April 16, 1981. Applicant: PAUL W. CURTINDALE, 35002 Pacific H'way, South No. 9, Federal Way, WA 98003. Representative: C. Jack Pearce, Suite 1200, 1000 Connecticut Ave. NW., Washington, DC 20036, 202-785-0048. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural*

*limestone and fertilizers, and other soil conditioners*, by the owner of the motor vehicle in such vehicle, between points in the U.S.

#### Volume No. OPY-3-054

Decided: April 4, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fortier, and Williams.

MC 150294 (Sub-3), filed April 20, 1981. Applicant: CORBIN TRUCKING CO., INC., R.R. No. 2, Manhattan, IL 60442. Representative: Abraham A. Diamond, 29 South La Salle St., Chicago, IL 60603, (312)-236-0548. Transporting, for or on behalf of the U.S. Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

MC 152555 (Sub-1), filed April 20, 1981. Applicant: HALL'S FREIGHTWAY, INC., 4505 S. Harding St., Indianapolis, IN 46217. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240, (317)-846-6655. Transporting, for or on behalf of the U.S. Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

MC 155385, filed April 16, 1981. Applicant: HANAWAY EXPRESS CORP., 150 Broadway, New York, NY 10038. Representative: Ronald I. Shapss, 450 Seventh Ave., New York, NY 10123, (212) 239-4610. As a *broker of general commodities* (except household goods), between points in the U.S.

MC 155405, filed April 20, 1981. Applicant: CORPORATE EXPRESS, INC., 462 Riverside Ave., P.O. Box 286, Westport, CT 06811. Representative: Mark A. Rubenstein, 225 Main St., P.O. Box 5031, Westport, CT 06881, (203) 222-0022. Transporting *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S.

MC 155434, filed April 20, 1981. Applicant: ESTHER M. CLARK d.b.a. E. C. TRANSPORT AGENCY, 5508 North County Rd. 25A, Piqua, OH 45356. Representative: Esther M. Clark (same address as applicant), (513) 773-4766. As a *broker of general commodities* (except household goods), between points in the U.S.

#### Volume No. OPY-4-105

Decided: April 27, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fortier, and Williams.

MC 155417, filed April 20, 1981. Applicant: SCHENKERS



INTERNATIONAL FORWARDERS, INC., One World Trade Center—Suite 1867, New York, NY 10048.

Representative: G. A. Trampler (same address as applicant), (212) 432-3005. As a *broker of general commodities* (except household goods), between points in the U.S.

#### Volume No. OPY-4-108

Decided: April 28, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fortier, and Williams.

MC 146976 (Sub-5), filed April 20, 1981. Applicant: FOREWAY TRANSPORTATION, INC., 6633 Lake Michigan Dr., Allendale, MI 49401. Representative: D. Richard Black, Jr., 7610 Cottonwood Dr., Jenison, MI 49428 (616) 457-9290. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

Agatha L. Mergenovich,  
Secretary.

[FR Doc. 81-13348 Filed 5-1-81; 8:45 am]

BILLING CODE 7035-01-M

#### Motor Carrier Temporary Authority Application

The following are notices of filing of applications for temporary authority under Section 10928 of the Interstate Commerce Act and in accordance with the provisions of 49 CFR 1131.3. These rules provide that an original and two (2) copies of protests to an application may be filed with the Regional Office named in the *Federal Register* publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the *Federal Register*. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the

quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the ICC Regional Office to which protests are to be transmitted.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

#### Motor Carriers of Property

##### Notice No. F-116

The following applications were filed in Region I.

Send protests to: Interstate Commerce Commission, Regional Authority Center, 150 Causeway Street, Room 501, Boston, MA 02114.

MC 76065 (Sub-1-1TA) filed April 24, 1981. Applicant: EHRlich-NEWMARK TRUCKING CO., INC., 505 West 37th St., New York NY 10018. Representative: Michael R. Werner, Esq., P.O. Box 1409, 167 Fairfield Rd., Fairfield, NJ 07006.

*Wearing apparel and department store merchandise, and related materials, and supplies and equipment* between points in NY, NJ, DE, PA, MD, VA, WV, DC, NC, SC, GA, AL and FL. Supporting shipper: There are 10 statements in support of this application which may be examined at the ICC Regional Office in Boston, MA.

MC 155423 (Sub-1-1TA) filed April 21, 1981. Applicant: MALAMUTE NATIONAL LINES, INC., 1 E. 42nd St., New York, NY 10017. Representative: Harold Sacks, PC, 19 W 44th St., New York, NY 10036. *Passengers and their baggage in round-trip charter operations* beginning and ending at NY, NY commercial zone and Westchester and Suffolk Counties, NY and extending to points in the US (except AK & HI). Supporting shipper(s): National Urban League, 500 E. 62nd St., NY, NY 10021; F Troop Club, 33 Front St., Hempstead, NY 11550, Medina Temple #19, 454 W 155th St., NY, NY 10032.

MC 123660 (Sub-1-1TA) filed April 20, 1981. Applicant: K-C REFRIGERATION TRANSPORT CO., INC., P.O. Box 545, Adam Street, Troy, NY 12181. Representative: Daniel O. Hands, Attorney at Law, Suite 200-A, 205 W. Touhy Ave., Park Ridge, IL 60068. *Confectionery, when moving in vehicles equipped with mechanical refrigeration* from Troy, NY to points in CT, MA, NY and VT. Supporting shipper: E. J. Brach & Sons, P.O. Box 802, Chicago, IL 60690.

MC 150907 (Sub-1-2TA), filed April 20, 1981. Applicant: BERNARD C. WESSELING, d.b.a. BERNHAVEN SOD SUPPLY, R.R. 2, Bowmanville, Ontario, Canada LIC 3K3. Representative: Robert

D. Gunderman, Esq., 710 Statler Bldg., Buffalo, NY 14202. *Contract carrier: irregular routes: Fertilizer, except in bulk in tank vehicles*, from ports of entry on the International Boundary line between the United States and Canada in NY and VT to points in CT, DE, MA, NH, NJ, NY, PA and VT. Restricted to traffic under a continuing contract with CIL, Inc. of London, Ontario, Canada. Supporting shipper: CIL, Inc., 45 Sheppard Avenue East, Toronto, Ontario, Canada M2N 2Z9.

MC 52945 (Sub-1-1TA), filed April 20, 1981. Applicant: H. P. STARSIAK, INC., 18 Hills Street, Manchester, CT 06040. Representative: Robert G. Parks, 20 Walnut Street, Suite 101, Wellesley Hills, MA 02181. *Such commodities as are dealt in by retailers of building materials* between points in CT, ME, MA, NH, NJ, NY, and RI. Supporting shipper(s): Grossmans Division of Evans Products, Route 3, Union Street Ext., Braintree, MA 02184; Gerrity Co., 8 Whiting Avenue Ext., Hyde Park, MA 02136; MacMillian-Bodell, 6540 Powers Ferry Road, Atlanta, GA 30339; American Forest Products, P.O. Box 371, Suffield, CT 06078.

MC 153951 (Sub-1-2TA), filed April 20, 1981. Applicant: NESEL MOVING & STORAGE LIMITED, 2480 Lawrence Avenue East, Unit 7, Scarborough, Ontario, CD M1P 2R7. Representative: Robert D. Gunderman, Esq., 710 Statler Bldg., Buffalo, NY 14202. *Furniture, fixtures, appliances, and related items, and materials, supplies, and equipment used in the transportation, installation, and manufacture thereof*, between ports of entry on the International boundary line between the U.S. and CD, on the one hand, and, on the other, points in FL, IL, IN, KY, LA, MA, MI, MN, NC, NJ, NY, OH, PA and VA. Supporting shipper(s): All-Steel Canada Ltd., 3500 Cote Vertu, Montreal, Quebec, CD H4R 1R1; Cooper's Office Supply Co. Ltd., 399 Queen Street West, Toronto, Ontario, CD M5V 2A5; Canadian Store Fixtures Ltd., 64 Signet Drive, Weston, Ontario, CD M9L 1T1.

MC 144061 (Sub-1-12TA), filed April 21, 1981. Applicant: SICOMAC CARRIERS, INC., 1107 Goffle Road, Hawthorne, NJ 07506. Representative: Jack L. Schiller, 502 Flatbush Avenue, Brooklyn, NY 11225. *Contract Carrier: irregular routes: Liquid detergents, soaps, and animal and vegetable fatty acids, in bulk* (1) from Passaic, NJ to Mars, PA, South Holland IL, Boston, MA, and Washington, DC, (2) from Dayton, NJ to South Holland, IL; and (3) from McCook, IL to Passaic and Denville, NJ, under continuing



contract(s) with J. L. Prescott Co. of Passaic, NJ. Supporting shipper: J. L. Prescott Co., 27 Eighth Street, Passaic, NJ 07055.

MC 136393 (Sub-1-2TA), filed April 22, 1981. Applicant: NY., NJ., CONN., FREIGHT & MESSENGER CORP., 351 West 38th Street, New York, NY 10013. Representative: Ronald I. Shapss, Esq., 450 Seventh Avenue, New York, NY 10123. *Commodities as are dealt in by retail department stores, between Los Angeles, Ontario, San Diego, and San Francisco, CA, Chicago, IL, New Orleans, LA, Baltimore, MD, Boston, MA, Detroit, MI, Kansas City and St. Louis, MO, Sparks, NV, Cincinnati, Cleveland, Columbus, and Dayton, OH, Portland, OR, Fort Worth, Dallas and Houston, TX, Seattle, WA, Milwaukee, WI, and points in AL, FL, GA, MS, NC, SC, TN and DC. There are 12 statements in support of this application which may be examined at the Regional Office of the I.C.C. in Boston, MA.*

MC 155388 (Sub-1TA), filed April 20, 1981. Applicant: WAYNE YOUNGLOVE TRUCKING CORP., Sterling Station Road, Red Creek, NY 13143. Representative: Donald G. Hichman, R.D. #1, Box 7, Union Springs, NY 13160. *Apple juice, apple cider, cider vinegar, white distilled vinegar, and red wine vinegar (except in bulk) from the facilities of Indian Summer, Inc. at Newark and Sodus, NY to New York, NY (and its commercial zone), Central Islip, Farmingdale and Mt. Kisco, NY, Philadelphia, PA (and its commercial zone), Oaks, PA and Edison, NJ. Supporting shipper: Indian Summer, Inc., 7676 Barclay Road, Sodus, NY 14551.*

MC 142603 (Sub-1-22TA), filed April 22, 1981. Applicant: CONTRACT CARRIERS OF AMERICA, INC., P.O. Box 179, Springfield, MA 01101. Representative: Susan E. Mitchell, (same as applicant). *Contract carrier: irregular routes: Cardboard, not corrugated, and wrapping paper between points in the US, under continuing contract(s) with Wilder Industries of Philadelphia, PA. Supporting shipper: Wilder Industries, 225 West Erie Avenue, Philadelphia, PA 19140.*

MC 152202 (Sub-1-2TA), filed April 22, 1981. Applicant: CONTRACT TRUCK & CAR RENTAL CORP., 24245 Allen Avenue, Niagara Falls, NY 14303. Representative: August A. Iacovitti (same as applicant). *Food stuffs & pet foods, materials and supplies used in the packaging & sale of food stuffs and pet foods, between points in the states of CO, CT, FL, GA, IL, MA, MN, NC, NH, NJ, NY, OH, RI, PA, TX, VA, VT and WV. Supporting shipper: Nabisco, Inc., East Hanover, NJ 07936.*

MC 151413 (Sub-1-4TA), filed April 22, 1981. Applicant: TRAFFIC CONSULTANTS, INC., d.b.a. TCI, P.O. Box 3096, Pawtucket, RI 02862. Representative: Mr. Daniel R. Sumner, 131 Airport Road, Warwick, RI 02889. *Contract Carrier: irregular routes: Lumber and wood products and related materials, between points in the U.S. (except AK and HI), under continuing contract(s) with Bill Carden Lumber Sales Div., JHF Inc. of Seekonk, MA. Supporting shipper: Bill Carden Lumber Sales Div., JHF Inc., 23 Industrial Court, Seekonk MA 02771.*

MC 155236 (Sub-1-1TA), filed April 20, 1981. Applicant: POTTLE'S TRANSPORTATION, INC., Odlin Road, Bangor, ME 04401. Representative: Clifton E. Pottle, P.O. Box 164, Carmel, ME 04419. *General Commodities, between points in ME, including points of entry on the U.S./CD Boundary, on the one hand, and, on the other, points in the U.S. There are 11 statements in support of this application which may be examined at the Regional Office of the I.C.C. in Boston, MA.*

MC 154380 (Sub-1-2TA), filed April 22, 1981. Applicant: WALTER DUBOIS, d.b.a. CONTROL COURIER, 196 Hackensack St., Woodridge, NJ 07075. Representative: Walter DuBois, (same as applicant). *Contract carrier: regular routes: Spare computer and other data processing machine parts and printed materials between Moonachie, NJ; New York, NY; Hartford, CT; Springfield, MA; Boston, MA; and Manchester, NH. Over regular routes as follows: Rte. 95 to Rte. 91 to Rte. 90 to Rte. 93. Under continuing contract(s) with Xerox Corp. of Moonachie, NJ. Supporting shipper: Xerox Corporation, 240 Moonachie Ave, Moonachie, NJ 07074.*

MC 153168 (Sub-1-2TA), filed April 23, 1981. Applicant: ROCKINGHAM CARRIAGE SERVICE, INC., RT. #1 Bypass, P.O. Box 1349, Portsmouth, NH 03801. Representative: Robert G. Parks, 20 Walnut St., Suite 101, Wellesley Hills, MA 02181. *Motor vehicles, in truckaway and driveaway service, from points in RI to points in AZ, CO, CA, FL, MN, OH, and TX. Supporting shipper: Jannell & Son Body Co., Cumberland Hill Rd., Woonsocket, RI 02895.*

MC 155370 (Sub-1-1TA), filed April 23, 1981. Applicant: KEM CONTRACT CARRIERS, INC., P.O. Box 1565, Binghamton, NY 13902. Representative: Donald C. Carmien, P.O. Box 1922, Binghamton, NY 13902. *Contract carrier: irregular routes: Bread and related bakery products between points and places in NY, PA, NJ, VA, WV, CT, MD, OH, under continuing contract(s) with*

Spaulding Bakeries, Inc. of Binghamton, NY. Supporting shipper: Spaulding Bakeries, Inc., 120 Plaza Drive, Binghamton, NY 13903.

MC 139106 (Sub-1-1TA), filed April 20, 1981. Applicant: ABA TRUCKING CORPORATION, 14 Harmich Road, S. Plainfield, NJ 07080. Representative: Robert W. Flowers, P.O. Box 248, Langhorne, PA 19047. *Contract carrier: irregular routes: Iron and steel articles and supplies used in the installation, manufacture, sale, or production of iron and steel articles between points in the US (except AK and HI) under continuing contract(s) with Prior Coated Metals of Allentown, PA. Supporting shipper: Prior Coated Metals, 2233 26th Street S.W., Allentown, PA 18103.*

MC 147948 (Sub-1-1TA), filed April 21, 1981. Applicant: A. J. ROSS ENTERPRISES, INC., 225 Smith Street, Keasby, NJ 08832. Representative: Morton E. Kiel, Suite 1832, Two World Trade Center, New York, NY 10048. *Concrete products from Kenvil and Keasby, NJ to New York, NY and from Kenvil, NJ to Keasby, NJ. Supporting shipper(s): Kenvil Newcrete Products Company, P.O. Box C, Kenvil, NJ 07847.*

MC 151413 (Sub-1-3TA), filed April 22, 1981. Applicant: TRAFFIC CONSULTANTS, INC., d.b.a. TCI, P.O. Box 3096, Pawtucket, RI 02862. Representative: Daniel Sumner, 131 Airport Rd., Warwick, RI 02889. *Contract carrier: irregular routes: Suitcases, and related materials, between points in U.S. (except AK and HI) under continuing contract(s) with American Tourister of Warren, RI. Supporting shipper: American Tourister, 91 Main St., Warren, RI 02885.*

MC 155445 (Sub-1-1TA), filed April 22, 1981. Applicant: TRIPLE S FAST SERVICE CORP., 210 Autumn Ave., Brooklyn, NY 11208. Representative: Newfield & Bress, 60 East 42nd St., New York, NY 10165. *Contract carrier: irregular routes: General commodities (except those of unusual value, class A & B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, and hazardous wastes; from points in NJ and NY to Miami, FL under a continuing contract(s) with Ecuadorian Air Lines, of New York, NY. Supporting shipper: Ecuadorian Air Lines, 1290 Avenue of Americas, New York, NY 10164.*

The following applications were filed in Region 2. Send protests to: ICC, Fed. Res. Bank Bldg., 101 North 7th St., Rm. 620, Philadelphia, PA 19106.

MC 155377 (Sub-II-1TA), filed April 20, 1981. Applicant: PGT TRUCKING,

INC., P.O. Box 197, Industry, PA 15052. Representative: Jon F. Hollengreen, 1032 Pennsylvania Building, Pennsylvania Avenue and 13th St., N.W., Washington, D.C. 20004. *Meat products*, between points in IL, IN, KY, MI, NJ, NC, NY, OH, PA, SC, WV, and WI for 270 days. An underlying ETA seeks 120 days authority. Supporting shippers: There are 15 statements in support of this application which may be examined at the I.C.C. Regional Office in Philadelphia, PA.

MC 140889 (Sub-II-13TA), filed April 21, 1981. Applicant: FIVE STAR TRUCKING, INC., 4720 Beidler Rd., Willoughby, OH 44094. Representative: Ignatius B. Trombetta, 1220 Williamson Bldg., Cleveland, OH 44114. Type of service: *Contract, irregular: General Commodities except Classes A and B Explosives* from points in CA, to the facilities utilized by Freider, Inc., Cuyahoga County, OH, for 270 days. An underlying ETA seeks 120 days authority. Shipper: Freider, Inc., 2554 Superior Ave., Cleveland, OH 44114.

MC 107012 (Sub-II-157TA), filed April 21, 1981. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Hwy. 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same as applicant). *Food stuffs* from the facilities of Ripon Foods Inc., and Heritage Wafers at or near Ripon, WI to points in the U.S. for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Ripon Foods Inc., Oshkosh St., Ripon, WI 54971.

Note.—Common control may be involved.

MC 151821 (Sub-II-1TA), filed April 22, 1981. Applicant: WAGNER TRANSPORTATION CO., INC., 1154 E. 38th St., Erie, PA 16504. Representative: Norbert L. Wagner (same as applicant). *Contract; irregular: Foodstuffs and articles bought and sold by Quality Foods* between Buffalo, NY; Erie, Northeast and Philadelphia, PA; and Newark, NJ on the one hand, and, on the other, points in NY, NJ, OH, KY, PA, AR, TX, CA, MS, IL, IA, KS, FL, RI, WI, CO, CT, MN, MI, GA, NE, AZ, LA, MO, OK, MA, ME, MD, NH, VA, WV, and WA for 270 days, under continuing contract(s) with Quality Foods, Fredonia, NY. Supporting shipper(s): Quality Foods, Middlesex 3G, Fredonia, NY 14063.

MC 110683 (Sub-II-11TA), filed April 7, 1981. Originally published in Federal Register dated 4/20/81. Applicant: SMITH'S TRANSFER CORPORATION, P.O. Box 1000, Staunton, VA 24401. Representative: Francis W. McInerney, Suite 502, 1000 16th St. NW, Washington, DC 20036. Common, regular: *General commodities (except*

*those of unusual value, household goods as defined by the Commission, classes A & B explosives, commodities in bulk, and those requiring special equipment)*, serving the facilities of Sterling Faucet Co. at or near Sheridan, AR, as an off-route point in connection with carrier's regular routes for 270 days. Applicant intends to tack the authority sought herein with existing authority held under MC-110683. Applicant intends to interline at all present interchange points. An underlying ETA seeks 120 days authority. Supporting shipper: Sterling Faucet Co., 1375 Remington Rd., Schaumburg, IL 60195. The purpose of republication is to change MC-105881 to MC-110683.

MC 154713 (Sub-II-6TA), filed April 23, 1981. Applicant: DUMONT TRUCKING, INC., 620 E. Broad St., Columbus, OH 43215. Representative: James M. Burtch, 100 E. Broad St., Columbus, OH 43215. *Refractory and refractory products, ores and minerals*, between points in Sumter and Wilkes Counties, GA, Cook and Kane Counties, IL, Greenup County, KY and Chester County, PA, on the one hand, and, on the other, points in and east of ND, SD, NE, CO, OK and TX, for 270 days. Supporting shipper(s): C-E Industrial Products, Division, Combustion Engineering, Inc., P.O. Box 828, Valley Forge, PA 19482.

The following applications were filed in Region 3. Send protests to ICC, Regional Authority Center, P.O. Box 7600, Atlanta, GA 30357.

MC 143061 (Sub-3-4TA), filed April 21, 1981. Applicant: ELECTRIC TRANSPORT, INC., P.O. Box 528, Eden, NC 27288. Representative: Archie W. Andrews (Same as Applicant). *Contract carrier; irregular routes: Filters and paper products and materials and supplies used in the manufacture, sale and distribution of filters and paper products, except commodities in bulk*, between Clifton, NJ and Los Angeles, CA on the one hand, and, on the other, points in FL, TX, TN, NC, IL. Supporting Shipper: Filtrator Coffee Apparatus Company, 31 Styertowne Road, Clifton, NJ 07012.

MC 134105 (Sub-3-20TA), filed April 17, 1981. Applicant: CELERYVALE TRANSPORT, INC., 3420 New Cummings Road, Chattanooga, TN 37419. Representative: James E. Elgin (same address as applicant). *Meat, Meat products, Meat By-Products and other items produced by meat packing houses (except hides)*. Between points in Ford County, KS, on the one hand, and, on the other, points in the U.S. (except AK and HI). Supporting shipper, Hyplains

Dressed Beef, Inc., P.O. Box 539, Dodge City, KA 67801.

MC 154159 (Sub-3-1TA), filed April 13, 1981. Applicant: ROANLD R. ELLIS, d.b.a. ELLIS WRECKER SERVICE, 8300 1st Avenue North, Birmingham, AL 35206. Representative: Mr. William P. Jackson, Jr., P.O. Box 1240, Arlington, VA 22210. *Automobiles, trucks, trailers, mobile homes or other movable vehicles which are damaged, broken down, disabled, or otherwise incapacitated, or such other vehicles as may require towing or wrecker service* between points in the U.S., except Alaska and Hawaii, originating and ending in Birmingham, AL. Supporting shipper: Saunders Leasing System, 6400 1st Ave. South, Birmingham, AL 35212.

MC 107912 (Sub-3-7TA), filed April 15, 1981. Applicant: REBEL MOTOR FREIGHT, INC., 3934 Homewood Road, Memphis, TN 38118. Representative: Tommie J. Perkins, Sr., 3934 Homewood Road, Memphis, TN 38118. *Such merchandise as is dealt in by retail and wholesale food distributors; except commodities in bulk or in tank vehicles*; From, Memphis, TN to points in the states of AL, LA, and MS. Supporting shipper: Southern Warehouses, Inc., 4013 P. Box 30149, Memphis, TN 38130; Poston Warehouses, Inc., 3569 Tulane Rd., Memphis, TN 38109; Southern States Dist., 4834 Mendenhall Rd., Memphis, TN 38118.

MC 155314 (Sub-3-1TA), filed April 16, 1981. Applicant: R. C. HOFFMAN ENTERPRISES, INC., P.O. Box 3927, Lake Wales, FL 33853. Representative: H. Barney Firestone, 10 S. LaSalle Street, Suite 1600, Chicago, IL 60603. *Meat, meat products and meat byproducts* between Plant City, FL on the one hand, and, on the other, points in IL, IN, OH, IA, KS, AL, GA, LA, TX, NC, MS, SC & WI. Supporting shipper: Lykes Bros. Meat Company, P.O. Box 518, Plant City, FL 33566.

MC 134105 (Sub-3-21TA), filed April 17, 1981. Applicant: CELERYVALE TRANSPORT, INC., 3420 New Cummings Road, Chattanooga, TN 37419. Representative: James E. Elgin (same address as applicant). *Kitchen Household Major Appliances* between points in AL, IL and TN on the one hand, and, on the other, points in the U.S. (except AK and HI) Supporting shipper: Magic Chef Division of Magic Chef, Inc., 740 King Edward Avenue, Cleveland, TN 37311.

MC 148620, (Sub-3-7TA), filed April 17, 1981. Applicant: K.G.L. CONTRACTING SERVICES, INC., P.O. Box 8202, Pembroke Pines, FL 33024. Representative: Robert W. Gerson, 1400

Candler Building, 127 Peachtree Street, N.W., Atlanta, GA 30303. *Contract carrier, irregular routes; general commodities (except household goods as defined by the Commission and Classes A & B explosives), between points in the U.S., under continuing contract(s) with United Technologies Corporation, Essex Group, Inc., Fort Wayne, IN. Supporting shipper(s): United Technologies Corporation, Essex Group, Inc., P.O. Box 1216, Fort Wayne, IN 46801.*

MC 59583 (Sub-3-2TA), filed April 17, 1981. Applicant: THE MASON & DIXON LINES, INC., P.O. Box 969, Kingsport, TN 37662. Representative: Dennis J. Ramsey, P.O. Box 343, Kingsport, TN 37662. *Flat glass between Taylor County, WV and points in and east of LA, AR, MO, IA, and MN. Supporting shipper: AFG Industries, P.O. Box 929, Kingsport, TN 37663.*

MC 75840 (Sub-3-61TA), filed April 17, 1981. Applicant: MALONE FREIGHT LINES, INC., P.O. Box 11103, Birmingham, AL 35202. Representative: Raymond Hamilton, 3400 Third Avenue South, Birmingham, AL 35222. *Chemicals or Allied Products, and Textile Mill Products, between the facilities of Olin Corporation at Lake Charles, LA, Joliet and Rockdale, IL, and Wilmington and Ludlow, MA, on the one hand, and, on the other, points in the U.S., in and east of TX, OK, KS, MO, IN, and MN. Supporting shipper: Olin Corporation, 120 Long Ridge Road, Stamford, CT 06904.*

MC 155314 (Sub-3-2TA), filed April 17, 1981. Applicant: R. C. HOFFMAN ENTERPRISES, INC., P.O. Box 3927, Lake Wales, FL 33853. Representative: H. Barney Firestone, 10 S. LaSalle, Street, Suite 1600, Chicago, IL 60603. *Bananas, from Tampa, FL to Indianapolis, IN. Supporting shipper: Phil Catio and Sons, Inc., 4101 Massachusetts Ave.—Unit 312, Indianapolis, IN 46202.*

MC 19550 (Sub-3-1TA) filed April 16, 1981. Applicant: THE OBSERVER TRANSPORTATION COMPANY, INC., P.O. Box 34245, Charlotte, NC 28234. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. *Such commodities as are dealt in or used by retail discount stores and materials, equipment and supplies used in the manufacture, sale and distribution thereof, between the facilities of Richway Stores a division of Federated Stores, located at or near Charlotte, NC; Atlanta, GA and Chattanooga, TN. Supporting shipper: Richway Stores, 45 Broad St., Atlanta, GA 30322.*

MC 146992 (Sub-3-1TA) filed April 17, 1981. Applicant: PHIL-MART TRANSPORTATION, INC., P.O. Box 128, Braselton, GA 30517. Representative: William J. Boyd, P.C., 2021 Midwest Road, Suite 205, Oak Brook, IL 60521. *Contract carrier, Irregular Routes: General commodities (except Classes A and B explosives) between points in the U.S. continuing contract(s) with Provimi, Inc., and Delft Blue-Provimi, Inc. of Watertown, WI and their subsidiaries. Supporting shipper: Provimi, Inc., and Delft Blue-Provimi, Inc., P.O. Box 508 Provimi Road, Watertown, WI 53094.*

MC 143061 (Sub-3-3TA) filed April 17, 1981. Applicant: ELECTRIC TRANSPORT, INC., P.O. Box 528, Eden, NC 27288. Representative: Archie W. Andrews (same as applicant). *Contract carrier; irregular routes: Animal and poultry feed, fertilizer, feed supplements, and materials, supplies and equipment used in the manufacture, sale and distribution of animal and poultry feed, feed supplements, and fertilizer, except commodities in bulk, between points in VA, on the one hand, and, on the other, points in FL, NY, OH, and NC. Supporting shipper: Wilson Enterprises, Inc., P.O. Box 116, Disputanta, VA 23842.*

MC 144027 (Sub-3-8TA) filed April 14, 1981. Applicant: WARD CARTAGE AND WAREHOUSING, INC., Route No. 4, Glasgow, KY 42141. Representative: Henry E. Seaton, 929 Pennsylvania Building, 13th and Pennsylvania Ave., Washington, DC 20004. *General Commodities (except classes A and B explosives), between Barren County, KY on the one hand, and, on the other points in IL. Supporting shipper: Mallory Capacitor Company, By Pass 31 E, Glasgow, KY 42141; Lessenberry Building Center, 1010 W. Main, Glasgow, KY; R. R. Donnelley & Sons Company, Donnelley Drive, Glasgow, KY 42141. Applicant intends to interline at Glasgow, KY, Chicago, Centralia and Decatur, IL.*

MC 154770 (Sub-3-2TA) filed April 15, 1981. Applicant: J. B. & J. COMPANY, INC., P.O. Box 303, Tuscumbia, AL 35674. Representative: Joe Trobaugh, P.O. Box 303, Tuscumbia, AL 35674. (1) *Paper & Paper Products, including, but not limited to, cores, carrying, shipping and winding cores, including metal ends, paperboard, fiberboard and tubes, caps, including metal ends* (2) *Materials, supplies and equipment used in the manufacture, sale and distribution of commodities named in (1) above (except commodities in bulk) between points in AL, MS, TN, and GA. Supporting*

shipper: Clevepak Corporation, Colbert Industrial Park, Tuscumbia, AL 35674.

MC 143059 (Sub-3-43TA), filed April 20, 1981. Applicant: MERCER TRANSPORTATION CO., P.O. Box 35610, Louisville, KY 40232. Representative Kenneth W. Kilgore (same as applicant). *Ventilators, ventilator systems and parts thereof, between Boyle County, KY on the one hand, and, on the other, points in the United States. Supporting Shipper: Penn Ventilator Co., Inc., Rt. 300 & Bells Lane, Junction City, KY 40440.*

MC 148773 (Sub-3-4TA), filed April 20, 1981. Applicant: A.F.L. TRUCK LINE, INC., 3661 West Blue Heron Boulevard, Riviera Beach, FL 33404. Representative: Anthony E. Young, 29 South La Salle Street, Suite 305, Chicago, IL 60603. *Contract, irregular; lumber and wood products and building materials, between points in the United States under continuing contracts with Inland Pacific Forest Products, Inc. of Elgin, IL. Supporting Shipper: Inland Pacific Forest Products, Inc., 164 Division Street, Elgin, IL 60120.*

MC 148773 (Sub-3-3TA), filed April 20, 1981. Applicant: A.F.L. TRUCK LINE, INC., 3661 West Blue Heron Boulevard, Riviera Beach, FL 33403. Representative: Anthony E. Young, 29 South LaSalle Street, Suite 350, Chicago, IL 60603. *Contract, irregular; lumber and wood products and building materials from points in CA, Camden, NJ, Charleston, SC, and New Orleans, LA to points in the U.S. under a contract with Pacific Wood Products, Inc. Supporting shipper: Pacific Wood Products, Inc., 22873 South Wellington, Carson, CA 90745.*

MC 133221 (Sub-3-8TA), filed March 24, 1981. Republication—originally published in *Federal Register* of April 6, 1981, page 20639, Volume 46, No. 65. Applicant: OVERLAND CO., INC., 1991 Buford Highway, Lawrenceville, GA 30245. Representative: W. D. Beaver (same as applicant). *Plastic articles and material, equipment and supplies used in the manufacture and distribution and sale thereof, (except commodities in bulk) between points in the U.S. Restricted to traffic originating at or destined to the facilities utilized by Amoco Foam Products Company. Supporting Shipper: Amoco Foam Products Company, 2100 Powers Ferry Road, Suite 200, Atlanta, GA 30099.*

MC 141249 (Sub-3-2TA), filed April 20, 1981. Applicant: WEEKS CARTAGE, INC., 1900 Dahlia Road, Jacksonville, FL 32205. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202. *General Commodities (except Classes A and B explosives and*

*hazardous materials*), having a prior or subsequent movement by water, between Jacksonville, FL and points in AL. Supporting Shippers: Regal Food Processor's Inc., P.O. Box 1218, Gadsden, AL 35902; General Machine-Fabrication Corp., 7554 Old Plank Road, Jacksonville, FL 32205; and, Hawkins Sandblasting, 7254 Old Plank Road, Jacksonville, FL 32205.

MC 143921 (Sub-3-4TA), filed April 21, 1981. Applicant: BAMA EXPRESS, INC., P.O. Box 222, Tuscaloosa, AL 35401. Representative: Donald B. Sweeney, Jr., Esq., 512 Massey Building, Birmingham, AL 35203. *Roofing materials, equipment and supplies* between points in MS, FL, AL, TN, and GA. Supporting Shipper: King Hardware-Roofing Division, P.O. Box 4426, Birmingham, AL 35206.

MC 111936 (Sub-3-6TA), filed April 21, 1981. Applicant: MURROW'S TRANSFER, INC., P.O. Box 4095, High Point, NC 27263. Representative: Wilmer B. Hill, 805 McLachlen Bank Building, 666 Eleventh Street, NW., Washington, DC 20001. *Bonded fibers*, from points in Franklin Cty., OH, to points in MD, NC, SC, TN, and VA. Supporting shipper: Hobb's Bonded Fibers, Groves Rd., Columbus, OH.

MC 142232 (Sub-3-1TA), filed April 21, 1981. Applicant: BARRETT TEXTILE TRANSPORT, INC., P.O. Box 6, Industrial Park, Kings Mountain, NC 28086. Representative: Dr. Peter T. Barrett, 2757 Loch Lane, Charlotte, NC 28211. *Contract irregular; Polyester yarn* from the plant site of Hoechst Fibers, Inc. at Spartanburg, SC to Unifi's plant at Yadkinville, NC. Applicant intends to tack with existing authority in MC-142232. Supporting Shipper: Unifi Inc., P.O. Box 698, Yadkinville, NC 27055

MC 148773 (Sub-3-5TA), filed April 21, 1981. Applicant: A.F.L. TRUCK LINE, INC., 3661 West Blue Heron Boulevard, Riviera Beach, FL 33404. Representative: Anthony E. Young, 29 South LaSalle Street, Suite 350, Chicago, IL 60603. *Contract carrier; irregular routes; (a) machinery equipment and tools, and (b) materials, equipment and supplies used in the manufacture or distribution of (a) above*, between North Miami Beach, FL on the one hand, and, on the other, points in the U.S., under a contract or continuing contracts with Century Machine Tools, Inc. of North Miami, FL. Supporting shipper: Century Machine Tools, Inc., P.O. Box 630607, North Miami, FL 33163.

MC 2934 (Sub-3-35TA), filed April 21, 1981. Applicant: AERO MAYFLOWER TRANSIT CO., INC., 9998 North Michigan Road, Carmel, IN 46032. Representative: W. G. Lowry (same as above). *Furniture; lighting fixtures;*

*plastic articles—expanded; paper and paper products; and equipment, materials and supplies used in the manufacture and distribution of the above products (except in bulk)*, between all points in the United States (except AK and HI) restricted to shipments originating at or destined to the facilities of Scott Paper Company. Supporting shipper: Scott Paper Company, Scott Plaza, Philadelphia, PA 19113.

MC 2934 (Sub-3-34TA), filed April 21, 1981. Applicant: AERO MAYFLOWER TRANSIT COMPANY, INC., 9998 North Michigan Road, Carmel, IN 46032. Representative: W. G. Lowry (same as above). *Refrigeration equipment, display cases and parts and supplies used in the manufacture or distribution thereof*; From points in St. Louis County, MO to points and places in the states east of and including TX, OK, KS, NE and MN. Supporting shipper: Hussman Refrigeration Company, 1299 St. Charles Rock Road, Bridgeton, MO 63044.

MC 112617 (Sub-3-18TA), filed April 21, 1981. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 36247, Louisville, KY 40233. Representative: Larry W. Thompson (same address as applicant). *Synthetic plastic liquid, in bulk, in tank vehicles*, from Calumet City, IL to Omaha, NE. Supporting shipper: Rohm & Haas Company, Independence Mall West, Philadelphia, PA 19105.

MC 140406 (Sub-3-8TA), filed April 23, 1981. Applicant: COAST REFRIGERATED TRUCKING CO., INC., P.O. Box 188, Holly Ridge, NC 28445. Representative: Herbert Alan Dubin, Baskin and Sears, 818 Connecticut Avenue NW., Washington, DC 20006. *Perishable meat products* from the facilities of Sandy Mac Food Company at Pennsauken, NJ to points in the United States in and east of WI, IL, KY, TN, and MS. Supporting Shipper: Sandy Mac Food Company, 9105 Burrough-Dover Lane, P.O. Box H, Pennsauken, NJ 08110.

MC 149563 (Sub-3-12TA), filed April 23, 1981. Applicant: SUPER TRUCKERS, INC., 3900 Commerce Ave., Fairfield, AL 35064. Representative: Gerald D. Colvin, Jr., 603 Frank Nelson Bldg., Birmingham, AL 35203. *Metal products*, between the facilities of Michigan Metal Processing Corporation at or near Granite City, IL, Brooklyn, OH and Detroit, MI, on the one hand, and, on the other, all points in the U.S. Supporting shipper: Michigan Metal Processing Corporation, 1425 State St., P.O. Box H, Granite City, IL 62049.

MC 2900 (Sub-3-29TA), filed April 23, 1981. Applicant: RYDER TRUCK LINES,

INC., 2050 Kings Road, P.O. Box 2408, Jacksonville, FL 32203. Representative: S. E. Somers, Jr. (same address as applicant) *Contract carrier; irregular: Chemicals, plastic pellets and synthetic rubber in packages* from TX and LA to points in IL, IN, MI, OH and WI under a continuing contract(s) with Exxon Chemical Americas, Houston, TX. Supporting shipper: Exxon Chemical Americas, 13501 Katy Freeway, Houston, TX 77079.

MC 155470 (Sub-3-1TA), filed April 23, 1981. Applicant: H & O TRANSPORT, INC., P.O. Box 357, Campbellsville, KY 42718. Representative: Robert L. Baker, Sixth Floor, United American Bank, Nashville, TN 37219. *Such commodities as are dealt in by a textile manufacturer* between point in the U.S. in and east of KS, NE, ND, OK, SD and TX. Restricted to traffic originating at or destined to Union Underwear Company, Inc., its subsidiaries and vendors. Supporting shipper: Union Underwear Company, Inc., P.O. Box 780, Bowling Green, KY 42101.

MC 143059 (Sub-3-42TA), filed March 24, 1981. Applicant: MERCER TRANSPORTATION CO., P.O. Box 35610, Louisville, KY 40232. Representative: Kenneth W. Kilgore (same as applicant). *Lumber, lumber products and forest products*, between MS to points in and east of ND, SD, NE, KS, OK and TX. Supporting shipper: McGraw Curran Lumber Co., P.O. Box 450, Yazoo City, MS 39194; Holder & Northern Lumber Co., 5705 New York Ave., Nashville, TN 37209.

MC 145516 (Sub-3-2TA), filed April 22, 1981. Applicant: T. G. STEGALL TRUCKING CO., INC., 8100 E. Independence Blvd., P.O. Box 1286, Matthews, NC 28105. Representative: T. Gene Stegall, Jr. (same address as applicant). *Plastic Film, Resin Solution, Adhesives, Lead Foil, Treated Aluminum Foil, Engraved Rollers in refrigerated equipment*, from Mecklenburg County, NC to Phoenix, AZ. Supporting shipper: Rexham Corporation, 700 Crestdale Drive, Matthews, NC 28105.

MC 145516 (Sub-3-1TA), Applicant: T. G. STEGALL TRUCKING CO., INC., 8100 E. Independence Blvd., P.O. Box 1286, Matthews, NC 28105. Representative: T. Gene Stegall, Jr. (same address as applicant). *Aluminum Sulphate, Sodium Peroxide, and Sodium Acetate*, from NY, NJ, and GA to the state of NC. Supporting shipper: Ace Chemical Corporation, 9801 York Road, Charlotte, NC 28208.

MC 115840 (Sub-3-12TA), filed April 22, 1981. Applicant: COLONIAL FAST



FREIGHT LINES, INC., McBride Lane, P.O. Box 22168, Knoxville, TN 37922. Representative: Michelene Good (same as above). *General commodities, (except those of unusual value, Classes A and B explosives and household goods as defined by the Commission) between points in the U.S. (except AK and HI). Restricted to traffic originating at or destined to the facilities utilized by ITOFCA, Inc. Supporting shipper: ITOFCA, Inc., Two Walker Avenue, Clarendon Hills, IL 60514.*

MC 129712 (Sub-3-12TA), filed April 21, 1981. Applicant: GEORGE BENNETT MOTOR EXPRESS, INC., P.O. Box 569, McDonough, GA 30253. Representative: Frank D. Hall, Suite 713, 3384 Peachtree Rd., N.E., Atlanta, GA 30326. *Materials, equipment and supplies used, sold or dealt in by a manufacturer of smokehouses, furnaces, and pollution control systems, between all points in the US, restricted to transportation for the account of Gladd Industries, Inc. Supporting shipper: Gladd Industries, Inc., 15450 Dale St., Detroit, MI 48223.*

MC 121081 (Sub-3-7TA), filed April 21, 1981. Applicant: COLUMBUS MOTOR LINES, INC., P.O. Box 26741, Charlotte, NC 28213. Representative: Terrell C. Clark, P.O. Box 25, Stanleytown, VA 24168. *Iron and steel articles, between points in Guilford County, NC, on the one hand, and, on the other, points in FL, GA, NC, SC, and VA. An underlying ETA seeks 120 day authority. Supporting shipper: Durabond Protective Coating Co., P.O. Box 7913, Greensboro, NC 27407.*

MC 19550 (Sub-3-2TA), filed April 22, 1981. Applicant: THE OBSERVER TRANSPORTATION COMPANY, INC., P.O. Box 34245, Charlotte, NC 28234. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. *General commodities (except Classes A and B explosives and Hazardous wastes), between Charlotte, NC, on the one hand, and, on the other, points in Beaufort, Bertie, Camden, Carteret, Cherokee, Chowan, Clay, Craven, Currituck, Dare, Edgecombe, Gates, Graham, Green, Halifax, Hertford, Hyde, Jones, Lenoir, Macon, Madison, Martin, Mitchell, Northhampton, Onslow, Pamlico, Passquotank, Pitt, Tyrell, Warren, Washington, Wayne, and Yancey Counties, NC and Abbeville, Aiken, Edgefield, Greenwood, Hampton, Jasper, Laurens, McCormick, Newberry, Oconee, Pickens and Saluda Counties, SC. Applicant intends to interline at Charlotte, NC. Supporting shipper: The application is supported by three (3) shippers, whose appendices may be reviewed at the Atlanta Regional Office.*

MC 155384 (Sub-3-1TA), filed April 22, 1981. Applicant: KIMBERLY-CLARK INTEGRATED SERVICES CORPORATION, 1400 Holcomb Bridge Road, Roswell, GA 30076. Representative: Norman L. Underwood, 3400 Peachtree Road, Suite 1525, Atlanta, GA 30326. *General commodities (except Classes A and B explosives) between points in: AL, AZ, AR, CA, CO, CT, DE, DC, FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, NB, NH, NJ, NM, NY, NC, OH, OK, PA, RI, SC, TN, TX, VT, VA, WV, and WI. Supporting shipper: There are 34 statements in support attached to this application which may be examined at the I.C.C. Regional Office in Atlanta, GA.*

MC 155394 (Sub-3-1TA), filed April 22, 1981. Applicant: LANIER EXPRESS INCORPORATED, 2775 Highway 54 West, Fayetteville, GA 30214. Representative: Edward J. Kiley, 1730 M Street, N.W., Washington, D.C. 20036. *General commodities (except Classes A and B explosives, household goods as defined by the Commission, those requiring special equipment, those of unusual value, and commodities in bulk); between NC, SC, GA, AL, FL, TX, and CA. Applicant intends to interline at Charlotte, NC; Atlanta, GA; and, Greenville, SC. Supporting shippers: There are nine statements of support accompanying the application which may be examined at the Atlanta Regional Office.*

MC 152288 (Sub-3-2TA), filed April 22, 1981. Applicant: NEAL TRANSPORT, INC., 4481 Pineview Drive, P.O. Box 21, Powder Springs, GA 30073. Representative: Phillip L. Martin, 2220 Parklake Dr., N.E., Suite 115, Atlanta, GA 30345. *Contract, irregular, Frozen Bakery products and raw bakery material, between GA, AL, AZ, AR, CA, CO, CT, IL, IN, KS, KY, LA, MD, MA, MI, MS, MO, NJ, NY, NM, NV, NC, OH, OK, PA, SC, TN, TX, UT, VA, WV, FL. Supporting shipper: Country Home Bakery, Inc., 720 Stewart Ave., S.W., Atlanta, GA 30310.*

The following applications were filed in region 5. Send protests to: Consumer Assistance Center, Interstate Commerce Commission, P.O. Box 17150, Fort Worth, TX 76102.

MC 2960 (Sub-5-8TA), filed April 21, 1981. Applicant: ENGLAND TRANSPORTATION COMPANY OF TEXAS, 2301 McKinney St., Houston, TX 77023. Representative: Jackson Salasky, P.O. Box 45538, Dallas, TX 75245. *Insulated plastic containers such as water coolers, plastic coolers, metal coolers and related hardware in ocean going containers from Winfield, KS to*

Houston, TX. Restricted to traffic having a subsequent movement by water. Supporting shipper: GOTT CORP., 1616 Wheat Rd., Winfield, KS

MC 31432 (Sub-5-9TA), filed April 21, 1981. Applicant: EAST TEXAS MOTOR FREIGHT LINES, INC., P.O. Box 10125, Dallas, TX 75207. Representative: Lawrence A. Winkle, P.O. Box 45538, Dallas, TX 75245. *General commodities (except (Classes A & B explosives) between Du Pont locations and points in the U.S. Supporting shipper: E. I. du Pont de Nemours & Co., Inc., 1007 Market Street, Wilmington, DE 19898.*

MC 60087 (Sub-5-2TA), filed April 22, 1981. Applicant: CURRY MOTOR FREIGHT LINES, INC., P.O. Box 1190, Amarillo, TX 79105. Representative: Grady L. Fox, 222 Amarillo Building, Amarillo, TX 79101. Common; regular; *General Commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment): (1) Between Amarillo, Texas and the Texas-Oklahoma State Line via Panhandle, White Deer, Pampa, Miami, Canadian, Glazier and Higgins, serving all intermediate points, over U.S. Highway 60. Supporting shippers: There are 21 supporting shippers.*

Note.—Applicant intends to tack and interline.

MC 61231 (Sub-5-7TA), filed April 22, 1981. Applicant: EASTER ENTERPRISES, INC., d.b.a. ACE LINES, INC., P.O. Box 1351, Des Moines, IA 50305. Representative: William L. Fairbank, 2400 Financial Center, Des Moines, IA 50309. *Nonalcoholic beverages and materials and supplies used in the production thereof, between points in AR, IL, IN, IA, KS, MI, MN, MO, NE, OK, TX and WI, restricted to shipments originating at or destined to the facilities of Mid-Continent Bottlers, Inc. Supporting shipper: Mid-Continent Bottlers, Inc., 1679 N.E. 51st Avenue, Des Moines, IA 50304.*

MC 100597 (Sub-5-1TA), filed April 22, 1981. Applicant: FAIRFIELD TRUCKING, INC., P.O. Box 272, Hamburg, AR 71646. Representative: James R. Holt, P.O. Box 523, Collierville, TN 38017. *Lumber and wood products, between Crossett, AR and Fordyce, AR on the one hand, and, on the other, Pine Bluff, AR, restricted to traffic having subsequent movement by barge. Supporting shipper: Georgia-Pacific Corp., Crossett, AR.*

MC 106200 (Sub-5-1TA), filed April 22, 1981. Applicant: HOFFMAN TRANSFER, INC., 1019 Cheyenne Avenue, Kansas City, KS 66105.



Representative: William L. Fairbank, 2400 Financial Center, Des Moines, IA 50309. Common: Irregular. *Nonalcoholic beverages*, and materials and supplies used in the production thereof, between points in AR, IL, IN, IA, KS, MI, MO, NE, OK and TX, restricted to shipments originating at or destined to the facilities of Mid-Continent Bottlers, Inc. Supporting shipper: Mid-Continent Bottlers, Inc., 1679 N.E. 51st Avenue, Des Moines, IA 50304.

MC 113908 (Sub-5-31TA), filed April 21, 1981. Applicant: ERICKSON TRANSPORT CORP., P.O. Box 10068 G. S., Springfield, MO 65808. Representative: B. B. Whitehead (same address as applicant). *Chemicals, in bulk*, From Anaheim, CA, To Millsdale, IL. Supporting shipper: Stepan Chemical Company, Edens & Winnetka Roads, Northfield, IL 60093.

MC 124236 (Sub-5-18TA), filed April 22, 1981. Applicant: CHEMICAL EXPRESS CARRIERS, INC., 4645 N. Central Expressway, Dallas, TX 75205. Representative: Lee Carpenter (same as applicant). *Petroleum in bulk*, between TX, NM, OK, KS. Supporting shipper: Taylor Petroleum, Inc., P.O. Box 3430, Amarillo, TX 79106.

MC 124813 (Sub-5-28TA), filed April 22, 1981. Applicant: UMHUN TRUCKING CO., 910 South Jackson Street, Eagle Grove, IA 50533. Representative: William L. Fairbank, 2400 Financial Center, Des Moines, IA 50309. *Fertilizer*, between points in IL, IA, KS, MN, NE, ND, SD and WI. Supporting shipper: Land O' Lakes, Inc., 2827 8th Avenue South, Ft. Dodge, IA 50501.

MC 145997 (Sub-5-9TA), filed April 22, 1981. Applicant: JEM EQUIPMENT, INC., P.O. Box 396, Alma, AR 72921. Representative: Don Garrison, Esq., P.O. Box 1065, Fayetteville, AR 72701. *Packaged Petroleum Products* between points in AR and LA, on the one hand, and, on the other, points in MO. Supporting shipper: Arkla Chemical Corporation, Ft. Smith, AR 72906.

MC 151107 (Sub-5-3TA), filed April 22, 1981. Applicant: MICHAEL ARTON TRANSPORTERS, INC., 2335 Cameron Street, Lafayette, LA 70501. Representative: Robert L. Boese, P.O. Drawer 2879, Lafayette, LA 70502. *Passengers and their baggage* between points in LA, on the one hand, and, on the other, points in MS and TX. Supporting shippers: There are nine supporting shippers.

MC 154952 (Sub-5-1TA), filed April 21, 1981. Applicant: DEAN KLINETOBE, 812 E. Grant, O'Neill, NE. Representative: Dean Klinetobe, 812 E. Grant, O'Neill, NE. Contract: Irregular. *Potash and*

*fertilizer* from Carlsbad, NM, area to Antelope, Brown, Rock and Holt Counties, NE. Supporting shippers.

MC 155207 (Sub-5-1TA), filed April 22, 1981. Applicant: TRANS EAST, INC. R.R. 4, Box 154, Rockport, MO 64482. Representative: Arthur J. Cerra, 2100 CharterBank Center, P.O. Box 19251, Kansas City, MO 64141. Contract, Irregular: *Hides*, from Rockport, MO, to Saco, ME; Chicago, IL; Middlesboro, KY; Westfield, PA; Salem, MA; Grand Haven and Whitehall, MI; and Cincinnati, OH, under continuing contract(s) with Armour Food Company, Greyhound Tower, 111 West Clarendon, Phoenix, AZ 85077.

The following protests were filed in Region 6. Send protests to: Interstate Commerce Commission, Region 6 Motor Carrier Board (RMBC), P.O. Box 7413, San Francisco, CA 94120.

MC 82861 (Sub-6-1TA), filed April 13, 1981. Applicant: BROOKS TRUCK LINE, INC., 609 14th St SE., Puyallup, WA 98371. Representative: Kenneth R. Mitchell, 2205 Pacific Hwy E, Tacoma, WA 98424. *Contract Carrier*, Irregular Routes: (1) *Paint and Related Products*, and, (2) *Materials, Equipment and Supplies used in the manufacture and distribution of commodities named in (1) above*, between points in CA, ID, MT, NV, OR and WA, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Norris Paint & Varnish Co., Inc., 1675 Commercial NE, Salem, OR 97303.

MC 152226 (Sub-6-1TA), filed April 16, 1981. Applicant: C. G. TRUCKING CORP., 4200 N. Oracle Rd., Tucson, AZ 85705. Representative: Albert C. Stamper (same as applicant). *Contract carrier*, irregular routes, *general merchandise, such as department store merchandise, foodstuffs common, frozen, canned, and meat and meat products, alcoholic beverages and non-alcoholic beverages*, from Cook County, IL and Cuyahoga County, OH to Los Angeles, Orange, Riverside, San Bernardino, San Francisco, San Mateo, and Alameda Counties, CA, for 270 days. Supporting shipper: General Merchandising Corp., 6275 Hawarden Dr., Riverside, CA 92506.

MC 152238 (Sub-6-15TA), filed April 20, 1981. Applicant: CALIFORNIA-AMERICAN TRUCKING, INC., P.O. Box 288, Grenada, CA 96038. Representative: John Harleman (same as applicant). *Contract Carrier*, Irregular routes: *Salt, salt products and salt based mineral products*, from Salt Lake City and Lake Point, UT and Newark, CA, to points in OR, WA, ID, MT, AZ, and CO, for the account of Leslie Salt Co., for 270 days. An underlying ETA seeks 120 days

authority. Supporting shipper: Leslie Salt Co., P.O. Box 364, Newark, CA 94560.

MC 152238 (Sub-6-16TA), filed April 20, 1981. Applicant: CALIFORNIA-AMERICAN TRUCKING, INC., P.O. Box 288, Grenada, CA 96038. Representative: John R. Harleman (same as applicant). *Contract Carrier*, Irregular routes: *iron and steel articles*, between Box Elder County, UT, on the one hand, and on the other, points in AZ, CA, ID, MT, NM, NV, OR, WA, CO, and WY, restricted to shipments moving under continuing contract(s) with Nucor Steel, for 270 days. Supporting shipper: Nucor Steel, P.O. Box 488, Plymouth, UT 84330.

MC 152238 (Sub-6-17TA), filed April 20, 1981. Applicant: CALIFORNIA-AMERICAN TRUCKING, INC., P.O. Box 288, Grenada, CA 96038. Representative: John R. Harleman (same as applicant). *Contract Carrier*, Irregular routes: (1) *steel wire and fabricated metal products and, (2) equipment, materials and supplies used in the manufacture of commodities listed in (1) above*, between Aurora, IL, Denver, CO, Mesa, AZ, Mesquite, TX, Birmingham, AL, and Baltimore, MD, on the one hand, and on the other, points in the U.S., restricted to shipments moving under continuing contract(s) with Dur-O-Wall, Inc., for 270 days. Supporting shipper: Dur-O-Wall, Inc., 2215 Sanders Rd., North Brook, IL 60062.

MC 155376 (Sub-6-1TA), filed April 16, 1981. Applicant: HAROLD DAVID SAMSON d.b.a. D.S.T. FREIGHT LINES, 2045 E. Vernon Ave., Vernon, CA 90058. Representative: Harold David Samson (same address as applicant). *Contract Carrier*, Irregular routes: *Such commodities as are dealt in by drug, grocery and department stores*, Between points in CA on the one hand and on the other, points in AZ, for 270 days. Supporting shipper: Smittys Super Value, Inc., 2626 S. 7th St., Phoenix, AZ 85034.

MC 155105 (Sub-6-3TA), filed April 20, 1981. Applicant: DOUBLE EAGLE CARRIERS, INC., P.O. Box 128, Moxee City, WA 98936. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Landmark Beef Processors, Inc. at or near Los Angeles, CA to points in AL, CO, CT, FL, IL, IA, KS, LA, MA, MD, MI, MO, NC, NJ, NY, OH, OR, SC, TX, VA, WA, and WI, for 270 days. Supporting

shipper(s): Landmark Beef Processors, Inc., 3163 E. Vernon Ave., Los Angeles, CA 90058.

MC 150982 (Sub-6-1TA), filed April 20, 1981. Applicant: DURTA TRUCKING CO., INC., P.O. Box 277, Arcata, CA 95521. Representative: Gene Carmody, 15523 Sedgeman St., San Leandro, CA 94579. *Contract Carrier*, Irregular routes: *Petroleum and petroleum products*, in bulk, in tank vehicles, between Eureka, CA and Brookings, OR, for the account of Union Oil Company Of California, 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Union Oil Company Of California, P.O. Box 7600, Los Angeles, CA 90051.

MC 124679 (Sub-6-42TA), filed April 20, 1981. Applicant: C. R. ENGLAND AND SONS, INC., 975 W. 2100 So., Salt Lake City, UT 84119. Representative: Michael L. Bunnell (same as applicant). *Materials, equipment and supplies used in the manufacture of motor vehicles* between Ogden, UT and OH, IN, KY, MI, IL, PA, NJ, IA, TN, NC, WI, CN, CA, & CO for 270 days. Supporting shipper: White Motor Corporation, 34500 Grand River Ave., Farmington, MI.

Note.—Applicant holds motor contract carrier authority in number MC-128613 and sub numbers thereunder, therefore dual operations may be involved.

MC 125996 (Sub-6-7TA), filed April 16, 1981. Applicant: GOLDEN TRANSPORTATION, INC., P.O. Box 26908, Salt Lake City, UT 84125. Representative: Stanley C. Olsen, Jr., 5200 Willson Road, Suite 307 Minneapolis, MN 55424. (1) *Pulp, paper and related products*; and (2) *Rubber and plastic products* between points in WI on the one hand, and on the other, points in WA, OR, CA, AZ, NV, UT, ID, MT, WY, CO, NM and TX, for 270 days. Supporting shippers: Presto Products, Inc., P.O. Box 2399, Appleton, WI 54911. American Convenience Products, Inc., 4425 N. Port Washington Rd., Milwaukee, WI 53212.

MC 1515 (Sub-6-14TA), filed April 16, 1981. Applicant: GREYHOUND LINES, INC., Greyhound Tower, Phoenix, AZ 85077. Representative: R. L. Wilson (Same as Applicant). *Common carrier*, regular routes: *passengers and their baggage and express and newspapers, in the same vehicle with passengers*, (1) between Camarillo, CA and junction of CA Hwy 118 and I. Hwy 5; from Camarillo over CA Hwy 34 to junction CA Hwy 118, thence over CA Hwy 118 to junction I. Hwy 5 and return over the same route, serving all intermediate points; (2) between Thousand Oaks, CA and Simi Valley, CA: from Thousand Oaks over CA Hwy 23 to junction Tierra Rejada Rd, thence over Tierra Rejada

Rd to Simi Valley and return over the same route, serving all intermediate points for 180 days. An underlying ETA seeks 90 days authority. Applicant intends to tack this authority with authority it presently holds in MC-1515. Supporting shippers: There are 9 shippers. Their statements may be examined at the Regional Office listed.

MC 153134 (Sub-6-5TA), filed April 20, 1981. Applicant: HI COUNTRY CARRIERS, INC., P.O. Box 1354, Englewood, CO 80110. Representative: Charles J. Kimball, 1600 Sherman St. Suite 665, Denver, CO 80203. *Heavy machinery and equipment, and related parts and materials, equipment and supplies* between points in the U.S. except AK and HI, under contract with Seward Construction Co., Inc. for 270 days. An underlying ETA seeks 120 days of authority. Supporting shipper: Seward Construction, P.O. B. 1011, Portsmouth, NH 03801.

MC 155374 (Sub-6-1TA), filed April 15, 1981. Applicant: NORTH-SOUTH TRANSPORT LTD., #201-7151 Edmonds St., Burnaby, B.C. V3N 4N5 (CANADA). Representative: Julie G. Upton, #201-7151 Edmonds St., Burnaby, B.C. V3N 4N5 (CANADA). *Building Materials, Lumber, Plywood, Construction Materials & Equipment, Particle Board, K3 Board, between the U.S.-Canada border at WA, and points in WA, OR and CA, for 270 days. Supporting shipper: There are 5 shippers. Their statements may be examined at the Regional Office listed.*

MC 133270 (Sub-6-2TA), filed April 20, 1981. Applicant: OREGON FOOD EXPRESS, INC., P.O. Box 17402, Portland, OR 97217. Representative: David C. White, 2400 SW Fourth Ave., Portland, OR 97201. *Food and related products*, in mechanically refrigerated equipment, from points in San Mateo County, CA to points in OR and Clark County, WA, for 270 days. Supporting shipper: Landstrom Distributors, Inc., 336 Oyster Point Blvd., South San Francisco, CA 94080.

MC 142407 (Sub-6-1TA), filed April 17, 1981. Applicant: ROLL-ON, INC., P.O. Box 1962, Clovis, NM 88101. Representative: Richard Hubbert P.O. Box 10236, Lubbock, TX 79408. *Food and related products*, between Finney County, KS on the one hand and on the other, points in the U.S., for 270 days. Supporting shipper: Iowa Beef Processors, Inc., Dakota City, NE 68731.

MC 151471 (Sub-6-9TA), filed April 17, 1981. Applicant: STEINBECKER BROS., INC., P.O.B. 852 Greeley, CO 80632. Representative: John T. Wirth, 717-17th St., Ste. 2600, Denver, CO 80202. *Contract carrier*, irregular routes: *Meats,*

*meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 611 M.C.C. 209 and 766 (except hides and commodities in bulk), from Denver, CO to AZ, CA, WA, OR, UT, NY and NJ under continuing contract(s) with Pepper Packing Company of Denver, CO and Peppertree Beef Company of Denver, CO, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Pepper Packing Co., P.O.B. 16403 Stockyards Station, Denver, CO 80216; Peppertree Beef Company, P.O.B. 16331 Stockyards Station, Denver, CO 80216.

MC 149121 (Sub-6-1TA), filed April 20, 1981. Applicant: GROAT BROS., d.b.a. WOODWASTE CO & COLUMBIA WOODWASTE CO., Box 111, Ridgefield, WA 98642. Representative: Lloyd L. Groat (same as applicant). *Lumber and Wood Products*, from points in Clark and Cowlitz Counties, WA, to point in Clackamas, Columbia, and Multnomah Counties, OR, for 270 days. Supporting shipper: Technical Products Inc., Box 577, Ridgefield, WA 98642. Beaver Lumber Inc., Gram Lumber Inc., and R. S. G. Forest Products Inc., all of Kalama, WA 98625.

MC 153578 (Sub-6-3TA), filed April 20, 1981. Applicant: ALPINE TRANSPORT, INC., 225 Commerce St., Missoula, MT 59801. Representative: William E. Seliski, P.O.B. 8255, Missoula, MT 59807. (1) *Hides and Pelts*; (2) *scrap metals*; (3) *such commodities as are used or dealt in by retail or wholesale hardware stores*; and (4) *such commodities as are manufactured or distributed by steel mills or metal fabricators (A)* between the facilities of Pacific Hide and Fur Depot at or near (I) Billings, Bozeman, Butte, Glasgow, Great Falls, Havre, Helena, Kalispell, Miles City, Missoula, Lewistown and Sidney, MT; (II) Seattle, Kennewick, Spokane and Tacoma, WA; (III) Mills, Riverton, Worland, Gillette and Rock Springs, WY; (IV) Salmon, Nampa, Sandpoint, Lewiston, Twin Falls, Boise, Burley and Pocatello, ID; and (V) Portland, OR; and (B) between the facilities of Pacific Hide & Fur Depot in (A) above, on the one hand, and, on the other points in CA, CO, ID, MT, OR, UT, WA, WY, ND, SD and NV, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Pacific Hide & Fur Depot, 1401 3rd St. N.W., Great Falls, MT 59403.

MC 155415 (Sub-6-1TA), filed April 20, 1981. Applicant: LEO BECKER & LEE LEROY MOORE, d.b.a. BAKER HIDE AND FUR, P.O.B. 542, Baker, MT 59313.

Representative: Charles A. Murray, Jr., 2822 Third Ave. N. Billings, MT 59101. *Drilling muds and chemicals, used in oil field exploration and production*, between points in Fallon County, MT on the one hand, and point in the counties of Slope, Bowman, Golden Valley, Adams, Hettinger, Billings, Stark and Williams, ND; the counties of Harding, Perkins, Butte and Meade, SD; and the counties of Natrona and Campbell, WY on the other, for 270 days. Supporting shipper: Magcobar Products, P.O. Box 2916, Casper, WY, 82601.

MC 148857 (Sub-6-7TA), filed April 21, 1981. Applicant: CHILD TRUCK LINE, INC., 711 So. Third St., Chowchilla, CA 93610. Representative: Robert Fuller, 13215 E. Penn St., Ste. 310, Whittier, CA 90602. *Plastic articles, and materials, equipment and supplies used in the manufacture and distribution of plastic articles*, between the facilities of Mobil Chemical Co. Western Region Distribution Center, Bakersfield, CA, on the one hand, and, on the other points in U.S. (except AK and HI), for 270 days. Supporting shipper: Mobil Chemical Co., Macedon, WY 14502.

MC 155479 (Sub-6-1TA), filed April 22, 1981. Applicant: GARY WITZEL, JERRY WITZEL, JOSEPH SPRENGER d.b.a., CLASSIC CARRIERS, 4811 E. Swallow Ave., Orange, CA 92669. Representative: Joseph Sprenger (same as applicant). *Contract carrier: Irregular routes: Sheet iron or steel containers set-up liquid capacity 1 gill to 15 gallons nested, not nested with or without tin can covers, tops or bottoms not nested, nested, flat* from CA to points in AZ, for the account of General Can Co., for 270 days. Supporting shipper: General Can Corp., 1055 S. Vail Ave., Montebello, CA 90640.

MC 153714 (Sub-6-2TA), filed April 20, 1981. Applicant: FREDDY'S TRUCKING, 2200 S.E. 45th. No. 49, Hillsboro, OR 97123. Representative: William A. Murray (same as applicant). (1) *Malt beverages* from Los Angeles, Kern, Santa Clara, Sonoma, Solano and Stanislaus Counties, CA to Marion, Tillamook, Clatsop, Yamhill and Multnomah Counties, OR. (2) *Wine* from Kern, Santa Clara, Sonoma, Solano, and Stanislaus Counties, CA. to Marion, Tillamook, Clatsop, Yamhill and Multnomah Counties, OR. (3) *Aluminum siding and roofing materials* from Los Angeles County, CA to Multnomah County, OR and to Skagit County, WA for 270 days. Supporting shippers: There are 6 shippers. Their statements may be examined at the Regional office listed.

MC 143580 (Sub-6-1TA), filed April 22, 1981. Applicant: FREIGHT SYSTEMS, INC., 6303 Corsair St., Commerce, CA 90040. Representative: Savery L. Nash,

3838 Carson St., Third Fl., Torrance, CA 90503. *Contract Carrier, Irregular Routes: Printed Materials*; between points in Los Angeles County, CA and points in CA; for the account of southern California Magazine Distributors, for 270 days. Supporting shipper: Southern California Magazine Distributors, 6303 Corsair St., Commerce, CA 90040.

MC 124472 (Sub-6-2TA), filed: April 22, 1981. Applicant: HARDING TRANSPORTATION, INC., 6875 E. Evans Ave., Denver, CO 80222. Representative: Jack B. Wolfe, 665 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. *Contract carrier, irregular routes, glass and glass products and materials and supplies used in the manufacture and installation of glass and glass products*, between points in the U.S. under continuing contract(s) with Libbey-Owens-Ford Company for 270 days. Supporting shipper: Libbey-Owens-Ford Company, 811 Madison Avenue, Toledo, OH 43695.

MC 48958, filed April 22, 1981. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., P.O.B. 16404, Denver, CO 80216. Representative: Robert A. Haddock (same as applicant). *Contract Carrier, Irregular route: Fiberglass Reinforcements (Rovings, Chopped Strands, Woven Rovings and Mats)*, between Wichita Falls, TX on the one hand, and on the other, points in IL (Barrington, Chicago, Cicero, Frankfort, Joliet, Romeoville, St. Charles, Skokie, Waukegan and Woodstock) and points in CA (Anaheim, Brea, Compton, Costa Mesa, Duarte, Gardena, Glendale, Hawthorne, Irvine, Los Angeles, Riverside, Sacramento, San Diego, Santa Ana, Santa Monica, Stockton, Torrance, Corona, Huntington Beach, Woodland Hills, and North Highlands), for the account of Certaineed Corporation for 270 days. Supporting shipper: Certaineed Corporation, 4515 Allendale Rd., Wichita Falls, TX.

MC 107227 (Sub-2TA), filed April 20, 1981. Applicant: INSURED TRANSPORTERS, INC., 100 Industrial Way, Benicia, CA 94510. Representative: John G. Lyons, 220 Bush St., Suite 1418, San Francisco, CA 94104. *Automobiles*, in secondary movements, in truckaway service, from Benicia, CA to points in AZ, ID, NM, OR and WA for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: American Isuzu Motors, Inc., P.O. Box 2280, City of Industry, CA 91746.

MC 155428 (Sub-6-1TA), filed April 20, 1981. Applicant: K-C & COMPANY TRUCKING, P.O.B. 141, Lima, MT 59739. Representative: David E. Wishney, P.O.B. 837, Boise, ID 83701. *Oil drilling mud compounds*, between points in

Uinta County, WY on the one hand, and on the other, points in ID, NV, WA, UT, MT and OR; (2) from points in Eureka County, NV and Salt Lake County, UT to points in Bear Lake County, ID and Uintah, Summit and Salt Lake Counties, UT, for 270 days. Supporting shippers: Petro-Chem, Inc., P.O. Box 980, Evanston, WY 82930 and N. L. Baroid, P.O. Box 552, Evanston, WY 82930.

MC 141668 (Sub-6-2TA), filed April 20, 1981. Applicant: LONGMONT TRANSPORTATION COMPANY, INC., 149 Kimbark St., Longmont, CO 80501. Representative: Charles J. Kimball, 1600 Sherman #665, Denver, CO 80203. *Contract carrier*, over irregular routes, *Alcoholic beverages and related materials and supplies* from points in CA, IN, PA, IL, NJ, NY, KY and TX to the facilities of Best Brands, Inc. at Denver, CO, under a continuing contract(s) with Best Brands, Inc. for 270 days. An underlying ETA seeks 120 days of authority. Supporting shipper: Best Brands, Inc., 10700 East 40th Ave, Denver, CO 80239.

MC 155478 (Sub-6-1TA), filed April 23, 1981. Applicant: R.A. MONCADA d.b.a. LOS ANGELES TIJUANA EXPRESS 421 So. Mesita Ave, West Covina, CA 91791. Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609. *Common carrier, Regular route. Passengers and their baggage* in twelve-passenger vans, in terminal and door-to-door service, between Los Angeles, CA, and the port of entry between the U.S. and the Republic of MX at or near San Ysidro, CA. From Los Angeles over Interstate Hwy. 5 to junction Interstate Hwy. 805 north of San Diego, then over Interstate Hwy. 805 to junction Interstate Hwy. 5 near San Ysidro, then over Interstate Hwy. 5 to the port of entry between the U.S. and the Republic of MX at or near San Ysidro, CA, and return over the same route, serving intermediate and off route points embraced within an area starting at the intersection of the Los Angeles-Alhambra city limits at or near Interstate Hwy. 10 and extending north along the Los Angeles-Alhambra city limits to Main Street, then easterly on Main Street to junction CA Hwy. 19, then southerly on CA Hwy. 19 to junction Florence Avenue, then westerly on Florence Avenue to the Los Angeles city limits, then northerly and easterly along the Los Angeles city limits to the point of beginning, for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: There are 10 shippers. Their statements may be examined at the Regional office listed.

MC 43685 (Sub-6-5TA), filed April 23, 1981. Applicant: MERCER TRUCKING COMPANY, INC., P.O.B. 11585, Spokane, WA 99211. Representative: Dwight Dively (same as applicant). *Metal and metal products*, between points in UT on the one hand and points in MT, OR, WA, and Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone counties, ID, on the other hand, for 270 days. Supporting shippers: There are 6 shippers. Their statements may be examined at the Regional Office listed.

MC 144953 (Sub-6-4TA), filed April 22, 1981. Applicant: MULLEN TRUCKING LTD, POB 8009, Station F, Calgary, Alberta, CD T2J 4B4. Representative: John T. Wirth, 717-17th St., Ste. 2600, Denver, CO 80202. *Mercer commodities*, between ports of entry on the International Boundary line between the U.S. and Canada located in ID and MT on the one hand, and, on the other, points in CA, TX, OK, UT and ND, for 270 days. An underlying ETA seeks 120 days authority. Supporting shippers: Cactus Drilling, POB 90, Nisku, Alberta, CD; Coho Resources, Inc., #1650-300-5th Ave. S.W., Calgary, Alberta, CD; Toma Steel Supply, Inc., POB 27207, Denver, CO 80227.

MC 141532 (Sub-6-12TA), filed March 23, 1981. Applicant: PACIFIC STATES TRANSPORT, INC., 10244 Arrow Hwy., Rancho Cucamonga, CA 91730. Representative: Michael J. Norton, 1905 So. Redwood Rd., Salt Lake City, UT 84104. *Cast stone veneer* from Napa, CA to points in and west of ND, SD, KS, OK, NE, and TX, for 270 days. Supporting shipper: Stucco Stone Products, P.O. Box 237, Napa, CA 94558.

MC 152169 (Sub-6-3TA), filed April 21, 1981. Applicant: PACIFIC BASIN INDUSTRIES, INC., 15215 N.E. 95th, Redmond, WA 98052. Representative: William D. Redhead (same as applicant). *Contract Carrier*, irregular route: *Lumber and Wood Products; Pulp, Paper, and Related Products; Metal Products, Building Materials, and Commodities used in the manufacture of the above*, between the facilities of Louisiana-Pacific Corporation in AZ, CA, CO, ID, MT, NM, NV, OR, UT, WA, and WY, on the one hand, and on the other, points in AZ, CA, CO, ID, MT, NM, NV, OR, UT, WA, and WY, for 270 days. Restricted to the shipments moving for the account of Louisiana-Pacific Corporation. An underlying ETA seeks 120 days authority. Supporting shipper: James A. MacArthur, Division TM, Louisiana-Pacific Corporation, P.O. Box 158, Samoa, CA 95564.

MC 148676 (Sub-6-2TA), filed April 20,

1981. Applicant: R. F. PETERSON, INC., 3525 Walnut, Denver, CO 80205. Representative: John T. Wirth, 717 17th St., Ste. 2600, Denver, CO 80202. *Food and related products*, from points in WI and MN to points in CO, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Associated Grocers of Colorado, Inc., 5151 Bannock St., Denver, CO 80217.

MC 140163 (Sub-6-3TA), filed April 23, 1981. Applicant: POST & SONS TRANSFER, INC., 2326 Milwaukee Rd., Tacoma, WA 98421. Representative: George R. LaBissoniere, 15 S. Grady Way, Suite 233, Renton, WA 98055. *Such commodities as are dealt in or used by wholesale and retail grocery and food establishments*, (1) between the facilities of Sexton Co., Tacoma, WA, on the one hand, and points in OR and CA, on the other hand; (2) between the facilities of Sexton Co., San Francisco, CA, on the one hand, and points in OR and WA, on the other hand, for 270 days. Supporting shipper: John Sexton Corp., 2320 Milwaukee Way E., Tacoma, WA 98421.

MC 155078 (Sub-6-1TA), filed April 20, 1981. Applicant: WILLIAM E. JONES, d.b.a. RAWHIDE EXPRESS, INC., 2015 5th, N.W., Albuquerque, NM 87102. Representative: Joseph Rocca, 3110 Monte Vista Blvd., N.E., Albuquerque, NM 87106. *General commodities* (except used household goods and petroleum and petroleum by-products. Nuclear waste materials are not going to be transported), between all points and North of I-40 within the State of NM for 270 days. An underlying ETA seeks authority for 120 days. Supporting shipper(s): there are (5) five supporting shippers. Their statements may be examined at Region 6 office.

MC 150502 (Sub-6-6TA), filed April 22, 1981. Applicant: REBANDA TRANSPORTATION, INC., P.O. Box 1003, Healdsburg, CA 95448. Representative: William D. Taylor, 100 Pine St., #2550, San Francisco, CA 94111. *Such commodities as are dealt in or used by (a) theatrical (b) stage trade and (c) industrial shows and productions*, between points in the U.S. for 270 days. Supporting shippers: Nightmare, Inc., 2728 Union St., San Francisco, CA 94123; Sundance Lighting Corp., 19801 Variel Ave., Chadsworth, CA 91311.

MC 143762 (Sub-6-1TA), filed April 21, 1981. Applicant: RIGGS & ALLEN TRANSPORTATION, INC., P.O. Box 182, Sacramento, CA 95691. Representative: Steve Allen (same as applicant). *Contract Carrier*, irregular route: *Lumber and Wood Products; Pulp,*

*Paper and Related Products; Metal Products Building Materials, and Commodities used in the manufacture of the above*, between the facilities of Louisiana-Pacific Corporation at Central Point, Brookings, Lakeview, and Pilot Rock, OR, and points in CA, on the one hand, and, on the other, points in the U.S., except AK and HI, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Louisiana-Pacific Corporation, P.O. Box 158, Samoa, CA 95564.

MC 151159 (Sub-6-3TA), filed April 23, 1981. Applicant: EDWARD HAROLD RYAN, d.b.a. ED RYAN ENTERPRISES, 6431 Hummingbird Ln., Las Vegas, NV 89103. Representative: Mike Pavlakis, 402 N. Division St., Carson City, NV 89701. *General building materials* between points and places in the US, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Peter Bratti & Associates, 4127 W. Desert Inn Rd., Las Vegas, NV.

MC 138875 (Sub-6-52TA), filed April 20, 1981. Applicant: SHOEMAKER TRUCKING COMPANY, 11900 Franklin Rd., Boise, ID 83709. Representative: Patricia A. Russell, (same as applicant). *Plumbing supplies* from Ford City, PA to Woodland, CA and Aurora, OR, for 270 days. An underlying ETA seeks 120 day authority. Supporting shipper: Familian Sierra Craft, 710 North 11th St., Caldwell, ID 83605.

MC 147012 (Sub-6-5TA), filed April 22, 1981. Applicant: T.B.T., INC., P.O. Box 8472, Stockton, CA 95208. Representative: Mark J. Hannon, 1884 West Willow St., Stockton, CA 95203. *Contract Carrier*: Irregular routes: (1) *Waste paper, in bundles, for recycling purposes*, from points in OR and WA, to the facility of Pacific Paperboard Products, Inc., Stockton, CA; for the account of Independent Paper Stock Company, for 270 days. Supporting shipper: Independent Paper Stock Company, a division of Pacific Paperboard Products, Inc., 66 So. Hanford St., Seattle, WA 98134.

MC 145992 (Sub-6-2TA), filed April 23, 1981. Applicant: THE TOWN TOUR FUN BUS COMPANY, INC., d.b.a. FUN BUS SYSTEMS, 304 Katella Way, Anaheim, CA 92802. Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609. *Common carrier*: regular routes: *Passengers and their baggage*, between Anaheim, CA, and Las Vegas, NV; from Anaheim over CA Hwy. 91 to jct. CA Hwy. 57, then over CA Hwy. 57 to jct. CA Hwy. 60, or over CA Hwy. 57 to jct. CA Hwy. 60, then over CA Hwy. 60 to jct. Interstate Hwy.



15, then over Interstate Hwy. 15 to Las Vegas, and return over the same route, serving Buena Park and Fullerton, CA, as intermediate or off route points, for 180 days. Supporting shippers: There are 5 shippers. Their statements may be examined at the Regional office listed.

MC 144765 (Sub-6-6TA), filed April 23, 1981. Applicant: WATERVILLE-CASCADE TRUCKING, INC., P.O. Box 1686, Wenatchee, WA 98801. Representative: Robert G. Gleason, 1127 10th East, Seattle, WA 98102. *Alcoholic liquors, malt beverages and wine*, between points in CA, FL, MI, NY, PA, MD, IN, WA and MT, for 270 days. Supporting shippers: K & L Distributors, Inc., 300 120th Ave. N.E., Bellevue, WA 98005; Odom Corporation, 26 So. Hanford, Seattle, WA 98134.

MC 146323 (Sub-6-1TA), filed April 23, 1981. Applicant: WILLIAM J. WIMETT AND LUCILLE WIMETT, d.b.a. WIMETT TRUCKING, 3225 Ravenwood Lane, Missoula, MT 59801. Representative: Ross W. Cannon, 2031 Eleventh Ave., Helena, MT 59601. *Contract Carrier*, Irregular routes: (1) *copper ore*, from points in Missoula and Sanders Counties, MT, to the facilities of Intermountain Mining Engineers, Inc. at or near Pinehurst, ID; (2) *copper in concentrate form*, from the facilities of Intermountain Mining Engineers, Inc., at or near Pinehurst, ID, to the facilities of American Smelting and Refining Co. at or near Tacoma, WA; for the account of Siegel Mining, Inc., for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Siegel Mining, Inc., 2324 Spring Dr., Missoula, MT.

MC 146323 (Sub-6-2TA), filed April 23, 1981. Applicant: WILLIAM J. WIMETT AND LUCILLE WIMETT, d.b.a. WIMETT TRUCKING, 3325 Ravenwood Lane, Missoula, MT 59801. Representative: Ross W. Cannon, 2031 Eleventh Ave., Helena, MT 59601. *Contract Carrier*, Irregular routes: *Barite in all forms*, between the facilities of Montana Barite Company, Inc., at or near Missoula, MT, on the one hand, and points in WA, ID and ND, on the other, for the account of Montana Barite Company, Inc., for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Montana Barite Company, Inc., Hwy 10 West, Missoula, MT 59801. Agatha, L. Mergenovich, *Secretary*.

[FR Doc. 81-13326 Filed 5-1-81; 8:45 am]

BILLING CODE 7035-01-M

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### Kenneth E. Wilson, D.D.S., Revocation of Registrations

On March 13, 1981, the Administrator of the Drug Enforcement Administration (DEA) directed two Orders to Show Cause to Kenneth E. Wilson D.D.S., at his registered locations in Cortez and Durango, Colorado. The Orders to Show Cause sought to revoke Dr. Wilson's DEA Certificates of Registration AW3618367 and AW9214305. The predicate for issuing the Orders under 21 U.S.C. 824(a)(3) is the order entered by the State Board of Dental Examiners of the State of Colorado on September 22, 1980, suspending Dr. Wilson's license to practice dentistry in the State of Colorado. Thirty days have elapsed since the issuance of the Orders to Show Cause and Dr. Wilson has failed to respond. Pursuant to 21 CFR 1031.54(d) and 1301.54(e), the Administrator finds that Dr. Wilson has waived his right to a hearing, and enters this Final Order on the record as it appears.

Having examined the record, the Administrator finds that the Colorado Board of Dental Examiners suspended Dr. Wilson's license to practice dentistry in Colorado. This action terminates Dr. Wilson's authority to prescribe, dispense, administer or otherwise handle controlled substances in the State of Colorado. This Administration has consistently held that termination of a registrant's State authority to handle controlled substances requires DEA to revoke his DEA Certificate of Registration. See Jack A. Braley, D.O., Docket No. 80-14, 45 FR 74596 (1980); James Waymon Mitchell, M.D., Docket No. 79-16, 44 FR 71466 (1979); David Sachs, M.D., Docket No. 77-22, 42 FR 29112.

It is the decision of the Administrator to revoke Dr. Wilson's DEA registrations. Accordingly, pursuant to the authority vested in the Attorney General by Section 824 of Title 21, United States Code, and redelegated to the Administrator of the Drug Enforcement Administration, the Administrator revoke DEA Certificates of Registration AW3618367 and AW9214305 issued to Kenneth E. Wilson, D.D.S. for the reason that on September 22, 1980, the State Board of Dental Examiners of the State of Colorado suspended Dr. Wilson's license to practice dentistry in Colorado, thus terminating his authority to prescribe, dispense, administer, or otherwise handle controlled substances

in Colorado. This revocation is effective June 3, 1981.

Dated: April 27, 1981.

Peter B. Bensinger,  
Administrator.

[FR Doc. 81-13391 Filed 5-1-81; 8:45 am]

BILLING CODE 4410-09-M

## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### Humanities Panel: Meeting

**AGENCY:** National Endowment for the Humanities.

**ACTION:** Notice of Meeting.

**SUMMARY:** Pursuant to the provision of the Federal Advisory Committee Act (Pub. L. 92-463, as amended), notice is hereby given that the following meeting of the Humanities Panel will be held at 806 15th Street, N.W., Washington, DC 20506:

Date: May 21-22, 1981.

Time: 9:00 a.m. to 5:30 p.m.

Room: 1134.

Program: This meeting will review applications submitted for General Research Program: State, Local, and Regional Studies Panel B projects, Division of Research Programs, for projects beginning August 1, 1981.

The proposed meeting is for the purpose of Panel review, discussion, evaluation and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. Because the proposed meeting will consider information that is likely to disclose,

(1) Trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(2) Information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; and

(3) Information the disclosure of which would significantly frustrate implementation of proposed agency action; pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated January 15, 1978, I have determined that this meeting will be closed to the public pursuant to subsections (c)(4), (6) and (9)(B) of section 552b of Title 5, United States Code.

Further information about this meeting can be obtained from Mr. Stephen J. McCleary, Advisory Committee Management Officer,



National Endowment for the Humanities, Washington, DC 20506, or call (202) 724-0367.

Stephen J. McCleary,  
Advisory Committee Management Officer.

[FR Doc. 81-13362 Filed 5-1-81; 8:45 am]

BILLING CODE 7536-01-M

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards, Subcommittee on Class-9 Accidents; Meeting

The ACRS Subcommittee on Class-9 Accidents will hold a meeting at 8:45 a.m. on May 21 and 22, 1981 in Room 1046, 1717 H Street, N.W., Washington, DC to discuss the use of the MARCH computer code to follow the core melt accident. The Subcommittee will also discuss some other miscellaneous items with regard to Class-9 Accidents. Notice of this meeting was published April 21.

In accordance with the procedures outlined in the Federal Register on October 7, 1980, (45 FR 66535), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The entire meeting will be open to public attendance.

The agenda for subject meeting shall be as follows: *Thursday and Friday, May 21 and 22, 1981, 8:45 a.m. until the conclusion of business each day.*

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, will exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC Staff, their consultants, and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant Designated Federal Employee, Mr. Gary Quittschreiber

(telephone 202/634-3267) between 8:15 a.m. and 5:00 p.m., EDT.

Dated: April 29, 1981.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 81-13369 Filed 5-1-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 40-8745]

### Ogle Petroleum, Inc.; Availability of Final Environmental Statement for Bison Basin Project in Fremont County, Wyo.

Pursuant to the National Environment Policy Act of 1969 and the United States Nuclear Regulatory Commission's regulations in 10 CFR Part 51, notice is hereby given that a Final Environmental Statement (NUREG-0687) prepared by the Commission's Office of Nuclear Material Safety and Safeguards related to the Bison Basin Project in Fremont County, Wyoming, is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C. The Final Environmental Statement (NUREG-0687) is also being made available at the Office of the State Planning Coordinator, Office of the Governor, 2320 Capitol Avenue, Cheyenne, Wyoming, and at the Fremont County Public Library, 451 North Second Street, Lander, Wyoming 82520.

The notice of availability of the Draft Environmental Statement for the Bison Basin Project and request for comments from interested persons was published in the Federal Register on June 17, 1980 (45 FR 41097). The comments received from Federal agencies, State and local officials, and interested members of the public have been included in Appendix A to the Final Environmental Statement.

Copies of the Final Environmental Statement (NUREG-0687) may be purchased at current rates, from the National Technical Information Service, Springfield, Virginia 22161, (703) 557-4650 on or about May 15, 1981.

Final unclassified NUREG-series documents are also available directly from NRC to those with deposit accounts with the Superintendent of Documents, U.S. Government Printing Office (see 44 FR 46005, August 6, 1979). To place orders call (301) 492-7333 or write: ATTN: Division of Technical Information and Document Control, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Dated at Silver Spring, Maryland this 16th day of April.

For the U.S. Nuclear Regulatory Commission.

Ross A. Scarano,

Chief, Uranium Recovery Licensing Branch,  
Division of Waste Management.

[FR Doc. 81-13371 Filed 5-1-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-327]

### Tennessee Valley Authority; Issuance of Amendment; Facility Operating License No. DPR-77

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 6 to Facility Operating License No. DPR-77, issued to Tennessee Valley Authority (licensee) for the Sequoyah Nuclear Plant, Unit 1 (the facility) located in Hamilton County, Tennessee. This amendment changes the completion date for the installation and operation of Radiation Monitors from May 1981 to prior to operation following the first refueling.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations. The Commission has made appropriate findings as required by the Act and the Commission's regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) Tennessee Valley Authority letters dated December 30, 1980 and April 2, 1981 (2) Amendment No. 6 to Facility Operating License No. DPR-77 and (3) the Commission's related Safety Evaluation.

All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and the Chattanooga Hamilton County Bicentennial Library, 1001 Broad Street, Chattanooga, Tennessee 37402. A copy of Amendment No. 6 may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland this 27th day of April, 1981.

For the Nuclear Regulatory Commission.  
Elinor Adensam,  
Acting Chief, Licensing Branch No. 4, Division of Licensing.

[FR Doc. 81-13366 Filed 5-1-81; 8:45 am]  
BILLING CODE 7590-01-M

[Docket 40-8781]

**Teton Exploration Drilling Co., Inc.; Availability of Environmental Report and Intent To Prepare Draft Environmental Impact Statement Concerning Issuance of Source Material License for Leuenberger Project To Be Located in Converse County, Wyoming**

Pursuant to the National Environmental Policy Act of 1969 and the United States Nuclear Regulatory Commission's regulation 10 CFR Part 51, the Division of Waste Management staff intends to prepare a draft environmental impact statement for the proposed Teton Exploration Drilling Co., Inc. uranium recovery facility in Converse County, Wyoming. An application for a source material license to construct and operate a commercial-scale uranium solution mining facility located on seven hundred sixty acres has been submitted by Teton Exploration Drilling Co., Inc. The principal alternatives to be considered include mining methods, luvivants, locations for surface structures, energy resources, and the alternative of no licensing action.

Written comments from the public and all interested government agencies concerning the scope of the proposed statement are invited. Copies of the environmental report and this notice will be mailed to all affected federal, state and local agencies. Written comments on scoping will be accepted until May 14, 1981.

The applicant's application and environmental report are available for public inspection and copying at the Public Document Room (PDR), 1717 H Street, N.W., Washington, D.C. 20555. Copies of the environmental report are also being provided to the State Planning Coordinator, Office of the Governor, 2320 Capitol Avenue, Cheyenne, Wyoming 82002 and the Converse County Library, 300 Walnut Street, Douglas, Wyoming 82633.

The draft environmental impact statement is expected to be available to the public for review and comment in October 1981.

Questions and any written comments should be addressed to F. Ross, U.S. Nuclear Regulatory Commission, Division of Waste Management, 461-SS,

Washington, D.C. 20555, Phone (301) 427-4544.

Dated at Silver Spring, Maryland, this 23rd day of April 1981.

For the Nuclear Regulatory Commission.  
Ross A. Scarano,  
Chief, Uranium Recovery Licensing Branch,  
Division of Waste Management.

[FR Doc. 81-13370 Filed 5-1-81; 8:45 am]  
BILLING CODE 7590-01-M

[Docket No. 50-206]

**Southern California Edison Co. and San Diego Gas & Electric Co.; Issuance of Amendment to Provisional Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 53 to Provisional Operating License No. DPR-13, issued to Southern California Edison Company and San Diego Gas and Electric Company (the licensees), which revised the Appendix B Technical Specifications for operation of the San Onofre Nuclear Generating Station Unit No. 1 (the facility) located in San Diego County, California. The amendment is effective as of its date of issuance.

The amendment deletes the monitoring programs specified in Sections 3.1, 4.1, 4.2 and 4.3 of the Appendix B (Environmental) Technical Specifications.

The application for amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that since the monitoring programs are covered by the NPDES Permit, issued by the State of California, the issuance of this amendment will not result in any environmental impact and that pursuant to 10 CFR 51.5(d)(4), an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated October 15, 1980, and (2) Amendment No. 53 to License No. DPR-13, including the Commission's transmittal letter. All of these items are available for public inspection at the

Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Mission Viejo Branch Library, 24851 Chrisanta Drive, Mission Viejo, California. A single copy of item (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Md., this 26th day of March, 1981.

For the Nuclear Regulatory Commission.  
Dennis M. Crutchfield,  
Chief, Operating Reactors Branch No. 5,  
Division of Licensing.

[FR Doc. 81-11048 Filed 5-1-81; 8:45 am]  
BILLING CODE 7590-01-M

**OFFICE OF MANAGEMENT AND BUDGET**

**Agency Forms Under Review**

April 29, 1981.

**Background**

When executive departments and agencies propose public use forms, reporting, or recordkeeping requirements, the Office of Management and Budget (OMB) reviews and acts on those requirements under the Paperwork Reduction Act (44 USC, Chapter 35). Departments and agencies use a number of techniques including public hearings to consult with the public on significant reporting requirements before seeking OMB approval. OMB is carrying out its responsibility under the Act also considers comments on the forms and recordkeeping requirements that will also affect the public.

**List of Forms Under Review**

Every Monday and Thursday OMB publishes a list of the agency forms received for review since the last list was published. The list has all the entries for one agency together and grouped into new forms, revisions, extensions (burden change), extensions (no change), or reinstatements. The agency clearance officer can tell you the nature of any particular revisions you are interested in. Each entry contains the following information:

- The name and telephone number of the agency clearance officer (from whom a copy of the form and supporting documents is available);
- The office of the agency issuing this form;
- The title of the form;
- The agency form number, if applicable;
- How often the form must be filled out;
- Who will be required or asked to report;

The Standard Industrial Classification (SIC) codes, referring to specific respondent groups that are affected; Whether small businesses or organizations are affected; A description of the Federal budget functional category that covers the information collection; An estimate of the number of responses; An estimate of the total number of hours needed to fill out the form; An estimate of the cost of the Federal Government; An estimate of the cost to the public; The number of forms in the request for approval; An indication of whether Section 3504 (h) of P.L. 96-511 applies; The name and telephone number of the person or office responsible for OMB review; and An abstract describing the need for and uses of the information collection. Reporting or recordkeeping requirements that appear to raise no significant issues are approved promptly. Our usual practice is not to take any action on proposed reporting requirements until at least ten working days after notice in the Federal Register, but occasionally the public interest requires more rapid action.

#### Comments and Questions

Copies of the proposed form and supporting documents may be obtained from the agency clearance officer whose name and telephone number appear under the agency name. The agency clearance officer will send you a copy of the proposed form, the request for clearance (SF83), supporting statement, instructions, transmittal letters, and other documents that are submitted to OMB for review. If you experience difficulty in obtaining the information you need in reasonable time, please advise the OMB reviewer to whom the report is assigned. Comments and questions about the items on this list should be directed to the OMB reviewer or office listed at the end of each entry.

If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the reviewer of your intent as early as possible.

The timing and format of this notice have been changed to make the publication of the notice predictable and to give a clearer explanation of this process to the public. If you have comments and suggestions for further improvements to this notice, please send them to Jim J. Tozzi, Deputy Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget, 726 Jackson

Place, Northwest, Washington, D.C. 20503.

#### DEPARTMENT OF COMMERCE

Agency Clearance Officer—Edward Michals—202-377-3627

#### Extensions (Burden Change)

- International Trade Administration International Import Certificate ITA 645P On occasion Business or other institutions Commercial importers SIC: Multiple Other advancement and regulations of commerce, 5,000 responses, 1,250 hours; \$15,000 Federal cost, 1 form; not applicable under 3504(h) William T. Adams, 202-395-4814

By using this form a U.S. importer certifies to the government of an exporting country that he will import certain specific commodities, and that he will not reexport such commodities except in accordance with the export control regulations of the importing country.

#### Extensions (No Change)

- Maritime Administration Port Facility Inventory MA-400 Biennially State or local governments/businesses or other institutions, port authorities, marine terminal operators SIC: 446 919 Small businesses or organizations Water transportation, 1,000 responses, 325 hours; \$10,000 Federal cost, 1 form; not applicable under 3504(h) William T. Adams, 202-395-4814

The port facility inventory system was developed to fulfill this agency's responsibilities contained in Executive Order 11921 (emergency preparedness functions) relating to the operational control and allocation of U.S. port facilities during national emergencies. The data required to accomplish this mission are not available from other sources in sufficient detail or currency. Timeliness

#### DEPARTMENT OF EDUCATION

Agency Clearance Officer—Wallace McPherson—202-426-5030

#### New

- Office of Special Education and Rehabilitative Services Survey to Identify Selected Exemplary Policies Related to the Implementation of P.L. 94-142 and Section 504 of the Rehabilitation Act ED 766-1, 766-2, 766-3 Nonrecurring

State or local governments State education agencies, local education agencies

SIC: 821

Elementary, secondary, and vocational education, 492 responses, 484 hours; \$353,000 Federal cost; 3 forms; not applicable under 3504(h) Federal Education Data Acquisition Council, 202-426-5030

The purpose of this survey is to identify and document successful, exemplary policies which have been used by SEA's and LEA's in implementing selected aspects of P.L. 94-142 and section 504 of the Rehabilitation Act. The focus is on policies by which education agencies have built effective relationships with other human service systems.

#### Revisions

- Office of Special Education and Rehabilitative Services Financial Status and Performance Report—OSE Discretionary grant programs ED 9037-1 and ED 9037-2 Annually, other—see SF83 State or local governments/businesses or other institutions Grantees may be: Colleges and univ., non-profit org., etc. SIC: 821 Elementary, secondary, and vocational education, 1,589 responses, 7,540 hours; \$30,225 Federal cost, 2 forms; not applicable under 3504(h) Federal Education Data Acquisition Council, 202-426-5030

This report is used by the Office of Special Education to determine whether and to what extent progress is being made by grantees toward achieving project goals and objectives. The financial report is submitted annually and the performance report is due at the end of the grant award period (usually a three year period).

#### DEPARTMENT OF ENERGY

Agency Clearance Officer—Irene Montie—202-633-9464

#### New

- Departmental and Others Survey of Lifestyles, Food Habits and Agricultural Practices DP-467 Nonrecurring Individuals or households/farms Hshld in Iron & Wash., Counties, Utah, & Lincoln Cty, Nev. SIC: 881 Small businesses or organizations

Multiple functions: 760 responses, 507 hours; \$19,000 Federal cost, 1 form; not applicable under 3504(h)

Jefferson B. Hill, 202-395-7340

This single-time form will be used to collect information on the estimation of radiation dose to the population of Iron and Washington Counties, Utah, and Lincoln County, Nevada, due to nuclear weapons testing at Nevada test site during the period 1951-1962.

- Federal Energy Regulatory Commission

Utility Owned Controlled Coal Mining  
FERC 563

Nonrecurring

Business or other institutions

Jurisdictional electric utilities

SIC: 491

Energy information, policy, and regulation, 35 responses, 1,400 hours; \$1,755 Federal cost, 1 form; not applicable under 3504(h)

Jefferson B. Hill, 202-395-7340

This information is needed to comply with the requirements of section 208 of Public Law 95-617 (Public Utility Regulatory Policies Act of 1978) for a review "not less frequently than every two years" of "practices . . . to insure efficient use of resources." the information will be used to review generic practices and the practices of individual utilities.

- Federal Energy Regulatory Commission
- Utility Fuel Supply Associates  
FERC-562

Nonrecurring

Business or other institutions

Jurisdictional electric utilities

SIC: 491

Energy information, policy, and regulation, 90 responses, 9,000 hours; \$3,775 Federal cost, 1 form; not applicable under 3504(h)

Jefferson B. Hill, 202-395-7340

This information is needed to comply with the requirements of section 208 of Public Law 95-617 (Public Utility Regulatory Policies Act of 1978) for a review "not less frequently than every two years" of "practices . . . to insure efficient use of resources." the information will be used to review generic practices and the practices of individual utilities.

#### Revisions

- Federal Energy Regulatory Commission
- Application for Authorization of the Issuance of Securities or the Assumption of Liabilities  
FERC-523
- On occasion
- Business or other institutions
- Electric util. & licensees (whose sec. are not subj. to State

SIC: 491

Energy information, policy, and regulation, 99 responses, 900 hours; \$171,676 Federal cost, 1 form; not applicable under 3504(h)

Jefferson B. Hill, 202-395-7340

Applies to any issuance of a security or assumption of obligation or liability by a public utility or licensee for which approval must be obtained from this Commission.

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency Clearance Officer—Joseph Strnad—202-245-7488

#### New

- Health Care Financing Administration
- Triage-Coordinated Care of the Elderly (Billing Forms)

HCFA-269 thru 274 HCFA-1453D, 1483D, 1487D, 1490D & 1491D

On occasion

Individuals or households/businesses or other institutions

Hospitals, SNF's, HHA's, pharm. lab., equip. suppl., etc.

SIC: 805, 806, 807, 808

Health, 1,458 responses, 3,725 hours; \$83,500 Federal cost, 11 forms; not applicable under 3504(h)

Richard Eisinger, 202-395-6880

A family of billing forms to reimburse participating providers for a unique array of services being demonstrated under the Triage demonstration in central Connecticut. The data from the forms will also be used to evaluate the Triage demonstration.

- Human Development Services
- PSE Participant Outcome  
ETA-RC40B

Monthly

State or local governments

WIN program sponsors

SIC: 944

Training and employment, 324 responses, 324 hours; \$3,052 Federal cost, 1 form; not applicable under 3504(h)

Gwendolyn Pla, 202-395-6880

Data will be used to monitor the placement of WIN clients as they are terminated from CETA PSE and to provide management assistance to WIN sponsors experiencing difficulty in transitioning them into unsubsidized employment or training.

- Food and Drug Administration
- National Consumer Awareness and Access Project Evaluation
- Nonrecurring
- Individuals or households
- Individuals who have participated in NCAAP training
- Consumer and occupational health and safety, 330 responses, 55 hours; \$3,195

Federal cost, 1 form; not applicable under 3504(h)

Gwendolyn Pla, 202-395-6880

Consumer H-E-L-P, an affiliate of the George Washington University Law Center will continue to develop, implement, and evaluate a nationwide training program for community consumers. The program will heighten the public's knowledge of FDA's legal authorities and encourage public involvement in FDA's decisionmaking process.

- Human Development Services
- State Child Welfare Services Report Annually

State or local governments

State child welfare agencies

SIC: 835

Social services, 53 responses, 21,518 hours; \$1,992,309 Federal cost, 3 forms; not applicable under 3504(h)

Gwendolyn Pla, 202-395-6880

Reports will be sent to prepare national reports on children in foster care, preventive and reunification services children receiving adoption assistance: reports also used to publish national statistics on child welfare, for data input to required evaluations and reports to Congress.

#### Revisions

- Social Security Administration
- Physician's/Medical Officer's Statement (Patient's Capability to Manager Benefits)

SSA-787

On occasion

Businesses or other institutions

Physi. of benef. or med. offr. of instit. in which bene., etc.

SIC: 944

General retirement and disability insurance, 120,000 responses, 10,000 hours; 1 form; not applicable under 3504(h)

Barbara F. Young, 202-395-6880

Section 205(j) of the Social Security Act provides for the certification of the mental capability of a beneficiary. The form is completed by a medical officer in an institution documenting his opinion concerning a beneficiary's mental capability to manage funds.

#### Extensions (Burden Change)

- Social Security Administration
- Statement Regarding Students School Attendance (Black Lung Claim Form)  
SSA-2434-F3
- On occasion
- Individuals or households
- Entit. black lung children of coal miners or their widows
- General retirement and disability insurance, 5,340 responses, 445 hours;

\$85,440 Federal cost, 1 form; not applicable under 3504(h)

Barbara F. Young, 202-395-6880

Sections 402(g) and 412(a)5 of the Federal Coal Mine Health and Safety Act provide for continuing payment of black lung benefits to a child upon attainment of 18 years old if certain conditions exist. This form is used to determine whether a child meets these conditions to continue eligibility.

#### DEPARTMENT OF THE INTERIOR

Agency Clearance Officer—Vivian A. Keado—202-343-6191

*Extensions (No Change)*

- Bureau of Land Management Competitive Oil and Gas Geothermal Resources Lease Bid 3000-2

On occasion

Individuals or households/State or local governments/businesses or other Ins Resources lease bidders

SIC: 131, 132, 138

Conservation and land management, 5,000 responses, 2,500 hours; \$15,625 Federal cost, 1 form; not applicable under 3504(h)

Constance Buckley, 202-395-7340

Form is required for bidder to submit cash bid for oil and gas and geothermal resource leases.

#### DEPARTMENT OF LABOR

Agency Clearance Officer—Paul E. Larson—202-523-6331

*Revisions*

- Employment and Training Administration Disaster Unemployment Assistance Handbook

ETA-81, 81A, 82, 83 and 84

On occasion

Individuals or households Applicants for unemployment assistance (DUA)

Training and employment, 92,035 responses, 12,483 hours; \$148,922 Federal cost, 5 forms; not applicable under 3504(h)

Arnold Strasser, 202-395-6880

Public Law 93-288 (sec. 407) provides for benefit assistance to "any individual unemployed as a result of a major disaster". The forms in chapter III through VII of the disaster unemployment assistance handbook are used in connection with the provisions of this benefit assistance.

#### DEPARTMENT OF TRANSPORTATION

Agency Clearance Officer—John Windsor—202-426-1887

*New*

- National Highway Traffic Safety Administration 49 CFR Part 574, Tire Identification and recordkeeping

On occasion

Businesses or other institutions Tire dealers and manufacturers SIC: 553 501 301

Small businesses or organizations Ground transportation, 64,000,000 responses, 1,200,000 hours; 1 form; not applicable under 3504(h)

Corrinne Hayward, 202-395-7340

49 CFR 574. Reg. requires mfrs to secure and record names and addresses of purchasers of new tires so that the purchasers can be notified in case of a safety recall.

#### DEPARTMENT OF THE TREASURY

Agency Clearance Officer—Ms. Joy Tucker—202-634-5394

*Revisions*

- Internal Revenue Service Information Return by Trustee for Taxable Distribution or Termination From a Generation-Skipping Trust/Beneficiary's Share of a Taxable Distribution From A Gen.-Skipping Trust

SCH TC 1040

On occasion

Individuals or households/businesses or other institutions

Indiv., banks, trust co., legal firms and any other persons

SIC: 601 602 603 604 605 811

Central fiscal operations, 10,000 responses, 44,495 hours; \$319,107 Federal cost, 2 forms; not applicable under 3504(h)

Warren Topelius, 202-395-7340

Form 706-B(1) is used to gather information pertaining to generation-skipping transfers. The service processes this information and provides it to the distributees and other trustees who need it to prepare their tax returns. Form 706-B(2) conveys some of the information on form 706-B(1) to the beneficiaries who use it to prepare their tax returns. The tax is computed on form 706-B.

#### ENVIRONMENTAL PROTECTION AGENCY

Agency Clearance Officer—Mr. Phillip Ross—202-287-0747

*New*

- Notification Requirement for Release of Hazardous Substances into the Environment

Other—see SF83

Individuals or households/State or local governments/farms/businesses or other institutions

Anyone (i.e., persons who could do release hazard., etc.)

SIC: multiple

Small businesses or organizations Pollution control and abatement, 4,600 responses, 796 hours; 1 form; NPRM under 3504(h)

Edward H. Clarke, 202-395-7340

This notice (attached) clarifies reporting requirements of P.L. 96-510 which are currently in existence. The principal intent of the notice is to limit immediate notice to episodic, nonroutine, unanticipated or accidental releases of hazardous substances which equal or exceed reportable quantities to the environment. The notice also defers notice of routine, continuous or anticipated intermittent releases, and requests comments on how to implement this requirement of the act.

*Reinstatements*

- Extension Request for Generic Description of Data Collection for Sections 301, 304, 306, and 307 of the Clean Water Act of 1978

On occasion

Businesses or other institutions The 21 primary indus. listed in the consent decree, etc.

SIC: multiple

Small businesses or organizations Pollution control and abatement, 6,062 responses, 64,659 hours; \$5,214,960 Federal cost, 1 form; not applicable under 3504(h)

Edward H. Clarke, 202-395-7340

To promulgate reasonable effluent limitation guidelines according to court ordered schedules, the EPA must request industry groups to supply specific data related to the design, operation and cost of wastewater treatment systems. This submission is a request for extension of OMB 2000-0047 so that we might continue our efforts.

#### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Agency Clearance Officer—Thomas P. Goggin—202-634-6983

*Extensions (No Change)*

- EEOC Lawyer Referral Service Application EEOC-325

On occasion

Businesses or other institutions Private attorneys

SIC: 811

Small businesses or organizations



**Federal Law Enforcement Activities,**

1,000 responses, 250 hours; 1 form; not applicable under 3504(h)

Laverne V. Collins, 202-395-6880

To collect information from EEOC private bar referral panel members regarding their experience, qualifications, fee arrangements and other facts necessary in making a successful referral to charging parties requesting such assistance.

**NATIONAL FOUNDATION ON THE ARTS**

Agency Clearance Officer—D. Keith Stephens—202-634-6160

New

- Survey of Expansion Arts Organizations (SEAO)

SEAO-1

Nonrecurring

Businesses or other institutions

Expan. arts organ. (as defined in the supporting statement)

SIC: multiple

Research and general education aids, 4,000 responses, 667 hours; \$99,069 Federal cost, 1 form; not applicable under 3504(h)

Diane Wimberly, 202-395-6880

SEAO will provide basic descriptive data on the actual and potential constituency of the endowment's expansion arts program, enhancing planning by permitting estimates of future need and application volume and by describing the level and characteristics of service to the public being provided by these organizations.

**NATIONAL SCIENCE FOUNDATION**

Agency Clearance Officer—Herman Fleming—202-357-7811

Extensions (No Change)

- Status of NSF-Funded Invention Annually

Businesses or other institutions  
Indiv. or instit. with NSF-funded inventions

General science and basic research, 250 responses, 125 hours; 1 form; not applicable under 3504(h)

Marsha D. Traynham, 202-395-7340

NSF's waiver terms to universities require an annual reporting on the status of inventions. This form supplies the required information in a uniform manner. The time involved is relatively minor as annual updating is all that is required for each invention.

**RAILROAD RETIREMENT BOARD**

Agency Clearance Officer—Pauline Lohens—312-751-4692

New

- Medical Evidence to Support Claimed Disability (Consultative Examinations)

On occasion

Businesses or other Institutions  
Physicians and other medical professionals

SIC: 801

Small businesses or organizations

General retirement and disability insurance, 10,000 responses, 10,000 hours; \$1,300,000 Federal cost, 1 form; not applicable under 3504(h)

Barbara F. Young, 202-395-6880

Section 2 of the Railroad Retirement Act provides disability annuities for qualified railroad workers. To determine whether applicant meets the disability requirements the board utilizes consultative medical services for information needed to supplement the medical evidence submitted by the applicant's physician.

C. Louis Kincannon,

Assistant Administrator for Reports Management.

[FR Doc. 81-13403 Filed 5-1-81; 8:45 am]

BILLING CODE 3110-01-M

**SECURITIES AND EXCHANGE COMMISSION**

[Release No. 22031; 70-6584]

**Consolidated Natural Gas Co.; Proposal by Holding Company to Act as Surety on Bond of Public-Utility Subsidiary Company**

Consolidated Natural Gas Company ("Consolidated"), Four Gateway Center, Pittsburgh, Pennsylvania 15222, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Section 12(b) of the Act and Rule 45 promulgated thereunder as applicable to the proposed transaction.

On January 16, 1981, Hope Natural Gas Company, a division of Consolidated Gas Supply Corporation ("Supply Corporation"), a wholly-owned subsidiary of Consolidated and a public-utility company operating within the State of West Virginia, filed revisions in its tariff calling for increased rates and charges amounting to approximately \$18,196,000 per year for providing natural gas service to its customers in the State of West Virginia. The West Virginia Commission has suspended effectiveness of the proposed tariff

revisions to November 13, 1981. Under the Public Service Law, the Public Service Commission has required Supply Corporation to file a bond in the amount of \$18,200,000, with satisfactory surety, for the due and proper payment of any refunds. Consolidated proposes, without fee or other consideration, to act as surety on the bond of Supply Corporation to save the cost of securing an outside corporate surety.

The fees and expenses incurred by Supply Corporation in connection with the proposed transaction are estimated not to exceed \$2,500. The declaration states that no state commission and no federal commission, other than the West Virginia Public Service Commission and this Commission, has jurisdiction over the proposed transaction.

The declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by May 28, 1981, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the declarant at the address specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the declaration, as filed or as it may be amended, may be permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,  
Secretary.

[FR Doc. 81-13374 Filed 5-1-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 17750; 812-4830]

**EGT Money Market Trust; Filing of Application for Order Exempting Applicant From the Provisions**

April 28, 1981.

Notice is hereby given that EGT Money Market Trust ("Applicant"), 421 Seventh Avenue, Pittsburgh Pennsylvania 15219, an open-end, diversified, management company registered under the Investment Company Act of 1940 ("Act"), filed an application on February 27, 1981, and an amendment thereto on April 6, 1981,

requesting an order of the Commission, pursuant to Section 6(c) of the Act, exempting Applicant from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder, to the extent necessary to permit Applicant to value its assets using the amortized cost method of valuation. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant states that it is organized as a Massachusetts business trust and that its investment adviser is Short-Term Instruments Research Corporation, a wholly-owned subsidiary of Federated Investors, Inc. Applicant states that it is designed as an investment vehicle for those persons with temporary cash balances or cash reserves seeking stability of principal and current income consistent with stability of principal. Applicant states that its portfolio will be invested in a variety of money market instruments maturing in one year or less including: United States Government obligations; instruments of banks and savings and loan associations which are members of the FDIC or FSLIC respectively; and commercial paper rated A-1 by Standard & Poor's Corporation, Prime-1 by Moody's Investors Service or F-1 by Fitch Investors Service.

As here pertinent, Section 2(a)(41) of the Act defines value to mean: (1) with respect to securities for which market quotations are readily available, the market value of such securities, and (2) with respect to other securities and assets, fair value as determined in good faith by an investment company's board of directors.

Rule 22c-1 provides, in part, that no registered investment company or principal underwriter thereof issuing any redeemable security shall sell, redeem or repurchase any such security except at a price based on the current net asset value of such security which is next computed after receipt of a tender of such security for redemption or of an order to purchase or to sell such security.

Rule 2a-4 provides, as here relevant, that the current net asset value of a redeemable security issued by a registered investment company used in computing its price for the purpose of distribution, redemption and repurchase shall be an amount which reflects calculations made substantially in accordance with the provisions of that rule, with estimates use where necessary or appropriate. Rule 2a-4 further states that portfolio securities with respect to which market quotations

are readily available shall be valued at current market value, and that other securities and assets shall be valued at fair value as determined in good faith by an investment company's board of directors. Prior to the filing of the application, the Commission expressed its view that, among other things, Rule 2a-4 under the Act requires that portfolio instruments of "money market" funds be valued with reference to market factors, and it would be inconsistent generally with the provisions of Rule 2a-4 for a "money market" fund to value its portfolio instruments with over 60-day maturities on an amortized cost basis (Investment Company Act Release No. 9786, May 31, 1977).

Applicant requests an exemption from the provisions of Section 2(a)(41) of the Act, and Rules 2a-4 and 22c-1 thereunder, to the extent necessary to permit it to value its portfolio securities using the amortized cost method of valuation. Applicant represents that its board of trustees has determined in good faith that amortized cost value will represent fair value of its portfolio securities and is preferable to the use of a market based valuation method and that the amortized cost method of valuation will be in the best interests of its shareholders. Applicant states that according to its experience, given the unique nature of its policies and operations, there should be a negligible discrepancy between prices obtained by the amortized cost method of valuation and those obtained by market valuation method. Applicant further states that two features are necessary in a "money market" fund: (1) Certainty of stability of principal and (2) a steady flow of predictable and competitive investment income. Applicant contends that by maintaining a portfolio of high quality, short-term money market instruments valued at amortized cost it can provide these features to investors. Applicant asserts that the requested exemption is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by policy and provisions of the Act.

Section 6(c) of the Act provides, in part, that upon application the Commission may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of

investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant asserts that its application meets the standards of Section 6(c) of the Act in light of its management policies, and consents to the imposition of the following conditions to any order granting the requested relief:

1. In supervising Applicant's operations and delegating special responsibilities involving portfolio management to Applicant's investment adviser, the board of trustees of Applicant undertakes—as a particular responsibility within the overall duty of care owed to its shareholders—to establish procedures reasonably designed, taking into account current market conditions and Applicant's investment objectives, to stabilize Applicant's net asset value per share, as computed for the purpose of distribution, redemption and repurchase, at \$1.00 per share.

2. Included within the procedures to be adopted by the board of trustees of the Applicant shall be the following:

(a) Review by the board of trustees, as it deems appropriate and at such intervals as are reasonable in light of current market conditions, to determine the extent of deviation, if any, of the net asset value per share as determined by using available market quotations from the \$1.00 amortized cost price per share, and the maintenance of records of such review.<sup>1</sup>

(b) In the event such deviation from the \$1.00 amortized cost price per share exceeds ½ of 1 percent, a requirement that the board of trustees will promptly consider what action, if any, should be initiated by it.

(c) Where the board of trustees believes the extent of any deviation from the \$1.00 amortized cost price per share may result in material dilution or other unfair results to investors or existing shareholders, it shall take such action as it deems appropriate to eliminate or to reduce to the extent reasonably practicable such dilution or unfair results, which may include: redeeming shares in kind; selling portfolio instruments prior to maturity to realize capital gains or losses, or to shorten the average maturity of portfolio instruments; withholding dividends; or

<sup>1</sup> To fulfill this condition, Applicant intends to use actual quotations or estimates of market value reflecting current market conditions chosen by its board of trustees in the exercise of its discretion to be appropriate indicators of value which may include, *inter alia*, (1) quotations or estimates of market value for individual portfolio instruments, or (2) values obtained from yield data relating to classes of money market instruments published by reputable sources.

utilizing a net asset value per share as determined by using available market quotations.

3. Applicant will maintain a dollar-weighted average portfolio maturity appropriate to its objective of maintaining a stable net asset value per share; provided, however, that Applicant will not (a) purchase any instrument with a remaining maturity of greater than one year, or (b) maintain a dollar-weighted average portfolio maturity which exceeds 120 days.<sup>2</sup>

4. Applicant will record, maintain, and preserve permanently in an easily accessible place a written copy of the procedures (and any modifications thereto) described in paragraph 1 above, and will record, maintain and preserve for a period of not less than six years (the first two years in an easily accessible place) a written record of its board of trustees' considerations and actions taken in connection with the discharge of its responsibilities, as set forth above, to be included in the minutes of the boards of trustees' meetings. The documents preserved pursuant to this condition shall be subject to inspection by the Commission in accordance with Section 31(b) of the Act, as if such documents were records required to be maintained pursuant to rules adopted under Section 31(a) of the Act.

5. Applicant will limit its portfolio investments, including repurchase agreements, to those United States dollar-denominated instruments which its board of trustees determines present minimal credit risks, and which are of "high quality" as determined by any major rating service or, in the case of any instrument that is not rated, of comparable quality as determined by its board of trustees.

6. Applicant will include in each of its quarterly reports, as an attachment to Form N-1Q, a statement as to whether any action pursuant to paragraph 2(c) above was taken during the preceding fiscal quarter and, if any such action was taken, will describe the nature and circumstances of such action.

Notice is further given that any interested person may, not later than May 26, 1981, at 5:30 p.m., submit to the Commission in writing, a request for a hearing on the application accompanied by a statement as to the nature of his or her interest, the reasons for such request and the issues, if any, of fact or law

<sup>2</sup>In fulfilling this condition, if the disposition of a portfolio security results in a dollar-weighted average portfolio maturity in excess of 120 days, Applicant will invest available cash in such a manner as to reduce the dollar-weighted average portfolio maturity to 120 days or less as soon as reasonably practicable.

proposed to be controverted, or he or she may request that he or she be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, and order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,  
Secretary.

[FR Doc. 81-13375 Filed 5-1-81; 8:45 am]  
BILLING CODE 8010-01-M

## SMALL BUSINESS ADMINISTRATION

### [Declaration of Disaster Loan Area No. 1986]

#### Wisconsin; Declaration of Disaster Loan Area

Washington County and adjacent Counties within the State of Wisconsin constitute a disaster area as a result of damage caused by high winds and tornadoes which occurred on April 4, 1981. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on June 26, 1981, and for economic injury until the close of business on January 27, 1982, at: Small Business Administration, District Office, 212 East Washington Avenue, Room 213, Madison, Wisconsin 53703.

or other locally announced locations. For recent changes in disaster loan eligibility, see 46 FR 18526 (March 25, 1981).

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: April 27, 1981.

Michael Cardenas,  
Administrator.

[FR Doc. 81-13385 Filed 5-1-81; 8:45 am]  
BILLING CODE 8025-01-M

## DEPARTMENT OF STATE

### [Public Notice 753]

#### Registration of Claims Against Iran: Negotiations for Settlement of Claims With Iran

This notice describes recent developments with regard to procedures for settling claims against Iran and provides further information about registration of claims with the Department of State. This Notice supplements information provided in Public Notice 749 of April 1, 1981 (46 FR 19893).

For additional information, contact Peter J. Kirsch, Office of the Legal Adviser (Iranian Claims), Department of State, Washington, D.C. 20520. Telephone (202) 632-5040.

#### 1. Registration of Claims

In Public Notice 749, the State Department described procedures for registration of claims against Iran. For purposes of deciding whether registration is required, claimants should aggregate the value of all their claims against Iran, regardless of whether the claims concern different transactions or events or run against different Iranian entities. Claimants whose claims against Iran have a total value, when aggregated, of less than \$250,000 are required to register their claims with the Department on Form DSP-93 no later than May 8, 1981. Claimants whose claims have a total value, when aggregated, of \$250,000 or more are advised to register their claims but are not required to do so.

Claimants who are required to register (those with claims, in the aggregate, of less than \$250,000) but who have not yet received copies of Form DSP-93 should contact the office of the Legal Adviser immediately at (202) 632-5040.

#### 2. Negotiations for Settlement of claims

##### A. Claims of \$250,000 or More

The Department of State has received indication from the Government of the Islamic Republic of Iran that Iran wishes to begin negotiations on an individual basis with claimants whose claims, in the aggregate, total \$250,000 or more.

The Department of State has received the following information from the

Government of the Islamic Republic of Iran concerning possible negotiations of claims settlements directly with the parties concerned.

With respect to claims exceeding U.S. dollars 250,000, relevant Iranian organizations are prepared to start negotiations with the U.S. parties concerned. It is suggested that the negotiations be carried out in London. It is of course necessary that the American claimants inform by cable the precise but concise list of their true claims along with evidence (as the foundation of the negotiations to be carried out on the basis of goodwill) to Iranian parties directly involved, as well as to the International Legal and Financial Claims Committee, located at Bank Markazi Iran (Central Bank of Iran). The time and the program of the negotiations will be subsequently notified to the U.S. claimants by the Iranian parties or the said committee.

The Department invites U.S. claimants with claims of 250,000 dollars or more to provide information concerning their claims to the appropriate Iranian authorities insofar as practicable by telex. The Department has urged Iran to designate representatives with authority to negotiate and conclude claims settlements as soon as possible. Bank Markazi Iran has an international telex (RCA) address of 951-212503 with an answerback of MARKAZBANK.

#### *B. Claims of Less Than \$250,000*

Claimants with claims, in the aggregate, of less than \$250,000 are required to register their claims with the State Department by May 8, 1981. The United States has agreed to transmit to Iran information about the claims in this category in order to lay the foundation for negotiations on a lump-sum payment to settle claims in this category. For this purpose the Department will draw upon the information supplied by claimants in their Registration of Claims forms filed with the Department. Further information will be provided to these claimants as negotiations proceed.

Claimants who have already registered their claims with the State Department should be receiving an acknowledgement of their registration. This acknowledgement does not constitute a determination as to the validity of the claim.

Gerald M. Rosberg,

*Counselor on International Law.*

April 29, 1981.

[FR Doc. 81-13423 Filed 5-1-81; 8:45 am]

BILLING CODE 4710-08-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### National Airspace Review; Meeting

**AGENCY:** Federal Aviation Administration.

**ACTION:** Notice of informal meeting.

**SUMMARY:** The Federal Aviation Administration (FAA) announces an informal meeting to brief interested persons on the National Airspace Review program. The purpose of the meeting is to introduce users of the National Airspace System to a plan which will review the airspace and procedural aspects of the air traffic system. This review plan is part of the FAA's effort to identify and implement changes to the air traffic system which will promote greater efficiency for all airspace users.

**DATE:** May 18 through 20, 1981; 9 a.m. to 3:30 p.m. each day.

**ADDRESS:** The meeting will be held at the Federal Aviation Administration, Conference Room 9A, 800 Independence Avenue, SW., Washington, D.C.

**FOR FURTHER INFORMATION CONTACT:** Karl Trautmann, Chief, Enroute Procedures Branch, 202-426-8630. To provide sufficient meeting space, it is requested that persons desiring to attend give advance notice to the FAA, AAT-330, 800 Independence Avenue, SW., Washington, D.C. 20591.

L. Lane Speck,

*Deputy Division Chief, Air Traffic Procedures Division.*

[FR Doc. 81-13342 Filed 5-1-81; 8:45 am]

BILLING CODE 4910-13-M

## WATER RESOURCES COUNCIL

### Banklick Corporation Coal-liquid Project, Blount Island, Jacksonville, Fla.; Water Assessment

**AGENCY:** Water Resources Council.

**ACTION:** Notice of water assessment report for public review and comment.

**SUMMARY:** This notice incorporates the Water Assessment Report prepared by the Water Resources Council under the provision of Section 13(c) of the Federal Nonnuclear Energy Research and Development Act of 1974. The Banklick Corporation plant will grind coal and mix it with oil and water to form substitutes for fuel oil. The plantsite is located on Blount Island, Jacksonville, Florida.

**DATE:** Comments on this report are due on or before August 3, 1981.

**ADDRESS:** Send comments to: Gerald D. Seinwill, Acting Director, U.S. Water

Resources Council, 2120 L Street, NW., Washington, DC 20037.

**FOR FURTHER INFORMATION CONTACT:** Frank S. Davenport, Program Leader, or Hai C. Tang, Staff Specialist, U.S. Water Resources Council, 2120 L Street, NW., Washington, DC 20037, phone: 202/254-6352.

Dated: April 28, 1981.

Gerald D. Seinwill,  
*Acting Director.*

#### Preface

WRC was requested to perform this assessment by the U.S. Department of Energy (DOE) on December 19, 1980. Publication of this report in the *Federal Register* is mandated under provisions of Section 13 to enable public review and comment during a 90-day period. After the 90-day review period, WRC staff will analyze the comments received and will forward the comments, the WRC analysis, and the water assessment report to the Secretary of the Department of Energy.

#### A. Project Features

The Banklick Corporation plans to construct a coal preparation plant that will grind coal and mix it with oil and water to form substitutes for fuel oil. The composition of coal-liquid will be approximately 50 percent coal, 40 percent oil, and 10 percent water. This coal-liquid preparation will reduce the user's fuel oil purchases by as much as 55 percent. The project will produce approximately 6,000 barrels of oil equivalent per day.

#### B. Project Site

The plantsite is located on Blount Island, 6 miles east of Jacksonville, Florida. The plant area is approximately 10 acres (Figure 1). The site has access to rail and barge. A water pond will collect drainage from the plantsite and coal storage area so that no water will leave the site. This small amount of water will be reused in the plant.

#### C. Water Requirement

The coal-liquid plant will use 8,500 gallons per day of potable water; two-thirds of which are mixed with coal and oil, while the remaining one-third is used for sanitation. The water will be supplied by the Jacksonville Port Authority.

#### D. Water Supply Availability

The Jacksonville Port Authority obtains its supply from an artesian well 755 feet deep, which is capable of delivering 600 gallons per minute (800,000 gallons per day). The system has 50,000 gallons of storage to maintain

supply to ships in the port. Maximum total daily use including port use is only 80,000 gallons, or one-tenth of the well capacity. Therefore, adequate water supply is available.

The Florida aquifer from which the Port Authority well obtains water is highly productive with transmissivity ranging from  $2 \times 10^4$  to  $2 \times 10^5$  ft<sup>2</sup>/day. A 12-inch well can yield as much as 2,000 gallons per minute. Total groundwater use in Duval County is estimated at 200 million gallons per day, which is four orders of magnitude higher than the project water use.

*E. Findings*

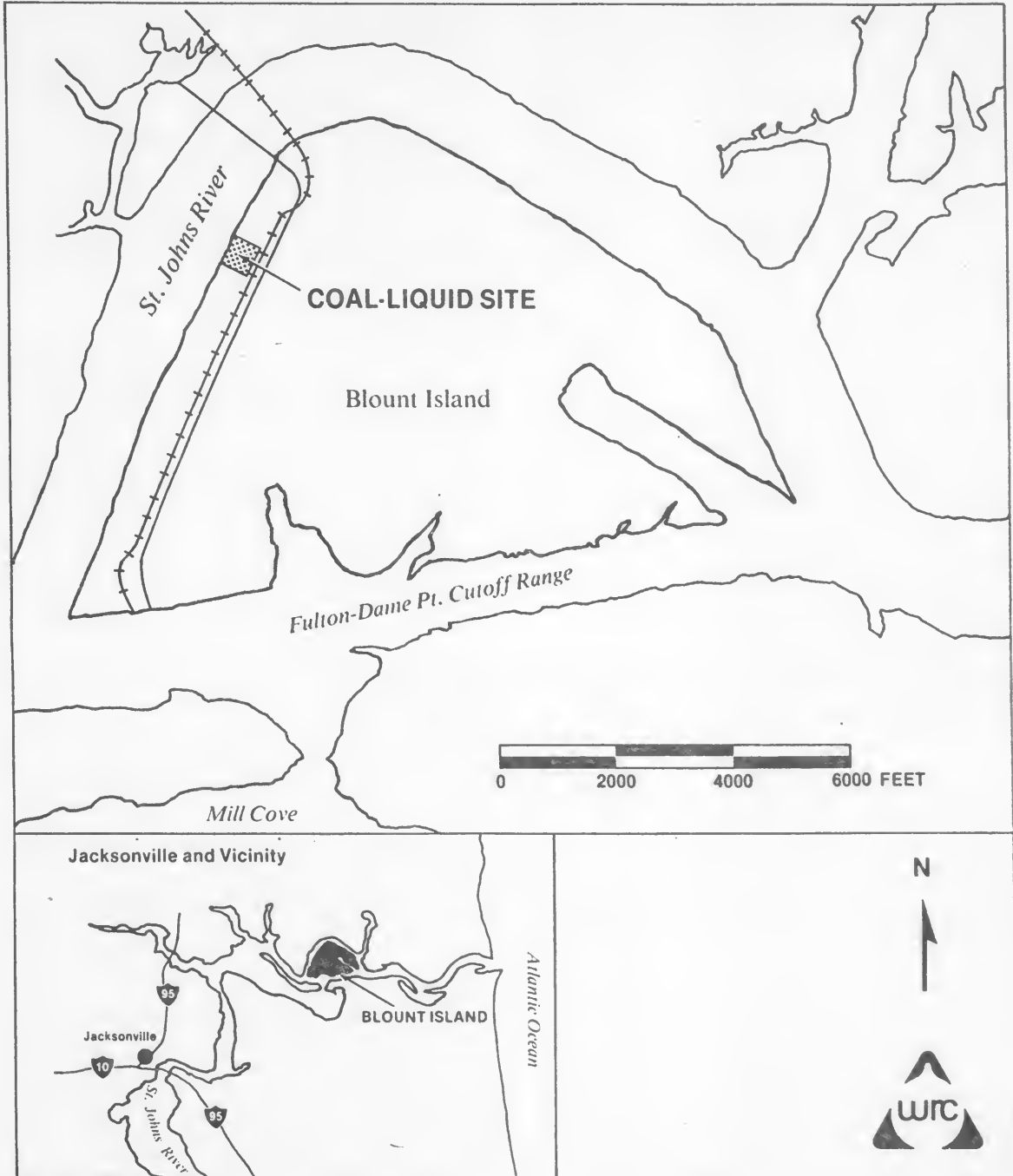
Adequate water resources are available. Water use proposed for this plant should have no measurable effect on the region's water quality and quantity.

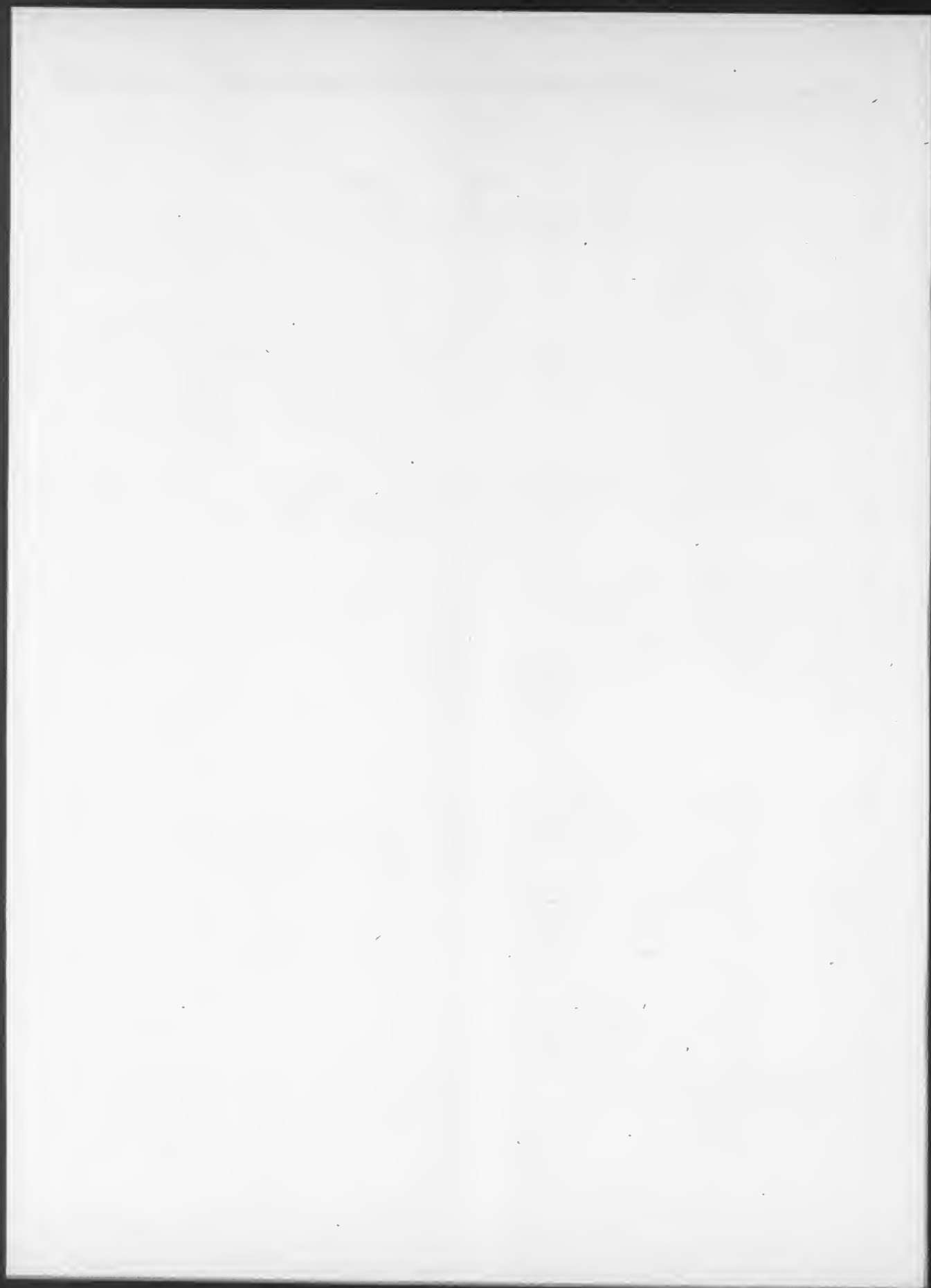
BILLING CODE 8410-01-M



# Figure 1

## Coal-Liquid Plantsite Banklick Corporation





# Sunshine Act Meetings

Federal Register

Vol. 46, No. 85

Monday, May 4, 1981

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).

California *and merge said savings and loan with Imperial Savings & Loan Association, San Francisco, California.*

No. 482, April 30, 1981.

[S-691-81 Filed 4-30-81; 2:31 pm]

BILLING CODE 6720-01-M

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### 1

#### FEDERAL ENERGY REGULATORY COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 46 FR 23649, April 28, 1981.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10 a.m., April 29, 1981.

CHANGE IN THE MEETING: The following item has been added:

*Item No., Docket No., and Company*

CP-7. CP81-204-000, Mid Louisiana Gas Company

Lois D. Cashell,

Acting Secretary.

[S-692-81 Filed 4-30-81; 3:13 am]

BILLING CODE 6450-85-M

### 2

#### FEDERAL HOME LOAN BANK BOARD.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 46 FR 24366, April 30, 1981.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10 a.m., Wednesday, May 6, 1981.

PLACE: 1700 G Street N.W., board room, sixth floor, Washington, D.C.

STATUS: Open meeting.

#### CONTACT PERSON FOR MORE

INFORMATION: Mr. Marshall (202-377-6679).

CHANGES IN THE MEETING: The following item has been added to the open portion of the Bank Board meeting scheduled for Wednesday, May 6, 1981.

Holding Company Acquisition and Merger—Imperial Corporation of America, San Diego, California to acquire USLIFE Savings & Loan Association, Los Angeles.

### 3

#### FEDERAL MARITIME COMMISSION.

TIME AND DATE: 9 a.m., May 7, 1981.

PLACE: Hearing Room One, 1100 L Street, N.W., Washington, D.C. 20573.

STATUS: Parts of the meeting will be open to the public. The rest of the meeting will be close to the public.

MATTERS TO BE CONSIDERED: Portions open to the public:

1. Informal Docket No. 987(I)—J. I. Case International Div. v. South African Marine Corporation—Review of the Settlement Officer's Decision.

2. Docket Nos. 78-15, 78-17, 78-18, and 78-19—U.S. Lines, Inc. v. Maryland Port Administration—Compliance with Decision of the Commission.

Portions closed to the public:

1. Intermodal Legislation.

#### CONTACT PERSON FOR MORE

INFORMATION: Joseph C. Polking, Acting Secretary (202) 523-5725.

[S-689-81 Filed 4-30-81; 10:02 am]

BILLING CODE 6730-01-M

### 4

#### LEGAL SERVICES CORPORATION.

Meeting of the Provision of Legal Services Committee

TIME AND DATE: 9 a.m.—3:30 p.m., Saturday, May 16, 1981.

PLACE: Community Legal Services, 903 North Second Street, Phoenix, Arizona 85004.

STATUS: Open meeting.

#### MATTERS TO BE CONSIDERED:

1. Adoption of Agenda.
2. Approval of Minutes of February 13, 1981 Meeting.
3. Status Report on Reauthorization of Legal Services Corporation Act and fiscal year 1982 Appropriation.
4. Amendment To Contract for Reginald Heber Smith Community Lawyer Fellowship Program.
5. Status Report on Quality Improvement Project.
6. Status Report on Pro Bono Grants.
7. Status Report on the Implementation of the DSS Policy Report.
8. Status Report on Loan Repayment Program.

9. Other Business.

#### CONTACT PERSON FOR MORE

INFORMATION: Dellanor Khasakhala, Office of the President, (202) 272-4040.

Issued: April 30, 1981.

Dan J. Bradley,

President.

[S-690-81 Filed 4-30-81; 2:25 pm]

BILLING CODE 6820-35-M

### 5

#### NATIONAL CREDIT UNION ADMINISTRATION.

TIME AND DATE: 9:30 a.m., Wednesday, May 6, 1981.

PLACE: Seventh floor board room, 1776 G Street N.W., Washington, D.C.

STATUS: Open.

#### MATTERS TO BE CONSIDERED:

1. Review of Central Liquidity Facility Lending Rate.
  2. Central Liquidity Facility Agent Membership Application: Oregon Corporate Central Credit Union.
  3. Proposed amendment to Section 701 of the Rules and Regulations: Share Certificate Accounts.
  4. Statement of Policy: Developing Government Regulations.
  5. Proposed Rule—Section 701.20 of the NCUA Rules and Regulations regarding Surety Bond and Insurance coverage for Federal Credit Unions.
  6. Request for approval of fidelity bond for use in Federally insured credit unions by Cooperativa de Seguros Multiples de Puerto Rico.
  7. Release of Consumer Examination Reports.
  8. Report of actions taken under delegations of authority.
  9. Applications for charters, amendments to charters, bylaw amendments, mergers as may be pending at that time.
- RECESS: 10:30 a.m.
- TIME AND DATE: 10:45 a.m., Wednesday, May 6, 1981.
- PLACE: Seventh floor board room, 1776 G Street N.W., Washington, D.C.
- STATUS: Closed.
- MATTERS TO BE CONSIDERED:
1. Administrative Adjudication. Closed pursuant to exemptions (8) and (10).
  2. Report of Mergers approved under delegated authority. Closed pursuant to exemptions (8) and (9)(A)(ii).
  3. Administrative Action under Sections 120 and 207 of the Federal Credit Union Act. Closed pursuant to exemptions (8), (9)(A)(ii) and (9)(B).

4. Requests from Federally insured credit unions for special assistance under Section 208 of the Federal Credit Union Act. Closed pursuant to exemptions (8) and (9)(A)(ii).
5. Proposed legislative amendment to the Federal Credit Union Act. Closed pursuant to exemption (9)(B).
6. Employee Parking Program. Closed pursuant to exemption (2).

**FOR MORE INFORMATION CONTACT:** Joan O'Neill, Program Assistant, telephone (202) 357-1100.

[S-688-81 Filed 4-30-81; 8:45 am]

**BILLING CODE** 7535-01-M

6

#### **NUCLEAR REGULATORY COMMISSION.**

**DATE:** Week of May 4, 1981.

**PLACE:** Commissioners Conference Room, 1717 H Street, N.W., Washington, D.C.

**STATUS:** Open/closed.

**MATTERS TO BE CONSIDERED:**  
Wednesday, May 6:

10 a.m.: (1) Briefing on Draft NUREG Reports 0771 and 0772 Relating to Accident Source Term Assumptions (public meeting) (tentative)

2 p.m.:

- (1) Discussion of Policy, Planning and Program Guidance for fiscal year 1983-87 (approximately 1½ hours, public meeting)
- (2) Discussion of Management-Organization and Internal Personnel Matters (closed meeting)

Thursday, May 7:

10 a.m.: (1) Briefing on 10 CFR 60, Disposal of High-Level Radioactive Wastes in Geologic Repositories: Technical Criteria (public meeting)

2 p.m.:

- (1) Discussion of Revised Licensing Procedures (approximately 1½ hours, public meeting)
- (2) Affirmation/Discussion Session (public meeting). Items to be affirmed and/or discussed:
  - a. Amendments to 10 CFR 19 to Establish NRC Staff Authority to Call Meetings with Licensees
  - b. Proposed Response to the Honicker Petition
  - c. Additional Response to Holt FOIA Appeal
  - d. Commission Review of ALAB-603, St. Lucie Nuclear Power Plant (postponed from April 30)
  - e. RM to Upgrade Emergency Preparedness of Certain Fuel Cycle and Materials Licenses (postponed from April 30)

- f. Proposed Amendment to 10 CFR 71 to Restrict Air Transport of Plutonium

**ADDITIONAL INFORMATION:** The Discussion of Management-Organization and Internal Personnel Matters previously scheduled for April 28, was cancelled.

**AUTOMATIC TELEPHONE ANSWERING SERVICE FOR SCHEDULE UPDATE:** (202) 634-1498. Those planning to attend a meeting should reverify the status on the day of the meeting.

**CONTACT PERSON FOR MORE INFORMATION:** Walter Magee (202) 634-1410.

Dated: April 29, 1981.

Walter Magee,

*Office of the Secretary.*

[S-694-81 Filed 4-30-81; 3:49 pm]

**BILLING CODE** 7590-01-M

7

#### **TENNESSEE VALLEY AUTHORITY.**

**TIME AND DATE:** 10:15 a.m. (e.s.t.), Thursday, May 7, 1981.

**PLACE:** Conference Room B-32, West Tower, 400 Commerce Avenue, Knoxville, Tennessee.

**STATUS:** Open.

**DISCUSSION ITEMS:** 1. Preliminary rate review.

**ACTION ITEMS:**

##### *A—Project Authorizations*

1. Project Authorization No. 3247.3—Amendment to Project Authorization for Widows Creek Unit 8 Wet Limestone Scrubber Research Project.

##### *B—Purchase Awards*

- \*1. Req. No. 829231—Drywell and steam tunnel embedments for Hartsville and Phipps Bend Nuclear Plants.
2. Amendment to indefinite quantity term contract 78T3-550807 with Control Data Corporation of Rockville, Maryland, for computer time-sharing services.
3. Req. No. 828469—Hydraulic snubber assemblies for Browns Ferry Nuclear Plant.
- \*4. Req. No. 828596—Sludge handling equipment for Paradise Steam Plant, units 1 and 2.

##### *C—Power Items*

1. Renewal of power contract with Springfield, Tennessee.

\*Items approved by individual Board members. This would give formal ratification to the Board's action.

2. Property use agreements with certain contractors for TVA coal supply for Widows Creek Steam Plant relating to TVA's Sand Mountain, Alabama, coal reserves.
3. Agreement with the Southern Railroad Company covering arrangements for use and maintenance of the loading tract at TVA's Red Ash, Tennessee, tipple (Koppers Property).

##### *D—Personnel Items*

1. Renewal of consulting contract with Dr. Carl H. Reidel, North Ferrisburgh, Vermont, for consulting and advisory services on the use of wood biomass as an alternate energy resource, requested by the Office of Natural Resources.
2. Contract with Coopers & Lybrand, New York, New York, for audit of TVA's financial statements for fiscal year 1981, requested by the Division of Finance.

##### *E—Real Property Transactions*

1. New lease agreement with City of Knoxville, Tennessee, for public recreation purposes, affecting 32 acres of land on Fort Loudoun Reservoir (Sequoyah Park)—Tract No. XTFL-96L.
2. Abandonment of portions of Lebanon-Gallatin transmission line right of way in Wilson and Sumner Counties, Tennessee—Tract Nos. LG-45 through LG-69.
3. Abandonment of road right of way affecting approximately 1.0 acre of Watts Bar Reservoir land—Tract Nos. XWBR-205, -206, and -207.
4. Resolution designating approximately 22.8 acres on Tims Ford Reservoir as surplus and authorizes the Tennessee Elk River Development Agency as agent of TVA to sell the land at public auction—Tract No. XTIMFR-12.

##### *F—Unclassified*

1. Proposed sale of surplus property—Magnesium Sulfite Dryer System purchased for the Johnsonville Steam Plant.
2. Revised TVA policy code relating to procurement of personal property and of services other than personal.
- \*3. Settlement of gross inequity claims under contract 78P-42-T15 with Pyro Mining Company for coal for TVA steam plants.

**CONTACT PERSON FOR MORE INFORMATION:** Craven H. Crowell, Jr., Director of Information, or a member of his staff can respond to request for information about this meeting. Call (615) 632-3247, Knoxville, Tennessee. Information is also available at TVA's Washington Office (202) 245-0101.

Dated: April 30, 1981.

[S-693-81 Filed 4-30-81; 3:49 pm]

**BILLING CODE** 8120-01-M