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Wednesday
March 4, 1981

Highlights

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Highlights

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

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Presidential Documents

Title 3—

The President

Executive Order 12296 of March 2, 1981

President's Economic Policy Advisory Board

By the authority vested in me as President by the Constitution of the United States of America, and in order to establish, in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App. I), an advisory committee on the domestic and international economic policy of the United States, it is hereby ordered as follows:

Section 1. *Establishment.* (a) There is established the President's Economic Policy Advisory Board. The Board shall be composed of members from private life who shall be appointed by the President.

(b) The President shall designate a Chairman from among the members of the Board. The Assistant to the President for Policy Development shall serve as the Secretary to the Board.

Sec. 2. *Functions.* (a) The Board shall advise the President with respect to the objectives and conduct of the overall domestic and international economic policy of the United States.

(b) The Board shall work with the Cabinet Council on Economic Affairs (composed of the Secretaries of the Treasury, State, Commerce, Labor, and Transportation, and the United States Trade Representative, and the Chairman of the Council of Economic Advisers, and the Director of the Office of Management and Budget).

(c) In the performance of its advisory duties the Board shall conduct a continuing review and assessment of economic policy, and shall report thereon to the President whenever requested.

Sec. 3. *Administration.* (a) The heads of Executive agencies shall, to the extent permitted by law, provide the Board such information with respect to economic policy matters as it may require for the purpose of carrying out its functions. Information supplied to the Board shall, to the extent permitted by law, be kept confidential.

(b) Members of the Board shall serve without any compensation for their work on the Board. However, they shall be entitled to travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the government service (5 U.S.C. 5701-5707).

(c) Any expenses of the Board shall be paid from funds available for the Expenses of the Domestic Policy Staff.

Sec. 4. *General.* (a) Notwithstanding any other Executive order, the responsibilities of the President under the Federal Advisory Committee Act, as amended, shall be performed by the President, except that, the Administrator of General Services shall, on a reimbursable basis, provide such administrative services as may be required.

(b) The Board shall terminate on December 31, 1982, unless sooner extended.

Ronald Reagan

THE WHITE HOUSE,
March 2, 1981.

[FR Doc. 81-7104
Filed 3-3-81; 11:33 am]
Billing code 3195-01-M

Rules and Regulations

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DEPOSITORY INSTITUTIONS DEREGULATION COMMITTEE

12 CFR Part 1204

[Docket No. D-0018]

Interest on Deposits; Premiums, Finders Fees, and the Payment of Interest

AGENCY: Depository Institutions Deregulation Committee.

ACTION: Temporary amendment of final rule; request for public comment.

SUMMARY: Effective December 31, 1980, the Depository Institutions Deregulation Committee ("Committee") adopted a rule concerning the use of premiums by depository institutions (12 CFR 1204.109). An increasing number of depository institutions are promoting premium programs in which a lump sum deposit is split up by the institution and placed in multiple accounts for the purpose of enabling the institution to give a premium for each account. In order to eliminate this unintended result which circumvents the objective of the premium rule, the Committee has adopted a temporary amendment to prohibit depository institutions from soliciting or otherwise promoting the opening of multiple accounts by a depositor in order to provide multiple premiums. The Committee also requests comment from the public on whether this rule should be permanent and on alternative methods that might be adopted on a permanent basis.

EFFECTIVE DATE: February 26, 1981. Comments must be received by April 1, 1981.

ADDRESS: Interested parties are invited to submit written data, views, or arguments regarding the proposed rules to Normand Bernard, Federal Reserve Building, 20th Street and Constitution Avenue, N.W., Washington, D.C. 20551. All material submitted should include the Docket Number D-0018. Such material will be made available for inspection and copying upon request except as provided in § 1202.5 of the Committee's Rules Regarding Availability of Information (12 CFR 1202.5).

FOR FURTHER INFORMATION CONTACT: Rebecca Laird, Senior Associate General Counsel, Federal Home Loan Bank Board (202/377-6446), Debra A. Chong, Attorney, Office of the Comptroller of the Currency (202/447-1632), F. Douglas Birdzell, Counsel, Federal Deposit Insurance Corporation (202/389-4261), John Harry Jorgenson, Attorney, Board of Governors of the Federal Reserve System (202/452-3778), or Allen Schott, Attorney-Advisor, Treasury Department (202/566-6798).

SUPPLEMENTARY INFORMATION: Effective December 31, 1980, the Committee adopted a rule that premiums, whether in the form of merchandise, credit or cash, will not be regarded as a payment of interest if: (1) the premium is given to a depositor only when a new account is opened, an existing account is renewed, or funds are added to an existing account; (2) no more than two premiums *per account* are given in any 12-month period; and (3) the value of the premium, or, if merchandise is given, its total cost to the institution, is no more than $10 for deposits of less than $5,000 or $20 for deposits of $5,000 or more. (45 FR 68641). Since the rule became effective, an increasing number of depository institutions have been promoting premium programs in which a lump sum brought in by a depositor will be broken up by the institution and placed in multiple accounts for the purpose of enabling the institution to give a premium for each account. This results in the ability of the institution to provide more premiums than would otherwise be permitted if the funds had been placed in one account. While these programs technically comply with the Committee's existing premium rule, they appear to undermine the intent of the Committee and render the rule meaningless.

In order to curtail the practice of opening multiple accounts for a depositor, the Committee has adopted a temporary rule to prohibit a depository institution from soliciting or promoting deposits from customers on the basis that the funds will be divided into more than one account by the institution for the purpose of providing more than two premiums per deposit within a 12-month period. However, an institution will not be prohibited from providing more than two premiums if the depositor, without being encouraged by the institution, establishes more than one account.

This rule is being adopted on a temporary basis in order to provide the public with an opportunity to comment on this and alternative methods to deal with this problem on a permanent basis. For example, the Committee requests comment on whether the rule should be changed to permit the giving of premiums on a per *depositor* rather than on a per *account* basis and the operational problems, if any, that such a change might present for affected institutions. The Committee also requests suggestions on other alternatives. Comments must be received by April 1, 1981.

This action was taken by the Committee in order to clarify its original intent in adopting its premium rule and in view of the increasing solicitations that have occurred for time deposits on the basis that the funds will be divided into more than one account for the purpose of paying multiple premiums. Such solicitations are having adverse effects on the normal flow of funds among depository institutions and on the competitive balance among depository institutions. In view of these considerations and to facilitate the orderly administration of currently prescribed deposit interest rate regulations, the Committee finds that application of the notice and public participation provisions of 5 U.S.C. 553 to this action would be contrary to the public interest and that good cause exists for making this action effective in less than 30 days.

Pursuant to its authority under Title II of Pub. L. 96-221, 94 Stat. 142 (12 U.S.C. 3501 et seq.), to prescribe rules governing the payment of interest and dividends on deposits of mutual savings banks, and commercial banks and savings and loan associations insured by the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation, effective February 26, 1981 the Committee amends Part 1204 (Interest on Deposits) by adding the following sentence to 1204.109(a):

PART 1204—INTEREST ON DEPOSITS

* * * * *

§ 1204.109 Premiums not considered payment of interest.

(a) * * * A depository institution is not permitted directly or indirectly to solicit or promote deposits from customers on the basis that the funds will be divided into more than one account by the institution for the purpose of providing more than two premiums per deposit within a 12-month period.

* * * * *

By order of the Committee, February 26, 1981.

Normand Bernard,

Executive Secretary.

[FR Doc. 81-6947 Filed 3-3-81; 8:45 am]

BILLING CODE 6210-01-M

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 15

Position Levels for Reports Filed by Large Traders, Futures Commission Merchants and Foreign Brokers

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rules.

SUMMARY: The Commodity Futures Trading Commission ("Commission") is amending §§ 15.00 and 15.03 of its regulations to raise the position levels at which traders must file series '03 reports in 23 commodities. Except for two commodities, United States Treasury Bonds and GNMAs, those present position levels which require traders to file Form 40s and futures commission merchants (FCMs) and foreign brokers to file series '01 reports and Form 102s will remain unchanged. Similalry, the position levels at which traders are required to file series '04 reports will remain unchanged. The purpose of this action is to alleviate an unnecessary reporting burden on the public and to reduce the amount of paperwork processed by the Commission.

EFFECTIVE DATE: March 15, 1981.

FOR FURTHER INFORMATION CONTACT: Lamont L. Reese, Division of Economics and Education, Commodity Futures Trading Commission, 2033 K Street, N.W., Washington, D.C. 20581, Telephone (202) 254-3310.

SUPPLEMENTARY INFORMATION: Reporting levels are set in various commodities to ensure that the Commission receives adequate information to carry out its market surveillance programs, which include detection and prevention of market congestion and price manipulation and enforcement of Commission speculative limits.[1] Generally, Parts 17 and 18 of the Commission's regulations require reports from FCMs or foreign brokers and traders respectively when a trader holds a "reportable position," i.e., the open positions held or controlled by the trader in any one future of any commodity or any one contract market, which, at the close of the market on any business day, equals, or exceeds the quantity fixed in § 15.03(a) of the Commission's regulations for reporting purposes for the particular commodity.

Traders who attain a "reportable position" in a commodity are required to report on a series '03 report all positions the trader owns or controls as well as trades and deliveries affected in the subject commodity. In addition, traders must file a Form 40 which provides certain information necessary to determine the extent and nature of their involvement in futures trading. FCMs and foreign brokers who carry accounts in which there are "reportable positions" of traders are required to identify such traders on a Form 102 and to report on the series '01 forms those positions carried for each trader that equal or exceed the reporting level in any commodity.

In view of current levels of volume of trading and open interest in certain commodities and the information now received concerning these commodities, the Commission has determined that it is neither cost effective nor necessary to require futures position information both from FCMs on series '01 reports and from large traders on series '03 reports at current reporting levels. Accordingly, as part of its ongoing effort to eliminate unnecessary reporting requirements, the Commission has determined that the reporting levels which require traders to file series '03 reports should be raised for the following commodities: in wheat, corn and soybeans from 500,000 bushels to 1,000,000 bushels; in soybean oil, soybean meal, copper and gold from 100 contracts to 200 contracts; in live hogs and sugar from 50 contracts to 100 contracts; in platinum, Long-term United States Treasury Bonds, foreign currencies, and GNMAs from 25 to 100 contracts; and in United States Treasury Bills from 25 to 50 contracts. Reporting levels for series '03 reports in all other commodities will remain unchanged. In addition, reporting levels at which traders are required to file a Form 40 and at which FCMs and foreign brokers are required to file series '01 and Form 102 reports are raised from 25 contracts to 50 contracts in Long-term United States Treasury Bonds and GNMAs. Reporting levels in other commodities for the Forms 40 and 102 and the series '01 reports will remain unchanged. Similarly, reporting levels for the series '04 reports filed by large traders will also remain unchanged.

Generally, it has been the practice of the Commission to apply the same reporting level to Forms 40 and 102 and to series '01 and '03 reports ("large trader reports"). This was the case, for example, in June 1977 and April 1979 when the Commission substantially raised reporting levels in a number of commodities.[2] Because of these previous actions, the Commission now finds that except for two commodities, it cannot continue the practice of simultaneously raising reporting levels for all large trader reports without incurring the loss of important surveillance information, particularly that concerning maturing futures. The Commission has noted, however, that series '01 reports contain most of the essential information the Commission requires for surveillance of maturing futures (namely, reportable positions).[3] Since series '01 reports are more timely than the series '03 reports, they often are the primary data source for surveillance of tight market situations. In view of this, the Commission has determined that it can raise levels at which traders are required to file series '03 reports without a serious loss of information provided that it maintains current reporting levels for the Forms 40 and 102 and the series '01 reports.[4] The Commission is deleting the reference to § 19.02 contained in present § 15.00(b)(1) due to the fact that reporting levels that apply to § 19.02 are now referenced in § 15.00(b)(2).

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[1] The following commodities are those for which Commission speculative limits are in effect: wheat, grains (including oats, barley and flaxseed), corn, soybeans, rye, eggs, cotton, and potatoes. 17 CFR Part 150 (1980).

[2] See 42 FR 25485 (May 17, 1977) and 44 FR 18169 (March 27, 1979).

[3] Delivery information, which the Commission considers important for surveillance of maturing futures, is not currently provided on the series '01 reports. Although the Commission receives this information on the series '03 reports from certain large traders, it has previously found that there are problems in obtaining complete and timely delivery information on such reports. See 45 FR 57143 (August 27, 1980).

[4] In view of the similarity between the information collected on both the series '01 and '03 reports, the Commission is considering the elimination of its requirement that large traders routinely file series '03 reports. See 41 FR 30352, July 23, 1976 and 45 FR 57144 (August 27, 1980). In this respect, the Commission's current actions will allow a partial evaluation of the effects of eliminating the series '03 reports.

In consideration of the foregoing, the Commission pursuant to its authority under Sections 4g(1), 4i, and 8a(5) of the Commodity Exchange Act, 7 U.S.C. 6g(1), 6i and 12a(5) (1976), the Commission hereby amends Part 15 of Chapter 1 of Title 17 of the Code of Federal Regulations by revising §§ 15.00(b) and 15.03 as follows:

PART 15—REPORTS—GENERAL PROVISIONS

§ 15.00 Definitions.

* * * * *

(b) "Reportable position" means:

(1) Any open contract position in any one future of any commodity on any one contract market, which, at the close of the market on any business day, equals or exceeds the quantity specified below for reporting purposes for the particular commodity:

(i) For purposes of reports required by Part 17 and § 18.04, the quantity specified in § 15.03(a).

(ii) For purposes of reports required by § 18.00, the quantities specified in § 15.03(c).

* * * * *

§ 15.03 Quantities fixed for reporting.

(a) The quantities fixed for the purpose of reports filed under Part 17 and Section 18.04 of this chapter are as follows:

Commodity	Quantity
Wheat (bushels)	500,000
Corn (bushels)	500,000
Soybeans (bushels)	500,000
Oats (bushels)	200,000
Rye (bushels)	200,000
Barley (bushels)	200,000
Flaxseed (bushels)	200,000
Soybean oil (contracts)	100
Soybean meal (contracts)	100
Live cattle (contracts)	100
Hogs (contracts)	50
Cotton (bales)	5,000
Sugar (contracts)	50
Copper (contracts)	100
Gold (contracts)	100
Silver bullion (contracts)	250
Silver coins (contracts)	50
Long-term U.S. T-Bonds (contracts)	50
GNMA (contracts)	50
All other commodities (contracts)	25

(b) The quantities fixed for the purpose of reports filed under Part 19 of this chapter are as follows:

Commodity	Quantity
Wheat (bushels)	3,000,000
Corn (bushels)	3,000,000
Soybeans (bushels)	3,000,000
Oats (bushels)	2,000,000
Barley (bushels)	2,000,000
Flaxseed (bushels)	2,000,000
Rye (bushels)	500,000
Potatoes (carlots)	150
Eggs (carlots)	150
Cotton (bales)	5,000

(c) The quantities fixed for the purpose of reports filed under Part 18 of this chapter are as follows:

Commodity	Quantity
Wheat (bushels)	1,000,000
Corn (bushels)	1,000,000
Soybeans (bushels)	1,000,000
Rye (bushels)	200,000
Barley (bushels)	200,000
Flaxseed (bushels)	200,000
Oats (bushels)	200,000
Soybean Oil (contracts)	200
Soybean Meal (contracts)	200
Live Cattle (contracts)	100
Hogs (contracts)	100
Cotton (bales)	5,000
Sugar (contracts)	100
Copper (contracts)	200
Gold (contracts)	200
Silver bullion (contracts)	250
Silver coins (contracts)	50
Platinum (contracts)	100
Foreign currencies (contracts)	100
U.S. T-bills, 90-day and 1 yr. (contracts)	50
Long-term U.S. T-bonds (contracts)	100
GNMA's (contracts)	100
All other commodities (contracts)	25

The foregoing amendments are adopted effective March 15, 1981. The Commission finds that the foregoing action relieves a burden heretofore imposed and, therefore, that the notice and other public procedures called for by 5 U.S.C. 553 are not required. Accordingly, the foregoing amendments are not subject to the requirements of the Regulatory Flexibility Act, Pub. L. 96-354, 94 Stat. 1164 *et seq.*

Issued in Washington, D.C., on February 26, 1981, by the Commission.

Jane K. Stuckey,

Secretary of the Commission.

[FR Doc. 81-6818 Filed 3-3-81; 8:45 am]

BILLING CODE 6351-01-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 240

[Release Nos. 33-6292; 34-17556; IC-11633]

Application of Rule 10b-6 to Certain Distributions of Securities by Issuers

AGENCY: Securities and Exchange Commission.

ACTION: Final rule.

SUMMARY: The Commission is adopting amendments to a rule under the Securities Exchange Act of 1934 ("Act") which generally prohibits trading by persons interested in a distribution. The amendments except from the application of that rule distributions of securities pursuant to employee or shareholder plans sponsored by an issuer or its subsidiaries. The Commission believes that these distributions generally do not present the potential for manipulative abuse that the rule was designed to prohibit.

EFFECTIVE DATE: February 19, 1981.

FOR FURTHER INFORMATION CONTACT: Allyn C. Shepard (202-272-2883), Office of Legal Policy and Trading Practices, Division of Market Regulation, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

SUPPLEMENTARY INFORMATION: On March 13, 1980, the Commission published for comment amendments to Rule 10b-6 [17 CFR 240.10b-6] which would except from the application of that rule distributions of securities by an issuer pursuant to employee or shareholder plans sponsored by an issuer.[1] All of the commentators supported adoption of the amendments [2] and the Commission is adopting them substantially in the form proposed.

Paragraph (e) of Rule 10b-6 currently provides that the provisions of the rule do not apply to a distribution of securities by an issuer to its employees, or to the employees of its subsidiaries, or to a trustee acquiring those securities for the account of the employees pursuant to certain specified types of employee plans.[3] The Commission believes that it is unlikely that an issuer would have an incentive to make purchases in a manipulative manner in order to facilitate any offering of securities to its employees or shareholders pursuant to an employee or shareholder plan, regardless of whether the plan meets the criteria contained in paragraph (e).[4] Therefore, if an issuer's only potential distribution for purposes of Rule 10b-6 is pursuant to such a plan the staff since 1977 consistently has taken the position that it would not recommend that the Commission take enforcement action under Rule 10b-6 with respect to

[1] Securities Act Release No. 6198 (March 13, 1980), 45 FR 18948 (1980).

[2] The Commission received fourteen letters of comment on the proposed amendments from representatives of the following groups: corporations (9); law firms and associations (4); and individuals (1).

[3] *See* Rule 10b-6(e)(1)-(2).

[4] The variety of employee and shareholder plans has increased substantially since 1955, when paragraph (e) was added to the rule. The Commission understands that certain of these plans permit a participant to make optional cash contributions in addition to any contributions by the issuer or the individual pursuant to the plan itself. The individual's additional cash contributions also are invested in the securities of the issuer. *See Securities and Exchange Commission, Reports on Banks Securities Activities*, 95th Cong., 1st Sess 27, 34 (Comm. Print Aug. 1977). The issuer generally has no control or influence over the amount of optional participant contributions and, to date, the staff has seen no abuses in connection with this type of plan provision.

purchases by an issuer of its securities, even though the issuer's plans do not meet the criteria contained in paragraph (e).[5] The staff has not viewed such offerings as distributions for purposes of paragraph (a) of the rule.

The Commission is adopting the proposed amendments to paragraph (e) of the rule to codify administrative practice regarding the inapplicability of the rule to employee or shareholder plans. The amendments exclude from the provisions of Rule 10b–6 any distribution of securities by an issuer or a subsidiary of an issuer [6] to employees or shareholders of the issuer or its subsidiaries pursuant to a plan, as that term is defined in new paragraph (c)(4) of the Rule.[7]

Part 240 of Title 17 of the Code of Federal Regulations is amended by adding a new paragraph (c)(4) to § 240.10b–6 and revising paragraph (e) thereof, as follows:

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

§ 240.10b–6 Prohibitions against trading by persons interested in a distribution.

* * * * *

(c) * * *

(4) The term "plan" shall include any bonus, profit-sharing, pension, retirement, thrift, savings, incentive, stock purchase, stock ownership, stock appreciation, stock option, dividend reinvestment or similar plan for employees or shareholders of an issuer or its subsidiaries.

* * * * *

(5) The provisions of this section shall not apply to any distribution of securities by an issuer or a subsidiary of an issuer to employees or shareholders of the issuer or its subsidiaries, or to a trustee or other person acquiring such securities for the account of such employees or shareholders pursuant to a plan, as that term is defined in paragraph (c)(4) of this section.

(Secs. 3(b), 9(a)(6), 10(b), 13(e), 14(e), 15(c)(1), 23(a), 48 Stat. 882, 889, 891, 894, 895, 901, sec. 8, 49 Stat. 1379, sec. 5, 78 Stat. 569, 570, secs. 2, 3, 82 Stat. 454, 455, secs. 1, 2, 3–5, 84 Stat. 1497, secs. 3, 18, 89 Stat. 97, 155 (15 U.S.C. 78c(b), 78i(a), 78j(b), 78m(e), 78w(a)))

* * * * *

The Commission finds, in reliance upon § 553(d)(1) of the Administrative Procedure Act, that this amendment may become effective immediately.

By the Commission.

George A. Fitzsimmons

Secretary.

February 19, 1981.

[FR Doc. 81-6908 Filed 3-3-81; 8:45 am]

BILLING CODE 8010-01-M

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17 CFR Part 240

[Release No. 34-17574]

Regulation of Specialists

AGENCY: Securities and Exchange Commission.

ACTION: Final rules.

SUMMARY: The Commission is amending Rule 11b–1 under the Securities Exchange Act of 1934 to eliminate duplicative requirements with respect to exchange rule changes relating to specialists and to clarify its application to options as well as stock specialists.

EFFECTIVE DATE: March 31, 1981.

FOR FURTHER INFORMATION CONTACT: Susan M. Wilk, Esq., Division of Market Regulation, Securities and Exchange Commission, Room 338, 500 North Capitol Street, Washington, D.C. 20549 (202) 273–2841.

SUPPLEMENTARY INFORMATION: Rule 11b–1 [17 CFR 240.11b–11], adopted by the Commission in November 1964,[1] pursuant to Section 11(b) of the Securities Exchange Act ("Act"),[2] provides for the registration of specialists on national securities exchanges and prescribes certain minimum requirements concerning their regulation. Subsections (a)(1)of the rule, which the Commission is amending, and (a)(3) which the Commission is deleting, require that national securities exchanges file copies of their rules and rule changes relating to specialists with the Commission and set forth procedures for the Commission to follow in disapproving such rules or rule changes. As these procedures currently are prescribed by Section 19(b) of the Act, 15 U.S.C. 78(b), and by Rule 19b–4 [17 CFR 240.19b–4] thereunder, such provisions are unnecessary in Rule 11b–1. Thus, the Commission is deleting those provisions.

Subsections (a)(2)(iv) and (b) of the rule, which the Commission is amending, currently refer to the responsibilities of a specialist with respect to the "stock or stocks" in which he is registered, while all other references in the rule are to "securities" activities. The Commission has determined to adopt a technical amendment to Rule 11b–1 which changes the terms "stock or stock" to "securities" to clarify the applicability of the rule to options specialists[3] on all national securities exchanges.[4] This has been the Commission's long-standing interpretation of Rule 11b–1, and the use of the work "securities" will accurately reflect this interpretation and will resolve any existing ambiguity as to the applicability of the rule to options exchanges.

The amendment has been adopted without comment pursuant to Section 553(b) of the Administrative Procedure Act ("APA").[5] The Commission has determined that good cause exists for an exception from the publication requirements of the APA in that the amendments are technical amendments to existing rules and are adopted to eliminate unnecessary provisions and to clarify the existing interpretation by the Commission that options specialists come within the scope of the rule. As the amendments will not alter the existing regulatory framework, nor impose any burdens upon the regulated parties, the

---

[5] *See, e.g., McDonald's Corporation* (June 6, 1977); *American Security Corporation* (September 28, 1977).

[6] The addition of "or a subsidiary of an issuer," suggested by one of the commentators, is intended to provide for situations where a subsidiary of the issuer [*e.g.*, a major operating subsidiary of a parent holding company] may sponsor an employee or shareholder plan which involves an offering of securities issued by the parent company.

[7] As proposed, the term "plan" would have included any bonus, profit-sharing, pension, retirement, thrift, savings, incentive, stock purchase, stock ownership, dividend reinvestment or similar plan for employees or shareholders of an issuer. In response to suggestions by several commentators, "stock option" and "stock appreciation" plans have been added to the list to make it clear that such plans are included within the exception. In addition, the clause "or employees or shareholders of its subsidiaries" has been added at the end of paragraph (c)(4).

[1] Securities Exchange Act Release No. 7625 [November 23, 1964], 29 FR 15862.

[2] 15 U.S.C. 78k(b).

[3] The term "specialist" also includes any market maker deemed to be or treated as a specialist for purposes of the Act by an exchange.

[4] Rule 11b–1 was adopted in 1964, nine years before options were permitted to be traded on a national securities exchange. Accordingly, while certain national securities exchanges, including the Philadelphia and Pacific Stock Exchanges, were exempted from its provisions at that time, the Commission did not intend and has never interpreted these exemptions to extend to the options programs of these national securities exchanges. In this regard, no national securities exchange has made an application pursuant to Section 11(c) of the Act to exempt its options program from the requirements of Rule 11b–1, nor is the Commission currently inclined to grant such an application. In any event, all of the options exchanges currently have rules designed to comply with the requirements of Rule 11b–1.

[5] 5 U.S.C. 551 *et seq.* Section 553(b) provides that an agency must publish general notice of proposed rule making in the Federal Register, unless at least one of two possible exemptions is available. The exceptions extend to: (1) "interpretative rules, general statements of policy, or rules of agency organization, procedure, or practice;" and (2) situations "when the agency for good cause finds * * * that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest."

Commission has determined that a comment period is unnecessary. Therefore, the amendments qualify for an exception and may be adopted in final form without being proposed for comment.

For the reasons stated above, the Commission finds that the proposed amendment is appropriate in the public interest, for the protection of investors, and otherwise in furtherance of the purposes of the Act. Accordingly, the Commission, acting pursuant to its authority under Section 23(a)(1) of the Act,[6] hereby amends Part 240 of Chapter II of Title 17 of the Code of Federal Regulations by revising paragraphs (a)(1) and (a)(2)(iv), removing paragraph (a)(3), and revising paragraph (b) of §240.11b-1 as follows:

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

§ 240.11b-1 Regulation of specialists.

(a)(1) The rules of a national securities exchange may permit a member of such exchange to register as a specialist and to act as a dealer.

(2) * * *

(iv) Provisions stating the responsibilities of a specialist acting as a broker in securities in which he is registered; and

(v) * * *

(b) If after appropriate notice and opportunity for hearing the Commission finds that a member of a national securities exchange registered with such exchange as a specialist in specified securities has, for any account in which he, his member organization, or any participant therein has any beneficial interest, direct or indirect, effected transactions in such securities which were not part of a course of dealings reasonably necessary to permit such specialist to maintain a fair and orderly market, or to act as an odd-lot dealer, in the securities in which he is registered and were not effected in a manner consistent with the rules adopted by such exchange pursuant to paragraph (a)(2)(iii) of this section, the Commission may by order direct such exchange to cancel, or to suspend for such period as the Commission may determine, such specialist's registration in one or more of the securities in which such specialist is registered: *Provided, however,* If such exchange has itself suspended or cancelled such specialist's registration in one or more of the securities in which such specialist is registered, no further sanction shall be imposed pursuant to this paragraph (b) except in a case where the Commission finds substantial or continued misconduct by a specialist; *And provided, further,* That the provisions of this pararaph (b) shall not apply to a member of a national securities exchange exempted pursuant to the provisions of paragraph (d) of this section.

* * * * *

By the Commission.

George A. Fitzsimmons,

Secretary.

February 25, 1981.

[FR Doc. 81-6884 Filed 3-3-81; 8:45 am]

BILLING CODE 8010-01-M

[6] 15 U.S.C. 78w(a)(1).

DEPARTMENT OF COMMERCE

International Trade Administration

19 CFR Part 353

Antidumping Duties; Ice Cream Sandwich Wafers From Canada; Final Results of Administrative Review and Revocation of Antidumping Finding

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of Final Results of Administrative Review and Revocation of Antidumping Finding.

SUMMARY: On November 17, 1980, the Department of Commerce published the preliminary results of its administrative review and tentative determination to revoke the antidumping finding on ice cream sandwich wafers from Canada. The scope of the review was limited to the only known exporter, Viau, Ltd., and covered the period July 1, 1978 through July 6, 1979. Interested parties were provided an opportunity to submit written comments or request disclosure and/or a hearing. No comments or requests were received.

EFFECTIVE DATE: March 4, 1981.

FOR FURTHER INFORMATION CONTACT: Robert J. Marenick, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202-377-2496).

SUPPLEMENTARY INFORMATION:

Procedural Background

On March 14, 1972, a dumping finding with respect to ice cream sandwich wafers from Canada was published in the **Federal Register** as Treasury Decision 72-77 (37 FR 5293). On November 17, 1980, the Department of Commerce ("the Department") published in the **Federal Register** the preliminary results of the administrative review of the finding (45 FR 75630).

The Department has now completed its administrative review of the finding.

Scope of the Review

The imports covered by this review are ice cream sandwich wafers currently classifiable under item 182.2000 of the Tariff Schedules of the United States Annotated (TSUSA).

The Department knows of only one exporter to the United States of Canadian ice cream sandwich wafers, Viau, Ltd., and the period covered by this review is July 1, 1978 through July 6, 1979.

Final Results of the Review

The Department received no comments or requests for disclosure or a hearing. Therefore, the final results of our review are the same as those presented in the preliminary results of review.

Determination

As a result of this review, the Department revokes the antidumping finding on ice cream sandwich wafers from Canada.

This revocation applies to unliquidated entries of this merchandise entered, or withdrawn from warehouse, for consumption on or after July 6, 1979. The Department will issue appraisement instructions directly to the Customs Service.

Annex I [Amended]

The table in Part 353, Annex I, Commerce Regulations (19 CFR, Annex I, 45 FR 8207), is amended under the country heading "Canada", by deleting from the column headed "Merchandise" the words "ice cream sandwich wafers" and from the column headed "T.D." the number "72-77".

This administrative review, revocation and notice publication are in accordance with section 751 (a)(1) and (c) of the Tariff Act of 1930 (19 U.S.C. 1675 (a)(1), (c)) and 353.54 of the Commerce Regulations (19 CFR 353.54).

John D. Greenwald,

Deputy Assistant Secretary for Import Administration.

February 27, 1981.

[FR Doc. 81-6849 Filed 3-3-81; 8:45 am]

BILLING CODE 3510-25-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-10-FRL 1765-1]

Revision to Idaho and Oregon State Implementation Plans

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: On December 5, 1980, EPA proposed for public comment in the **Federal Register** (45 FR 80558-60) revisions to the Idaho and Oregon State Implementation Plans. The revisions were in response to the May 10, 1979 (44 FR 27558) promulgated Rules and Regulations for Air Quality Monitoring, Data Reporting and Surveillance Provisions. No comments were received, therefore, EPA is today approving the Part 58 SIP revisions for the States of Idaho and Oregon. EPA approves a revision to the Idaho and Oregon State Implementation Plan to meet Federal Monitoring Regulations, 40 CFR Part 58, Subpart C, § 58.20 Air Quality Surveillance, plan content.

DATE: March 4, 1981.

ADDRESSES: Copies of the relative material for this revision may be examined during normal business hours at the following locations:

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

Central Docket Section (10A-80-18), West Tower Lobby, Gallery I, Environmental Protection Agency, 401 M Streets SW., Washington, D.C. 20460

Air Programs Branch, Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Seattle, WA 98101.

FOR FURTHER INFORMATION CONTACT: William B. Schmidt, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101,Telephone No. (206) 442-1106, FTS: 399-1106.

SUPPLEMENTARY INFORMATION: Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized." I have reviewed this regulation and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

Pursuant to the provisions of 5 U.S.C. 605(b) I hereby certify that the attached rule will not have a significant economic impact on a substantial number of small entities. This action only approves state actions. It imposes no new requirements. 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 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.

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

Subpart N—Idaho

Section 52.670, (c)(18) is added as follows

§ 52.670 Identification of plan.

* * * * *

(c) * * *

(18) On February 14, 1980 the State of Idaho Department of Health and Welfare submitted a plan revision to meet the requirements of Air Quality Monitoring 40 CFR Part 58, Subpart C, § 58.20.

Subpart MM—Oregon

Section 52.1970, (c)(33) is added as follows:

* * * * *

§ 52.1970 Identification of plan.

(c) * * *

(33) On December 27, 1979, the State of Oregon Department of Environmental Quality submitted a plan revision to meet the requirements of Air Quality Monitoring 40 CFR Part 58, Subpart C § 52.20.

(Section 110 and 172 of the Clean Air Act (42 U.S.C. 7410(a) and 7502))

Date: February 26, 1981.

Walter C. Barber,

Acting Administrator.

Note.—Incorporation by reference of the State Implementation Plan for the States of Idaho and Oregon was approved by the Director of the Federal Register on July 1, 1980.

[FR Doc. 81-6804 Filed 3-3-81; 8:45 am]

BILLING CODE 6560-38-M

40 CFR Part 52

[A-5-FRL 1746-8]

Ambient Air Quality Monitoring, Data Reporting, and Surveillance Provisions for the State of Illinois

AGENCY: U.S. Environmental Protection Agency.

ACTION: Final rulemaking.

SUMMARY: On June 24, 1980 (45 FR 42338), the U.S. Environmental Protection Agency (EPA) proposed approval of and solicited public comment on an air quality surveillance plan submitted by the State of Illinois as a revision to the Michigan State Implementation Plan (SIP). No public comments were received. This notice announces EPA's final approval of the air quality surveillance plan as a revision to the Illinois SIP.

EFFECTIVE DATE: This final rulemaking becomes effective on April 3, 1981.

ADDRESSES: Copies of the SIP revision, and EPA's evaluation are available for inspection during normal business hours at the following addresses:

United States Environmental Protection Agency, Air Programs Branch, Region V, 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 submisssion are also available at:

Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois 62706.

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

FOR FURTHER INFORMATION CONTACT: Delores Sieja, Regulatory Analysis Section, U.S. Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 886-6053.

SUPPLEMENTAL INFORMATION: Section 319 of the Clean Air Act, as amended, requires the U.S. Environmental Protection Agency (EPA) to establish monitoring criteria to be followed uniformly across the nation. Pursuant to this requirement and the recommendations of the Standing Air Monitoring Work Group (SAMWG), EPA on May 10, 1979 (44 FR 27558), promulgated Rules and Regulations for Ambient Air Quality Monitoring, Data Reporting, and Surveillance Provisions. The regulations revoke Part 51 of Title 40 of the Code of Federal Regulations

and establish a new Part 58 entitled Ambient Air Quality Surveillance.

On December 20, 1979, the State of Illinois submitted to EPA a SIP revision to provide for modification of the existing air quality surveillance network. EPA has reviewed the submittal and determined that it meets the requirements of Sections 110 and 319 of the Clean Air Act, as amended, and EPA regulations in 40 CFR Part 58. The complete requirements for an air quality surveillance plan are outlined in 40 CFR 58.20, and were summarized in EPA's notice of proposed rulemaking published June 24, 1980 (45 FR 42338). At that time, EPA discussed the state's submission, and proposed approval of the Illinois air quality surveillance plan. Interested parties were given until July 24, 1980 to comment on the plan and on EPA's proposed approval. No comments were received. This notice announces EPA's final rulemaking action to approve the air quality surveillance plan as a revision to the Illinois SIP.

Under Section 307(b)(1) of the Clean Air Act, judicial review of this final 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 date of final rulemaking. 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.

Under Executive Order 12044 (43 FR 12661), EPA is required to judge whether a regulation is "significant" and, therefore, subject to certain procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels proposed regulations, "specialized." I have reviewed this and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

This Final Rulemaking is issued under the authority of sections 110 and 319 of the Clean Air Act as amended (42 U.S.C. 7410 and 7619).

Dated: February 26, 1981.

Walter C. Barber,

Acting Administrator.

Note.—Incorporation by reference of the State Implementation Plan for the State of Illinois was approved by the Director of the Federal Register on July 1, 1980.

Title 40 of the Code of Federal Regulations, Chapter 1, Part 52 is amended as follows:

Subpart O—Illinois

Section 52.720(c) is amended by adding subparagraph (26) as follows:

§ 52.720 Identification of plan.

* * * * *

(c) * * *

* * * * *

(26) On December 20, 1979, the State of Illinois submitted a revision to provide for modification of the existing air quality surveillance network.

[FR Doc. 81-6983 Filed 3-3-81; 8:45 am]

BILLING CODE 6560-38-M

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40 CFR Part 52

[A-1-FR 1739-3]

Revision to the State Implementation Plan (SIP) for the State of Massachusetts

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: Revisions to the State Implementation Plan (SIP) for the State of Massachusetts were submitted to EPA on January 28, 1980 by the Commissioner of the Department of Environmental Quality Engineering. Those revisions included a comprehensive air quality monitoring plan intended to meet requirements of 40 CFR 58 entitled Ambient Air Quality Surveillance.

On June 26, 1980 the Regional Administrator published in the **Federal Register** (45 FR 43229) a Notice of Proposed Rulemaking for this revision to the Massachusetts SIP, to approve the comprehensive air quality monitoring plan. No comments were received during the 30-day comment period. EPA is taking action because the revision meets the requirements of the ambient air quality surveillance regulations. The intended effect of this action is to approve the comprehensive air quality monitoring plan.

EFFECTIVE DATE: These regulations take effect on April 3, 1981.

FOR FURTHER INFORMATION CONTACT: Donald P. Porteous, Air Section, EPA, Region I, 60 Westview Street, Lexington, Massachusetts 02173, (617) 861-6700.

SUPPLEMENTARY INFORMATION: On May 10, 1979 (44 FR 27558) pursuant to the requirements of Sections 110(a)(2)(C), 319, 313, and 127 of the Clean Air Act, EPA promulgated ambient air quality monitoring, data reporting, and surveillance provisions, establishing a new Part 58 in 40 CFR, entitled Ambient Air Quality Surveillance.

Massachusetts has submitted a Comprehensive Air Quality Monitoring Plan designed to meet the requirements of Part 58. EPA has found that the Massachusetts submittal meets the applicable regulations. EPA proposed approval of the Comprehensive Air Quality Monitoring Plan in a notice of proposed rulemaking (45 FR 43229). No comments were received during the 30-day comment period. EPA is now granting final approval of the Massachusetts plan.

After evaluation of the state's submittal, the Administrator has determined that the Massachussetts revision meets the requirements of the Clean Air Act and 40 CFR, Part 58. Accordingly, this revision is approved as a revision to the Massachusetts State Implementation Plan.

Under Section 307(b)(1) of the Clean Air Act, judicial review of this SIP revision 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.

Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA refers to these other regulations as "specialized". I have reviewed this regulation and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

(Section 110(a) and 301 of the Clean Air Act, as amended, 42 U.S.C. 7401 and 7601)

Dated: January 27, 1981.

Walter C. Barber,

Acting Administrator.

Note.—Incorporation by reference of the State Implementation Plan for the State of Massachusetts was approved by the Director of the Federal Register on July 1, 1980.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Subpart W—Massachusetts

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

Under § 52.1120. Identification of Plan, add subparagraph (36) to paragraph (c) as shown below:

§ 52.1120 Identification of Plan.

* * * * *

(c) * * *

(36) A comprehensive air quality monitoring plan, intended to meet requirements of 40 CFR 58, was submitted by the Commissioner of the Department of Environmental Quality Engineering on January 28, 1980.

(c) * * *

[FR Doc. 81-6633 Filed 3-3-81; 8:45 am]

BILLING CODE 6560-38-M

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40 CFR Part 52

[A-5-FRL 1746-7]

Ambient Air Quality Monitoring, Data Reporting, and Surveillance Provisions for the State of Michigan

AGENCY: U.S. Evironmental Protection Agency.

ACTION: Final rulemaking.

SUMMARY: On June 17, 1980 (45 FR 41016), the U.S. Environmental Protection Agency (EPA) proposed approval of and solicited public comment on an air quality surveillance plan submitted by the State of Michigan as a revision to the Michigan State Implementation Plan (SIP). No public comments were received. This notice announces EPA's final approval of the air quality surveillance plan as a revision to the Michigan SIP.

EFFECTIVE DATE: This final rulemaking becomes effective on April 3, 1981.

ADDRESSES: Copies of the SIP revision, and EPA's evaluation are available for inspection during normal business hours at the following addresses:

United States Environmental Protection Agency, Air Programs Branch, Region V, 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 submission are also available at:

Michigan Department of Natural Resources, P.O. Box 30028, Lansing, Michigan 48909.

FOR FURTHER INFORMATION CONTACT: Delores Sieja, Regulatory Analysis Section, U.S. Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 886-6053.

SUPPLEMENTAL INFORMATION: Section 319 of the Clear Air Act, as amended, requires the U.S. Environmental Protection Agency (EPA) to establish monitoring criteria to be followed uniformly across the nation. Pursuant to this requirement and the recommendations of the Standing Air Monitoring Work Group (SAMWG), EPA on May 10, 1979 (44 FR 27558), promulgated Rules and Regulations for Ambient Air Quality Monitoring, Data Reporting, and Surveillance Provisions. The regulations revoke Part 51 of Title 40 of the Code of Federal Regulations and establish a new Part 58 entitled Ambient Air Quality Surveillance.

On December 19, 1979, the State of Michigan submitted to the USEPA a SIP revision to provide for modification of the existing air quality surveillance network. EPA has reviewed the submission and determined that it meets the requirements of Sections 110 and 319 of the Clear Air Act, as amended, and EPA regulations in 40 CFR Part 58. The complete requirements for an air quality surveillance plan are outlined in 40 CFR 58.20, and were summarized in EPA's notice of proposed rulemaking published June 17, 1980 (45 FR 41016). At that time, EPA discussed the state's submission, and proposed approval of the Michigan air quality surveillance plan. Interested parties were given until July 17, 1980 to comment on the plan and on EPA's proposed approval. No comments were received.

This notice announces EPA's final rulemaking action to approve the air quality surveillance plan as a revision to the Michigan SIP.

Under Section 307(b)(1) of the Clear Air Act, judicial review of this final 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 date of final rulemaking. 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.

Under Executive Order 12044 (43 FR 12661), EPA is required to judge whether a regulation is "significant" and, therefore, subject to certain procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels proposed regulations "specialized." I have reviewed this and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

This Final Rulemaking is issued under the authority of sections 110 and 319 of the Clear Air Act as amended (42 U.S.C. 7410 and 7619).

Dated: February 26, 1981.

Walter C. Barber,

Acting Administrator.

Note.—Incorporation by reference of the State Implementation Plan for the State of Michigan was approved by the Director of the Federal Register on July 1, 1980.

Title 40 of the Code of Federal Regulations, Chapter 1, Part 52 is amended as follows:

Subpart X—Michigan

Section 52.1170(c) is amended by adding subparagraph (32) as follows:

§ 52.1170 Identification of Plan.

* * * * *

(c) * * *

* * * * *

(32) On December 19, 1979, the State of Michigan submitted a revision to provide for modification of the existing air quality surveillance network.

[FR Doc. 81-6661 Filed 3-3-81; 8:45 am]

BILLING CODE 6560-38-M

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40 CFR Part 52

[A-5-FRL 1746-6]

Ambient Air Quality Monitoring, Data Reporting, and Surveillance Provisions for the State of Minnesota

AGENCY: U.S. Environmental Protection Agency.

ACTION: Final rulemaking.

SUMMARY: On July 18, 1980 (45 FR 48168), the U.S. Environmental Protection Agency (EPA) proposed approval of and solicited public comment on an air quality surveillance plan submitted by the State of Minnesota as a revision to the Minnesota State Implementation Plan (SIP). One individual submitted comments on the proposed plan. This notice announces EPA's final approval of the air quality surveillance plan as a revision to the Minnesota SIP.

EFFECTIVE DATE: This final rulemaking becomes effective on April 3, 1981.

ADDRESSES: Copies of the SIP revision; public comments on the Notice of Proposed Rulemaking (45 FR 48168), and EPA's evaluation and response to comments are available for inspection during normal business hours at the following addresses:

United States Environmental Protection Agency, Air Programs Branch, Region V, 230 South Dearborn Street, Chicago, Illinois 60604

United States Environmental Protection Agency, Public Information Reference Unit, 401 M Street SW., Washington, D.C. 20460.

Copies of the submission are also available at:

Minnesota Pollution Control Agency, 1935 W. County Road B-2, Roseville, Minnesota 55113
The Office of the Federal Register, 1100 L Street NW., Room 8401, Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Delores Sieja, Regulatory Analysis Section, U.S. Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 886-6053.

SUPPLEMENTAL INFORMATION: Section 319 of the Clean Air Act, as amended, requires the U.S. Environmental Protection Agency (EPA) to establish monitoring criteria to be followed uniformly across the Nation. Pursuant to this requirement and the recommendations of the Standing Air Monitoring Work Group (SAMWG), EPA on May 10, 1979 (44 FR 27558), promulgated Rules and Regulations for Ambient Air Quality Monitoring, Data Reporting, and Surveillance Provisions. The regulations revoke Part 51 of Title 40 of the Code of Federal Regulations and establish a new Part 58 entitled Ambient Air Quality Surveillance.

On March 5, 1980, the State of Minnesota submitted to EPA a SIP revision to provide for modification of the existing air quality surveillance network. An amendment to the revision was submitted by the State of Minnesota on June 2, 1980. EPA has reviewed the submission and amendment and has determined that it meets the requirements of Sections 110 and 319 of the Clean Air Act, as amended, and EPA regulations in 40 CFR Part 58.

The complete requirements for an air quality surveillance plan are outlined in 40 CFR Part 58.20, and were summarized in EPA's notice of proposed rulemaking published July 18, 1980 (45 FR 48168). At that time, EPA discussed the state's submission and proposed approval of the Minnesota air quality surveillance plan. Interested parties were given until September 2, 1980, to comment on the plan and on EPA's proposed approval. One individual submitted comments on the proposed plan. The comments and EPA's responses are discussed below.

Public Comment

A commentor believes that the Minnesoata air quality surveillance plan should not be approved by EPA until certain monitor siting problems are corrected. Specifically, the commentor is concerned about the location of ozone peak concentration and background concentration monitoring sites in the Minneapolis/St. Paul urban nonattainment area. For the peak site, the commentor points out that the monitor is sited on a building which is surrounded by large deciduous trees. The commentor is concerned that the scavenging effect of these trees would seriously affect the ozone readings. For the background site, the commentor is concerned that the monitor is located too close to possible significant sources of oxides of nitrogen. Therefore, it does not meet the specific background site criteria.

EPA Response

40 CFR Part 58.30 requires that a description of the NAMS monitoring network be submitted with the air monitoring SIP. However, 40 CFR Part 58 does not require a description of the entire SLAMS monitoring network be submitted as part of the SIP. The sites referred to by the commentor are SLAMS and not NAMS sites.

EPA is aware that there may be problems with the locations of the referenced monitors. Site surveys are being conducted jointly by the EPA and the Minnesota Pollution Control Agency (MPCA) to determine the acceptability of siting for these monitors. If a determination is made that these monitors are incorrectly positioned they will be moved to locations which comply with 40 CFR Part 58. In accordance with 40 CFR Part 58.23, MPCA has agreed to implement an acceptable SLAMS network by January 1, 1983 and to make a description of this network available for public review.

EPA Final Determination

EPA has determined that the SIP revision submitted by the State of Minnesota meets the requirements of 40 CFR Part 58. Therefore, the EPA takes final action today to approve the air quality surveillance plan as a revision to the Minnesota SIP.

Under Section 307(b)(1) of the Clean Air Act, judicial review of this final 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 date of final rulemaking. 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.

Under Executive Order 12044 (43 FR 12661), EPA is required to judge whether a regulation is "significant" and, therefore, subject to certain procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels proposed regulations, "specialized." I have reviewed this and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

This Final Rulemaking is issued under the authority of sections 110 and 319 of the Clean Air Act as amended (42 U.S.C. 7410 and 7619).

Note.—Incorporation by reference of the State Implementation Plan for the State of Minnesota was approved by the Director of the Federal Register on July 1, 1980.

Dated: February 26, 1981.

Walter C. Barber,

Acting Administrator.

Title 40 of the Code of Federal Regulations, Chapter 1, Part 52 is amended as follows:

Subpart Y—Minnesota

Section 52.1220(c) is amended by adding subparagraph (16) as follows:

§ 52.1220 Identification of Plan.

* * * * *

(c) * * *

* * * * *

(16) On March 5, 1980, the State of Minnesota submitted a revision to provide for modification of the existing air quality surveillance network. An amendment to the revision was submitted by the State of Minnesota on June 2, 1980.

[FR Doc. 81-6860 Filed 3-3-81; 8:45 am]

BILLING CODE 6560-38-M

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40 CFR Part 52

[A-5-FRL 1746-5]

Ambient Air Quality Monitoring, Data Reporting, and Surveillance Provisions for the State of Ohio

AGENCY: U.S. Environmental Protection Agency.

ACTION: Final rulemaking.

SUMMARY: On July 18, 1980 (45 FR 48169), the U.S. Environmental Protection Agency (EPA) proposed approval of and solicited public comment on an air quality surveillance plan submitted by the State of Ohio as a revision to the Ohio State Implementation Plan (SIP). One public interest group submitted comments on the proposed plan. This notice announces EPA's final approval of the air quality surveillance plan as a revision to the Ohio SIP.

EFFECTIVE DATE: This final rulemaking becomes effective on April 3, 1981.

ADDRESSES: Copies of the SIP revision, public comments on the Notice of Proposed Rulemaking (45 FR 48169), and EPA's evaluation and response to

comments are available for inspection during normal business hours at the following addresses:

United States Environmental Protection Agency, Air Programs Branch, Region V, 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 submission are also available at:

Ohio Environmental Protection Agency, P.O. Box 1049, Columbus, Ohio 43216

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

FOR FURTHER INFORMATION CONTACT: Delores Sieja, Regulatory Analysis Section, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 886–6053.

SUPPLEMENTARY INFORMATION: Section 319 of the Clean Air Act, as amended, requires the U.S. Environmental Protection Agency (EPA) to establish monitoring criteria to be followed uniformly across the Nation. Pursuant to this requirement and the recommendations of the Standing Air Monitoring Work Group (SAMWG), EPA on May 10, 1979 (44 FR 27558), promulgated Rules and Regulations for Ambient Air Quality Monitoring, Data Reporting, and Surveillance Provisions. The regulations revoke Part 51 of Title 40 of the Code of Federal Regulations and establish a new Part 58 entitled Ambient Air Quality Surveillance.

On February 8, 1980, the State of Ohio submitted to the EPA a SIP revision to provide for modification of the existing air quality surveillance network. EPA reviewed the revision and determined that it meets the requirements of Sections 110 and 319 of the Clean Air Act, as amended, and EPA regulations in 40 CFR Part 58. The complete requirements for an air quality surveillance plan are outlined in 40 CFR 58.20, and were summarized in EPA's notice of proposed rulemaking published July 18, 1980 (45 FR 48169). At that time, EPA discussed the state's submission and proposed approval of the Ohio air quality surveillance plan. Interested parties were given until August 18, 1980 to comment on the plan and on EPA's proposed approval. One public interest group submitted comments on the proposed plan. This section of the notice discusses the comments received and EPA's response.

Issue

The commentor is concerned about two carbon monoxide air monitoring sites in the Toledo area. In the listing that accompanied the SIP revision both sites were classified as microscale sites. The commentor is concerned that the monitor inlets at both locations are incorrectly positioned and do not meet the microscale site criteria contained in Appendix E of 40 CFR Part 58.

EPA Response

The EPA requested the Ohio EPA to review the issues raised by the commentor. In a letter dated September 8, 1980 the Ohio EPA agreed that both sites were incorrectly classified as microscale sites. To alleviate this problem the classification of one site will be modified to "neighborhood" scale. For the second site, the state will make minor adjustments with regard to probe placement to conform to microscale site probe criteria contained in Appendix E of 40 CFR Part 58.

EPA Final Determination

After reviewing the public comments received and the State's response to public comments, EPA has determined that the SIP revision submitted by the State of Ohio meets the requirements of 40 CFR Part 58. Therefore, EPA takes final action today to approve the air quality surveillance plan as a revision to the Ohio SIP.

Under Section 307(b)(1) of the Clean Air Act, judicial review of this final 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 date of final rulemaking. 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.

Under Executive Order 12044 (43 FR 12661), EPA is required to judge whether a regulation is "significant" and, therefore, subject to certain procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels proposed regulations, "specialized." I have reviewed this and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

This Final Rulemaking is issued under the authority of sections 110 and 319 of the Clean Air Act as amended (42 U.S.C. 7410 and 7619).

Dated: February 26, 1981.

Walter C. Barber,

Acting Administrator.

Note.—Incorporation by reference of the State Implementation Plan for the State of Ohio was approved by the Director of the Federal Register on July 1, 1980.

Title 40 of the Code of Federal Regulations, Chapter 1, Part 52 is amended as follows:

Subpart KK—Ohio

Section 52.1870(c) is amended by adding subparagraph (26) as follows:

§ 52.1870 Identification of plan.

* * * * *

(c) * * *

* * * * *

(26) On February 8, 1980, the State of Ohio submitted a revision to provide for modification of the existing air quality surveillance network.

[FR Doc. 81-6662 Filed 3-3-81; 8:45 am]

BILLING CODE 6560-38-M

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40 CFR Part 81

[A-5-FRL 1765-3]

Designation of Areas for Air Quality Planning Purposes; Attainment Status Designations; Ohio

AGENCY: U.S. Environmental Protection Agency (USEPA).

ACTION: Final rulemaking.

SUMMARY: This rulemaking changes the attainment status, relative to the carbon monoxide (CO) National Ambient Air Quality Standards (NAAQS), for Summit County, Ohio. In the October 17, 1980 **Federal Register** (45 FR 68978), USEPA proposed to redesignate this area from nonattainment to unclassified for CO. The State of Ohio requested USEPA to change the designation of Summit County from nonattainment for carbon monoxide to attainment. The intended effect is to satisfy the requirements of the Clean Air Act.

EFFECTIVE DATE: April 3, 1981.

FOR FURTHER INFORMATION CONTACT: Richard Clarizio, Regulatory Analysis Section, Air Programs Branch, U.S. Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 886–6035.

SUPPLEMENTARY INFORMATION: The Clean Air Act Amendments of 1977 added section 107(d) to the Clean Air Act (Act) directing each state to submit to the Administrator of the USEPA a list of those areas within the state which had ambient air concentrations of the pollutants sulfur dioxide (SO_2), total suspended particulates (TSP), nitrogen oxides (NO_x), carbon monoxide (CO) and ozone (O_3) which exceeded the USEPA established primary and secondary National Ambient Air

Quality Standards (NAAQS) for each of these pollutants. These areas were to be designated as nonattainment areas. The areas within each state which had ambient air concentrations below the NAAQS level were to be designated as attainment. Those areas which lacked sufficient monitoring data to accurately determine their status were to be designated as unclassified. In the March 3, 1978 **Federal Register** (43 FR 8962) and in the October 5, 1978 **Federal Register** (43 FR 45993) the Administrator of the USEPA promulgated lists of nonattainment areas for each pollutant in each state. These lists also contained classifications for the attainment and unclassified areas within the state. Summit and Lucas Counties, Ohio were designated as nonattainment for carbon monoxide in the October 5, 1978 **Federal Register** (43 FR 45993).

According to section 107(d) of the Act, an area's designation is subject to revision whenever sufficient data becomes available to warrant such a redesignation. The State of Ohio, on March 21, 1980, requested USEPA to change the designation of Summit and Lucas Counties from nonattainment for carbon monoxide to attainment. This request was based on the ambient air quality data from the years 1977–1979 which showed that during these years there were no violations of either the primary or secondary carbon monoxide NAAQS in Summit and Lucas Counties.

After reviewing the data submitted by the State, USEPA, in the October 17, 1980 **Federal Register** (45 FR 68978), proposed to change the status of these counties from nonattainment to unclassified. For both areas, a thirty day public comment period was provided until November 17, 1980. During that time, USEPA received numerous comments on its proposed action for Lucas County, Ohio as well as a request to extend the public comment period for that County. Based on the request, USEPA in the December 17, 1980 **Federal Register** (45 FR 82964) extended, until December 23, 1980, the public comment period for its proposed action on the Lucas County, Ohio redesignation. Final action on the redesignation for Lucas County, Ohio will be published after USEPA has evaluated all the comments received.

For Summit County, Ohio USEPA did not receive a request to extend the public comment period and received only one comment from the State. In its letter to USEPA, the State noted that for carbon monoxide all other Counties in the State are designated in Chapter 40 Part 81 of the Code of Federal Regulations (40 CFR 81) as either nonattainment or attainment/unclassifiable. For consistency purposes the State requested USEPA to classify Summit County as attainment/unclassifiable. As stated in the notice of proposed rulemaking, due to the nature of carbon monoxide and to the manner in which it is measured EPA considers this area as unclassified. However, since the only designation classifications for carbon monoxide in 40 CFR 81 are nonattainment and attainment/unclassifiable, USEPA will designate the area as attainment/unclassifiable in 40 CFR 81.336.

Since there was no request to extend the public comment period provided for the Summit County redesignation; since USEPA's action on the Summit County redesignation is not dependent on its final action on the Lucas County redesignation; and since the comment received on the Summit County redesignation does not change the Agency's proposed action, USEPA, pursuant to section 107 of the Act, is today changing the designation of Summit County, Ohio from nonattainment to attainment/unclassifiable. Furthermore, as stated in the October 17, 1980 **Federal Register** at 68978 there is no longer any need for a carbon monoxide nonattainment SIP revision for Summit County, Ohio. Consequently, the restrictions on industrial growth contained in section 110(a)(2)(I) of the Act will now be lifted for carbon monoxide from major carbon monoxide emitting stationary sources.

Under Executive Order 12044 (43 FR 12661), USEPA is required to judge whether a regulation is "significant," and therefore, subject to certain procedural requirements of the Order or whether it may follow other specialized development procedures.

USEPA Labels these other regulations, "Specialized." I have reviewed this proposed regulation pursuant to the guidance in USEPA's response to Executive Order 12044, "Improving Environmental Regulations," signed March 29, 1979, by the Administrator and I have determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

Under Section 307(b)(1) of the Clean Air Act, judicial review of this final 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 March 4, 1981. 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 USEPA to enforce these requirements.

This notice of final rulemaking is issued under the authority of section 107 of the Clean Air Act, as amended.

(Sec. 107 of Clean Air Act as amended, 40 U.S.C. 7407)

Dated: January 29, 1981.

Walter C. Barber,

Acting Administrator.

PART 81—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL TECHNIQUES

Subpart C—Section 107 Attainment Status Designations

Section 81.336 of Part 81 of Chapter 1, Title 40, Code of Federal Regulations is amended as follows. In the table for "Ohio—Carbon monoxide" the entry under Summit County should be revised as follows:

§ 81.336 Ohio.

* * * * *

Ohio—*Carbon Monoxide*

Designated areas	Primary standard exceeded § (d)(1)(A)	Unclassifiable and/or attainment § (d)(1)(E)
* * * * *		
Summit		X
* * * * *		

[FR Doc. 81-6846 Filed 3-3-81; 8:45 am]

BILLING CODE 6560-38-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

42 CFR PART 110

Information Regarding Requirements for Health Maintenance Organizations

Correction

In FR Doc. 81-5648, appearing at page 13511 in the issue of Monday, February 23, 1981, please make the following changes:

(1) On page 13511, second column, under "Supplementary Information:", sixth line, "94-559" should read "95-559".

(2) On page 13512, second column, under **"Organization and Operation"**, "*§ 110.108(b)—Final risk*" should read "*§ 110.108(b)—Financial risk*".

BILLING CODE 1505-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket No. FEMA 6003]

List of Communities With Special Hazard Areas Under National Flood Insurance Program

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Final rule.

SUMMARY: This rule identifies communities with areas of special flood, mudslide, or erosion hazards as authorized by the National Flood Insurance Program. The identification of such areas is to provide guidance to communities on the reduction of property losses by the adoption of appropriate flood plain management or other measures to minimize damage. It will enable communities to guide future construction, where practicable, away from locations which are threatened by flood or other hazards.

EFFECTIVE DATES: The effective date shown at the top right of the table or April 3, 1981, whichever is later.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, National Flood Insurance Program, (202) 426–1460 or Toll Free Line 800–755–5585, Room 5150, 451 Seventh Street, S.W., Washington, D.C. 20410

SUPPLEMENTARY INFORMATION: The Flood Disaster Protection Act of 1973 (Pub. L. 93–234) requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special flood hazards that is located within any community participating in the National Flood Insurance Program.

One year after the identification of the community as flood prone, the requirement applies to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition and construction in these areas unless the community has entered the program. The prohibition, however, does not apply in respect to conventional mortgage loans by federally regulated, insured, supervised, or approved lending institutions.

This 30 day period does not supersede the statutory requirement that a community, whether or not participating in the program, be given the opportunity for a period of six months to establish that it is not seriously flood prone or that such flood hazards as may have existed have been corrected by floodworks or other flood control methods. The six months period shall be considered to begin 30 days after the date of publication in the **Federal Register** or the effective date of the Flood Hazard Boundary Map, whichever is later. Similarly, the one year period a community has to enter the program under section 201(d) of the Flood Disaster Protection Act of 1973 shall be considered to begin 30 days after publication in the **Federal Register** or the effective date of the Flood Hazard Boundary Map, whichever is later.

This identification is made in accordance with Part 64 or Title 44 of the Code of Federal Regulations as authorized by the National Flood Insurance Program (42 U.S.C. 4001–4128).

Section 65.3 is amended by adding in alphabetical sequence a new entry to the table:

§ 65.3 List of communities with special hazard areas (FHBMs in effect).

BILLING CODE 6718-03-M

EFFECTIVE DATE March 3, 1981

1 STATE	2 IDENT. NUMBER	3 COMMUNITY NAME & COUNTY NAME	4 PANELS PRINTED (# AND SUFFIX)	5 INLAND/ COASTAL	6 HAZARD	7 60.3 CODE	8 PROGRAM STATUS	9 STATUS OF FHBM	9 STATUS OF FIRM	10 PREVIOUS MAP DATES FHBM	10 PREVIOUS MAP DATES FIRM	11 REVISION CODE(S)	12 RESCISSION	13 FLOODWAYS PANELS PRINTED	14 LOCATION OF MAP REPOSITORY
OK	400502	Delaware County (Unincorporated Areas)	0001A thru 0006A	I	FL	B	4	2	1	N/A	N/A	N/A	N/A	N/A	Mr. John Henry Ward, Chairman Board of Commissioners P.O. Box 309 Jay, OK 74346 (918) 253-4432
EFFECTIVE DATE March 6, 1981															
IN	160444	Monroe County Unincorporated Areas	0001A thru 0006A	I	FL	B	4	2	1	N/A	N/A	N/A	N/A	N/A	Pat Cheesman, Coordinator Monroe County Planning Dept. 119 West 7th Street Bloomington, IN 47401 Phone: 812 332-2827
EFFECTIVE DATE March 10, 1981															
TX	481566	City of Cities Municipal Utility District (Ft. Bend County)	0001A	I	FL	B	1	2	1	N/A	N/A	N/A	N/A	N/A	Board of Directors City of Cities Municipal Utility District 518 Sugarcreek Boulevard P.O. Box 45 Sugarland, TX 77428 (713) 494-5463
EFFECTIVE DATE March 13, 1981															
NJ	340444	Bor. of Somerville Somerset Co.	0005B	I	FL	B	1	3	1	7/26/74 10/24/75	N/A	9	N/A	N/A	Mr. Ralph D. Steradori Bor. Administrator 170 East Main Street Somerville, NJ 08876
NY	360265	Town of Jay (Essex County)	0005B 0010B 0015B 0020B 0030B	I	FL	B	1	3	1	11/8/74 9/3/76	N/A	9 10	N/A	N/A	Paul Savage Town Supervisor AU Sable Forks Jay, NY 12912

EFFECTIVE DATE March 13, 1981

1 STATE	2 IDENT. NUMBER	3 COMMUNITY NAME & COUNTY NAME	4 PANELS PRINTED (# AND SUFFIX)	5 INLAND/ COASTAL	6 HAZARD	7 60.3 CODE	8 PROGRAM STATUS	9 STATUS OF		10 PREVIOUS MAP DATES		11 REVISION CODE(S)	12 RESCISSION	13 FLOODWAYS PANELS PRINTED	14 LOCATION OF MAP REPOSITORY
								FHBM	FIRM	FHBM	FIRM				
NC	370429	Town of Pikeville (Wyane County)	0001A	I	FL	B	1	2	1	N/A	N/A	N/A	N/A	N/A	Mr. Raymond B. Glover Town Manager P. O. Box 9 Pikeville, NC 27863 919-242-5126
WI	550591	Sawyer County (Uninc. Areas.)	0001A thru 0015A	I	FL	B	1	2	1	N/A	N/A	N/A	N/A	N/A	Zoning Administrator's Office Sawyer Co. Courthouse Hayward, WI 54896 715—634-4633
EFFECTIVE DATE March 17, 1981															
SD	460184	City of Ipswich (Edmunds County)	0001C	I	FL	B	1	3	1	11-5-76 2-14-78 9-5-78	N/A	9 10 16	N/A	N/A	Mr. Lynn Lander City Finance Officer P.O. Box 586 Ipswich, SD 57451 (605) 426-6961
TX	481485	Fort Bend County Levee Improvement District #2 (Fort Bend County)	0001A	I	FL	B	1	2	1	N/A	N/A	N/A	N/A	N/A	Ms. Carol Dinkins Vinson & Elkins Attorneys at Law First City National Bank Building Houston, TX 77002 (713) 651-2222
EFFECTIVE DATE March 20, 1981															
WI	550601	Marquette County Unincorporated Areas.	0001A thru 0006A	I	FL	B	4	2	1	N/A	N/A	N/A	N/A	N/A	County Clerk's Office Marquette Co. Courthouse Montello, WI 53949 Phone 412 297-2532

EFFECTIVE DATE March 27, 1981

1 STATE	2 IDENT. NUMBER	3 COMMUNITY NAME & COUNTY NAME	4 PANELS PRINTED (# AND SUFFIX)	5 INLAND/ COASTAL	6 HAZARD	7 60.3 CODE	8 PROGRAM STATUS	9 STATUS OF		10 PREVIOUS MAP DATES		11 REVISION CODE(S)	12 RESCISSION	13 FLOODWAYS PANELS PRINTED	14 LOCATION OF MAP REPOSITORY
								FHBM	FIRM	FHBM	FIRM				
MN	270638	Marshall County (Uninc. Areas)	Index 0001A thru 0017A	I	FL	B	1	2	1	N/A	N/A	N/A	N/A	N/A	County Auditor's Office Marshall County Courthouse Warren, MN 56762 Phone: 218 745-4851
EFFECTIVE DATE March 31, 1981															
TX	481544	City of Prairie View Waller Co.	0001A	I	FL	B	4	2	1	N/A	N/A	N/A	N/A	N/A	Honorable Eristus Sams Mayor, City of Prairie View P. O. Box 2809 Prairie View, TX 77445 (713) 857-3711

BILLING CODE 6718-03-C

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

Issued: February 19, 1981.

Richard Krimm,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 81-6882 Filed 3-3-81; 8:45 am]

BILLING CODE 6718-03-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 2 and 97

[FCC 81-56]

Amendment of the Commission's Rules To Provide for Exception to the 50-Watt Power Limitation in Two Additional Military Areas, and To Provide for Communications With Satellites by Amateur Radio Stations Within Certain Military Areas

AGENCY: Federal Communications Commission.

ACTION: Final rules.

SUMMARY: The Commission is adopting rules in the Amateur Radio Service to relax a limitation to allow stations located in restricted areas near designated military installations and operating, in the future, in the Amateur-Satellite Service to communicate with satellites with power up to 1,000 watts (equivalent isotropically radiated power). The Table of Frequency Allocations is also amended to specify two additional areas. Amateur-Terrestrial communication in the restricted areas will remain subject to a 50-watt power limit.

EFFECTIVE DATE: April 8, 1981.

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

FOR FURTHER INFORMATION CONTACT: John B. Johnston or Maurice J. DePont, Private Radio Bureau, (202) 632–4964.

SUPPLEMENTARY INFORMATION:

Adopted: February 11, 1981.

Released: February 26, 1981.

In the matter of amendment of § 97.61(b)(7) of the Amateur Radio Service Rules to provide for exception to the 50 watt power limitation in two additional military areas, and to provide for communications with satellites by amateur radio stations within certain military areas; amendment of § 2.106, Table of Frequency Allocations.

By the Commission: Chairman Ferris not participating.

1. The Commission received a letter from the Radio Amateur Satellite Corporation (AMSAT), requesting the Commission's assistance in removing the 50 watt transmitter power limitation, in § 97.61(b)(7) of the Rules, applicable to amateur radio stations in certain parts of the country operating in the 420–450 MHz band. AMSAT states that, in order to use any new satellites that will be launched in the future, user stations will require 500–1,000 watts effective radiated power, an order of magnitude higher than that required to use previous amateur satellites. As a consequence, it anticipates that there will be as many as several thousand amateur radio stations using the new Phase III–A satellite that will require a waiver of § 97.61(b)(7) to permit higher power than 50 watts. AMSAT feels that amendment of the rule would eliminate the need for rule waivers.

2. The Frequency band 420–450 MHz is allocated to the Amateur Radio Service on a non-interference basis to the Government Radiolocation Service (See § 2.106 of the Commission's rules, Table of Frequency Allocations and Footnote US 35 thereto). Within this band, the frequencies 435–438 MHz are allocated to the Amateur-Satellite Service (ASAT), on condition that no harmful interference is caused to the other services, Government Radiolocation and Amateur Radio (See § 97.415, Footnote 1). Section 97.61(b)(5) requires that amateur radio stations operating in the frequency band 420–450 MHz not cause interference to the Government Radiolocation Service. Section 97.61(b)(7) identifies certain areas of the United States where amateur radio stations must have special authorization from the FCC Engineer in Charge (EIC) and the Military Area Frequency Coordinator (MAFC) before the station may transmit in the 420–450 MHz band with more than 50 watts input power.

3. In its request for assistance, AMSAT suggests that the Commission pursue the matter with the Interdepartment Radio Advisory Committee (IRAC) to determine whether the military would have any objection to deletion of the 50 watt power limitation. AMSAT offers three alternatives that it would consider to be suitable. They are:

A. Modify § 97.61(b)(7) to increase the transmitter power limit from the present 50 watts to 250 or 500 watts in the 420–450 MHz band.

B. Modify § 97.61(b)(7) to delete the 50 watt limit in the 435–438 MHz ASAT frequency band. Then the 1,000 watt limit specified in § 97.67(a) would apply between 435–438 MHz.

C. Modify § 97.61(b)(7) to apply only to amateur stations transmitting with antenna radiation patterns below elevation angles of 10 degrees, thus removing the 50 watt power limit for amateur radio stations communicating with the satellite.

4. The Commission took the matter up with IRAC. IRAC reported that the current restrictions, upon which § 97.61(b)(7) is based, are valid and are required by the military services. In addition, IRAC determined that two additional areas must be added to those now specified in § 97.61(b)(7) where power must be limited to 50 watts, unless, as mentioned in paragraph 2, special authorization has been obtained. The first area is within a 50 mile radius around Otis Air Force Base, Massachusetts. The other is within a 50 mile radius around Beale Air Force Base, California.

5. IRAC also said that it could permit amateur radio stations within any of the military restricted areas to communicate with satellites, on ASAT band frequencies 435–438 MHz, with power not to exceed 1,000 watts equivalent isotropically radiated power. However, those amateur radio stations would have to maintain a minimum transmitting antenna elevation angle of 10 degrees.

6. Amateur radio users who engage in amateur satellite operations will benefit from the relaxation of the rules herein ordered. Even though they are within any of the military restricted areas they can use 1,000 watts power as long as their antennas comply with the elevation angle specified. However, amateur radio users whose stations are located in the specified military areas and who engage solely in terrestrial operations will be required to accept the 50 watt power limit (unless waived) since amateur usage of frequencies in the 420–450 MHz ban is predicated on a non-interference basis to the Government Radiolocation Service in that band.

7. We are also amending § 2.106, Table of Frequency Allocations, Footnote U.S. 7, to reflect in that rule section the two additional military areas.

8. The specific rule amendments that we are adopting are set forth in the Appendix. Authority for the amendments is contained in Sections 4(i) and 303 of the Communications Act of 1934, as amended. We are dispensing with the prior notice and public procedure provisions of the Administrative Procedure Act as unnecessary (see 5 U.S.C. 553(b)(3)(B)) since the military services: (1) require a

power restriction for terrestrial communications of amateur radio stations located near military installations; and, (2) could not permit, because of potential interference to military activities, any further concessions for amateur satellite operations.

9. Accordingly, it is ordered, effective April 8, 1981, that Parts 2 and 97 of the Commission's Rules are amended as set forth in the attached Appendix.

10. It is further ordered That this proceeding is terminated.

11. Information concerning these rule changes may be obtained from John B. Johnston or Maurice J. DePont, (202) 632–4964.

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

Federal Communications Commission.

William J. Tricarico,

Secretary.

A. Part 2 of Chapter I of Title 47 of the Code of Federal Regulations is amended, as follows:

Section 2.106 is amended by adding new paragraphs (e) and (f) to Footnote U.S. 7 to read as follows:

§ 2.106 Table of frequency allocations.

* * * * *

U.S. Footnotes

* * * * *

U.S. 7 * * *

(e) In the State of Massachusetts within an 80-kilometer (50 mile) radius around locations at Otis Air Force Base, Massachusetts (latitude 41°45' N., longitude 70°32' W.).

(f) In the State of California within an 80-kilometer (50 mile) radius around locations at Beale Air Force Base, California (latitude 39°08' N., longitude 121°26' W.).

* * * * *

B. Part 97 of Chapter I of Title 47 of the Code of Federal Regulations is amended, as follows:

1. In § 97.61, paragraph (b)(7) is amended by adding new subparagraphs (v) and (vi), as follows:

§ 97.61 Authorized frequencies and emissions.

* * * * *

(b) * * *

(7) * * *

(v) In the State of Massachusetts within an 80-kilometer (50 mile) radius of 41°45' N., 70°32' W.

(vi) In the State of California within an 80-kilometer (50 mile) radius of 39°08' N., 121°26' W.

2. In § 97.421, a new paragraph (c) is added as follows:

§ 97.421 Telecommand operation.

* * * * *

(c) Stations in telecommand operation may transmit from within the military areas designated in § 97.61(b)(7) in the frequency band 435–438 MHz with a maximum of 611 watts effective radiated power (1,000 watts equivalent isotropically radiated power). The transmitting antenna elevation angle between the lower half-power (−3 decibels relative to the peak or antenna bore sight) point and the horizon must always be greater than 10°.

3. A new § 97.422 is added to Subpart H of Part 97, as follows:

§ 97.422 Earth operation.

Stations in earth operation may transmit from within the military areas designated in § 97.61(b)(7) in the frequency band 435–438 MHz with a maximum of 611 watts effective radiated power (1,000 watts equivalent isotropically radiated power). The transmitting antenna elevation angle between the lower half-power (−3 decibels relative to the peak or antenna bore sight) point and the horizon must always be greater than 10°.

[FR Doc. 81-6656 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

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47 CFR Part 73

[BC Docket No. 80-281; RM-3496]

Radio Broadcast Services; FM Broadcast Station in Anchorage, Alaska; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Action taken herein assigns a Class C FM channel to Anchorage, Alaska, in response to a petition filed by KFQD, Inc. The assignment could bring a sixth commercial FM station to Anchorage.

EFFECTIVE DATE: April 20, 1981.

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

FOR FURTHER INFORMATION CONTACT: Montrose H. Tyree, Broadcast Bureau, (202) 632–7792.

SUPPLEMENTARY INFORMATION:

Adopted: February 19, 1981.

Released: February 24, 1981.

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Anchorage, Alaska).

By the Chief, Policy and Rules Division:

1. The Commission has under consideration a *Notice of Proposed Rule Making*, 45 FR 42747, published June 25, 1980, proposing the assignment of Channel 293 to Anchorage, Alaska, as its sixth commercial FM assignment. The *Notice* was issued in response to a petition filed by KFQD, Inc. ("petitioner"), licensee of AM Station KFQD, Anchorage, Alaska. Supporting comments were filed by Pioneer Broadcasting Company, Inc.,[1] the successor in interest.

2. In its comments, Pioneer Broadcasting Company incorporated by reference the information contained in the *Notice*, and reaffirmed the commitment made by KFQD, Inc. to apply for the channel, if assigned. It further stated that Alaska's geography and climate are extreme, making the needs of the people of Anchorage for additional aural broadcast service unique.

3. Anchorage (pop. 48,029),[2] in the Anchorage Census Division (pop. 124,542), is located on the south central coast of Alaska, approximately 480 kilometers (303 miles) from the Canadian border. It is served locally by six fulltime AM stations (KANC, KBYR, KENI, KFOD, KHAR, and KYAK); five commercial FM stations (KHVN (Channel 263), KGOT (Channel 267), KRKN (Channel 271), KKLV (Channel 281), and KNIK–FM (Channel 288A)); and one noncommercial educational FM station (KSKA, Channel *276A).

4. As a result of the assignment of Channel 293 to Anchorage, new preclusion will occur on Channels 292A, 293, 294, and 296A. Eight communities with populations greater than 1,000 would be affected.[3] Of these, four (Valdez, Spenard, Palmer, and Soldotna) have no AM stations or FM assignments. Petitioner states that there are numerous channels available for assignment to the precluded communities.

5. In view of the fact that Anchorage has shown a continued population growth, a stabilized economy and there has been an interest expressed in an additional FM channel assignment, the Commission believes that the public interest would be served by assigning Channel 293 to Anchorage. The preclusion impact is insignificant since alternate channels are available to the precluded areas.

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[1] The Commission recently approved a transfer of control to KFQD, Inc. of Aberdeen Broadcasting, and a merger of the two entities. Subsequently, the name was changed to Pioneer Broadcasting Company, Inc., which replaces KFQD, Inc., as the proponent of the proposed assignment of Channel 293 to Anchorage, Alaska.

[2] Population figures are taken from the 1970 U.S. Census.

[3] Valdez (1,005), Seward (1,587), Cordova (1,164), Homer (1,083), Kenai (3,533), Palmer (1,140), Spenard (18,089), and Soldotna (1,202).

6. Accordingly, it is ordered, That effective April 20, 1981, the FM Table of Assignments, Section 73.202(b) of the Commission's Rules is amended as follows:

City	Channel No.
Anchorage, Alaska	263, 267, 271, *276A, 281, 288A, 293.

7. Authority for the action taken herein is contained in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Section 0.281 of the Commission's Rules.

8. It is further ordered, That this proceeding is terminated.

9. For further information concerning this proceeding, contact Montrose H. Tyree, Broadcast Bureau, (202) 632-7792.

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81-6804 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 80-248; RM-3431]

FM Broadcast Station in Eureka, California; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Action taken herein amends Section 73.202(b) of the Commission's Rules, the FM Table of Assignments, by assigning Channel 268C to Eureka, California, as a third FM assignment, in response to a petition from Redwood Communications Company.

EFFECTIVE DATE: April 20, 1981.

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

FOR FURTHER INFORMATION CONTACT: Kathy A. Grant, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Eureka, California). BC Docket No. 80-248; RM-3431. Report and order.

Adopted: February 20, 1981.

Released: March 2, 1981.

By the Chief, Policy and Rules Division:

1. On May 29, 1980, at the request of Redwood Broadcasting Company ("petitioner"), permittee of daytime-only AM Station KEKA, Eureka, California, the Commission adopted a Notice of Proposed Rule Making, 45 FR 40182, published June 13, 1980, proposing the assignment of Class C Channel 268 to Eureka, California, as that community's third FM assignment. The channel can be assigned to Eureka in conformity with the minimum distance separation requirements. Petitioner filed comments in which it reaffirmed its intent to file for the channel, if assigned. No oppositions to the proposal were received in response to the Notice.

2. Eureka (pop. 24,337),[1] seat of Humboldt County (pop. 99,692), is located in the northwest corner of California, approximately 448 kilometers (280 miles) north of San Francisco. It is served locally by two FM stations: KPDJ (Channel 222) and KFMI (Channel 242), and two fulltime AM stations (KINS and KRED). A construction permit has been granted to petitioner for daytime-only Station KEKA (AM).

3. Petitioner asserts that Eureka is the hub of governmental and commercial trade activity for the county and the surrounding area. Demographic and economic data were submitted demonstrating the need for a third FM assignment to Eureka.

4. In response to our request, contained in the Notice, petitioner provided updated first and second service figures. According to the new data, first FM and nighttime aural service will be provided to 1700 persons in 1,968 square kilometers (769 square miles). Second FM and nighttime aural service will be provided to 1400 persons in 1,940 square kilometers (758 square miles).

5. A preclusion study indicated that Channels 265A, 266, 267, 268, 269A, 270 and 271 would be precluded from various areas as a result of the proposed assignment. Twenty-three communities with populations exceeding 1,000 are located in the precluded areas. Petitioner states that alternate channels are available for assignment to Orland (258), Corning (256), Willets (296A), Central Valley (296A), Project City (296A), and Weaverville (276A). In response to our request in this Notice, petitioner states that alternate channels are also available to Ferndale, Fortuna and Blue Lake (256 and 286), Gridley (256) and Dunsmuir (296A).

6. In view of the first and second broadcast service that will be provided and the insubstantial preclusion impact, we believe it would be in the public interest to assign Channel 268C to Eureka, California.

7. Accordingly, *It is ordered*, That effective April 20, 1981, Section 73.202(b) of the Commission's Rules, the FM Table of Assignments, *is amended* for the community listed below, as follows:

City	Channel No.
Eureka, Calif	222, 242, 268

8. Authority for the action taken herein is contained in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Section 0.281 of the Commission's Rules.

9. It is further ordered, That this proceeding is Terminated.

10. For further information concerning this proceeding, contact Kathy A. Grant, Broadcast Bureau, (202) 632-7792.

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

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division Broadcast Bureau.

[FR Doc. 81-6829 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 80-280; RM-3510]

FM Broadcast Station in Petersburg, Indiana; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action assigns FM Channel 272A to Petersburg, Indiana, as that community's first FM assignment at the request of Alan Gladish, Wyatt Rauch, Michael Voyles, and Ronald Weeks.

EFFECTIVE DATE: April 20, 1981.

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

FOR FURTHER INFORMATION CONTACT: Michael A. McGregor, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Petersburg, Indiana,) BC Docket No. 80-280 RM-3510. Report and order (Proceeding Terminated).

Adopted: February 20, 1981.

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

Released: February 27, 1981.

By the Chief, Policy and Rules Division:

1. The Commission has under consideration a *Notice of Proposed Rule Making*, 45 FR 42752, published June 6, 1980, proposing the assignment of FM Channel 272A to Petersburg, Indiana, as that community's first FM assignment, at the request of Alan Gladish, Wyatt Rauch, Michael Voyles, and Ronald Weeks ("petitioner"). Comments in support of the assignment were filed by petitioners [1] and by Pike Broadcasting Corporation. Both parties state that they will apply for authorization to build and operate a station on Channel 272A if it is assigned to Petersburg. No oppositions to the proposal were received.

2. Petersburg (pop. 2,697),[2] in Pike County (pop. 12,281), is located approximately 170 kilometers (103 miles) southwest of Indianapolis, Indiana. It currently has no local aural broadcast service.

3. Petitioners have submitted persuasive information with respect to Petersburg and its need for a first local FM assignment.

4. The Commission believes it would be in the public interest to assign FM Channel 272A to Petersburg, Indiana. Interest has been shown for its use and the assignment would provide the community with its first local aural broadcast service.

5. Accordingly, it is ordered, That effective April 20, 1981, the FM Table of Assignments, Section 73.202(b) of the Commission's Rules, is amended with respect to Petersburg, Indiana, as follows:

City	Channel No.
Petersburg, Ind.	272A

6. Authority for the action taken herein is contained in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Section 0.281 of the Commission's Rules.

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

8. For further information concerning this proceeding, contact Michael A. McGregor, Broadcast Bureau, (202) 632-7792.

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

[1] Petitioners note in their comments that Ronald Weeks has withdrawn his participation in the venture.

[2] Population figures are taken from the 1970 U.S. Census.

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division Broadcast Bureau.

[FR Doc. 81-6930 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 80-204; RM-3421]

Radio Broadcast Services; FM Broadcast Station, Auburn, Maine; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Action taken herein substitutes a Class C FM channel for a Class A FM channel at Auburn, Maine, and modifies the license of the petitioner, The Great Down East Wireless Talking Company, to specify the Class C channel.

EFFECTIVE DATE: April 20, 1981.

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

FOR FURTHER INFORMATION CONTACT: Montrose H. Tyree, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

Adopted: February 19, 1981.

Released: February 25, 1981.

In the Matter of Amendment of Section 73.202(b), Table of Assignments, FM Broadcast Stations (Auburn, Maine).

By the Chief, Policy and Rules Division:

1. The Commission has under consideration a *Notice of Proposed Rule Making*, 45 FR 34931, published May 3, 1980, proposing the substitution of Class C Channel 260 for Channel 261A at Auburn, Maine, in response to a petition filed by The Great Down East Wireless Talking Machine Company ("petitioner"), licensee of FM Station WWAV (Channel 261A). The *Notice* also proposed modification of the license for Channel 261A to specify operation on Channel 260. Petitioner submitted comments, restating its interest in the Class C channel.

2. Auburn (pop. 24,151),[1] seat of Androscoggin County (pop. 91,279), is located in southern Maine, approximately 43 kilometers (27 miles) southeast of Augusta. It is served locally by daytime-only AM Station WPNO and by FM Station WWAV (Channel 261A), licensed to the petitioner.

3. Petitioner incorporated by reference the information in the *Notice* that demonstrated the need for a Class C assignment. Petitioner contends that operation on the presently assigned Class A channel can serve only 63% of the county with a 1 mV/m or better signal, whereas, a Class C channel would encompass 96% of the county within its 1 mV/m contour.

4. As stated in the *Notice*, petitioner is competing for listening audience and advertising revenues with two Class B stations located in the nearby Auburn/Lewiston market. It claims that the proposed Class C assignment could provide the necessary revenue to maintain a viable operation

5. The assignment of Channel 260 to Auburn would cause preclusion on Channels 259, 260 and 261A. Twenty-two communities with a population greater than 1,000 would sustain preclusion on one or more of these channels. Twelve have no AM Stations or FM assignments.[2] The *Notice* requested that the petitioner indicate if alternate channels are available to each community. From the information submitted, it appears that Channels 284 and 292A are generally available to all of the precluded areas.

6. Canadian concurrence has been obtained for the substitution of Channel 260 for Channel 261A at Auburn, Maine.

7. The Commission believes that the public interest would be served by the proposed substitution of channels, inasmuch as it would provide expanded service to the surrounding area and population. The transmitter site is restricted to 17 kilometers (10.7 miles) south of the city. We have also authorized in paragraph 10 a modification of petitioner's license for Station WWAV, to specify operation on Channel 260, since there has been no other expression of interest in the Class C channel. See *Cheyenne, Wyoming*, 62 F.C.C. 2d 63 (1976).

8. In view of the foregoing, it is ordered, That, effective April 20, 1981, Section 73.202(b) of the Commission's Rules, the FM Table of Assignments, is amended with regard to the following community:

City	Channel No.
Auburn, Maine	260

9. Authority for the action taken herein is contained in Sections 4(i),

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

[2] *Maine:* Vinalhaven, Thomaston, Boothbay Harbor, Lisbon Falls, Freeport, Wiscasset, Richmond, Belfast, Bucksport, Newport, Winslow, and Winthrop.

5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Section 0.281 of the Commission's Rules.

10. It is further ordered, That pursuant to Section 316(a) of the Communications Act of 1934, as amended, the outstanding license held by The Great Down East Wireless Talking Machine Company, for Station WWAV(FM), Auburn, Maine, is modified, effective April 20, 1981, to specify operation on Channel 260 instead of Channel 261A. The licensee shall inform the Commission in writing no later than April 20, 1981, of its acceptance of this modification. Station WWAV(FM) may continue to operate on Channel 261A for one year from the effective date of this action or until it is ready to operate on Channel 260, whichever is earlier, unless the Commission sooner directs, subject to the following conditions:

(a) At least 30 days before commencing operation on Channel 260, the licensee of Station WWAV(FM) shall submit to the Commission the technical information normally requested of an applicant for Channel 260.

(b) At least 10 days prior to commencing operation on Channel 260, the licensee of Station WWAV(FM) shall submit measurement data required of an applicant for a broadcast license; and

(c) The licensee of Station WWAV(FM) shall not commence operation on Channel 260 without prior Commission authorization.

Nothing contained herein shall authorize a major change in transmitter site or the necessity of filing an environmental impact statement where required.

11. It is further ordered, That this proceeding is terminated.

12. For further information concerning this proceeding, contact Montrose H. Tyree, Broadcast Bureau, (202) 632-7792.

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81-6685 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 80-389; RM-3557]

Radio Broadcast Services; FM Broadcast Station in Laurel Hill, North Carolina; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action assigns UHF-television Channel 59 to Laurel Hill, North Carolina, as its first commercial television assignment, in response to a petition filed by David M. Raley and Sabrina D. Raley.

EFFECTIVE DATE: April 20, 1981.

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

FOR FURTHER INFORMATION CONTACT: Montrose H. Tyree, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

Adopted: February 20, 1981.

Released: March 2, 1981.

By the Chief, Policy and Rules Division:

1. The Commission has under consideration a *Notice of Proposed Rule Making*, 45 FR 49626, published July 25, 1980, proposing the assignment of UHF television Channel 59 to Laurel Hill, North Carolina, as its first commercial television assignment. The *Notice* was issued in response to a petition filed by David M. Raley and Sabrina D. Raley ("petitioners"). Supporting comments were filed by the petitioners, restating their intent to apply for the channel, if assigned. No oppositions to the proposal were received.

2. Laurel Hill (pop. 1,215),[1] in Scotland County (pop. 26,929) is located 215 kilometers (80 miles) east southeast of Charlotte. It has no local television service.

3. The *Notice* requested the petitioners to submit information regarding Laurel Hill's economy, government, and social organizations. In comments, petitioners assert that Laurel Hill is an unincorporated community with interests and needs that justify a first television assignment. They further state that the economy is based on farming and light industry.

4. The Commission believes that the public interest would be served by assigning UHF television Channel 59 to Laurel Hill. Petitioners have shown that there is an apparent need for a first local television service to that community. The assignment can be made in compliance with the minumum distance separation requirements and other criteria.

5. Accordingly, pursuant to authority contained in Sections 4(i), 5(d)(1), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, and Section 0.281 of the Commission's Rules, it is ordered, That effective April 20, 1981, the Television Table of Assignments (§ 73.606(b) of the Rules) is amended with respect to the community listed below:

City	Channel No.
Laurel Hill, NC	59+

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

7. For further information concerning this proceeding, contact Montrose H. Tyree, Broadcast Bureau, (202) 632-7792.

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

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division Broadcast Bureau.

[FR Doc. 81-6678 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

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

47 CFR Part 73

[BC Docket No. 80-477; RM-3617]

FM Broadcast Stations in Roy and Clearfield, Utah; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action assigns Class C FM Channel 300 to Roy, Utah, as its first FM assignment in response to a petition filed by Kathy Wamsley.

EFFECTIVE DATE: April 20, 1981.

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

FOR FURTHER INFORMATION CONTACT: Montrose H. Tyree, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

In the matter of amendment of § 73.202(b), Table of assignments, FM Broadcast Stations. (Roy and Clearfield, Utah), BC Docket No. 80-477 RM-3617. Report and order (Proceeding Terminated).

Adopted: February 20, 1981.

Released: March 3, 1981.

By the Chief, Policy and Rules Division:

1. The Commission has under consideration a *Notice of Proposed Rule Making*, 45 FR 62517, published September 19, 1980, proposing the assignment of Class C FM Channel 300 to either Roy or Clearfield, Utah, as a first FM assignment. The *Notice* was issued in response to a petition filed by Kathy Wamsley ("petitioner").

Petitioner filed supporting comments, restating her intent to apply for the channel, if assigned. No oppositions to the proposal were received.

2. Petitioner requested the assignment of Channel 300 to Roy and Clearfield, Utah, on a hyphenated basis. We have done so when it appears that the communities should be treated as one, due to their proximity and common social, cultural, trade and economic interests. The information submitted by the petitioner did not meet the necessary requirements. Therefore, we proposed the assignment for a specific community (Roy *or* Clearfield). In the *Notice* we requested the petitioner to indicate which community she seeks to serve and locate in, noting that the channel would be available for use at the other under provisions of the "15-mile rule," Section 73.203(b) of the Commission's Rules. Petitioner responded, requesting the assignment of Channel 300 to Roy, Utah.

3. Roy (pop. 14,345)[1] in Weber County (pop. 126,278) is located approximately 46 kilometers (24 miles) north of Salt Lake City, Utah. It has no local aural broadcast service.

4. Petitioner asserts that Roy has the population to warrant a Class C assignment. Petitioner further states that she proposes to serve the Clearfield community, due to its proximity.

5. The assignment of Channel 300 to Roy, taking into consideration the recent assignment of Channel 298 to Orem, Utah,[2] would cause preclusion on Channels 299 and 300 in all or parts of one county in *Colorado*, two counties in *Nevada*, five counties in *Wyoming*, twenty counties in *Idaho*, and seventeen counties in *Utah*. Petitioner indicates that Channel 274 is available to the precluded areas.

6. The Commission believes that it would be in the public interest to assign Channel 300 to Roy, Utah, as its first FM assignment. The preclusion impact is insignificant, since another channel is available to the precluded areas. The transmitter site is restricted to 6.3 kilometers (4 miles) north of the city to comply with the spacing to Channel 298 at Orem, Utah. Finally, anyone wishing to apply for use of the channel at Clearfield, Utah, could do so under Section 73.203(b) of the Commission's Rules, the 15-mile rule.

7. Accordingly, *it is ordered*, That effective April 20, 1981, the FM Table of Assignments, Section 73.202(b) of the Commission's Rules, *is amended* with respect to the community listed below:

City	Channel No.
Roy, Utah	300

8. Authority for the action taken herein is contained in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Section 0.281 of the Commission's Rules.

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

10. For further information concerning this proceeding, contact Montrose H. Tyree, Broadcast Bureau, (202) 632-7792.

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

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81-6801 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

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47 CFR Part 73

[BC Docket No. 80-93; RM-3196 & RM-3254]

FM Broadcast Stations in Chilton, Clintonville and Manitowoc, Wisconsin; Changes made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action assigns a first Class A FM channel to Clintonville, Wisconsin, in response to a petition filed by Add, Inc. An alternative assignment of the channel to Chilton, Wisconsin, was not adopted due to a lack of stated interest in the assignment.

EFFECTIVE DATE: April 20, 1981.

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

FOR FURTHER INFORMATION CONTACT: Michael A. McGregor, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Chilton, Clintonville and Manitowoc, Wisconsin), BC Docket No. 80-93, RM-3196, RM-3254. *Report and order* (Proceeding Terminated).

Adopted: February 20, 1981.

Released: February 26, 1981.

By the Chief, Policy and Rules Division:

1. Before the Commission is a *Notice of Proposed Rule Making and Order to Show Cause*, 45 FR 17598, published March 19, 1980, proposing two alternative FM assignment plans: the assignment of Channel 221A to Clintonville, Wisconsin, as requested by Add, Inc., or the assignment of Channel 221A to Chilton, Wisconsin, and the substitution of Channel 257A for Channel 221A at Manitowoc, Wisconsin, as requested by R&D Broadcasting of Chilton, Wisconsin. These proposals are mutually exclusive because Clintonville and Chilton are approximately 82 kilometers (51 miles) apart, while the Commission's minimum separation requirements for co-channel Class A FM channels specify a distance of 104 kilometers (65 miles). Comments in support of the Clintonville assignment were filed by Add, Inc. ("Add"), and by Cub Radio, Inc. ("Cub"), licensee of Station WKKB (FM), in Manitowoc (Channel 221A). No comments in support of the Chilton assignment were received.[1] Add subsequently filed a "Request for Expedited Consideration" noting that no interest had been expressed in the Chilton assignment.

2. According to the Commission's procedures, a showing of continuing interest is required before a channel will be assigned. The original petitioner for the Chilton assignment, R&D Broadcasting, has failed to indicate a continuing interest in the assignment. The period for filing comments in this proceeding has expired and no other party has expressed an interest in an assignment to Chilton. Therefore, the lone issue to be resolved in this proceeding is whether to assign Channel 221A to Clintonville.

3. Clintonville (pop. 4,600),[2] in Waupaca County (pop. 37,780), is located approximately 200 kilometers (122 miles) northwest of Milwaukee. Clintonville currently has no local aural service, although an application for an AM station is pending.

4. Add has submitted persuasive information with respect to Clintonville and its need for a first FM broadcast service. The Commission therefore believes that it would be in the public interest to assign FM Channel 221A to Clintonville, Wisconsin. Interest has been shown for its use and the assignment would provide the community with its first local FM broadcast channel.

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

[2] BC Docket No. 80-525, adopted February 4, 1981.

[1] Counsel for Cub notified the Commission that its attempts to serve its comments on the Chilton proponents proved futile because the parties' mailing address had been changed with no forwarding address given.

[2] Population figures are taken from the 1970 U.S. Census.

5. Accordingly, *It is ordered*, That effective April 20, 1981, the FM Table of Assignments, Section 73.202(b) of the Commission's Rules, *is amended*, with respect to Clintonville, Wisconsin, as follows:

City	Channel No.
Clintonville, Wis.	221A

6. Authority for the action taken herein is contained in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Section 0.281 of the Commission's Rules.

7. *It is further ordered*, That the petition of R&D Broadcasting of Chilton, Wisconsin to assign Channel 221A to Chilton, Wisconsin, *is Denied*.

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

9. For further information concerning this proceeding, contact Michael A. McGregor, Broadcast Bureau, (202) 632-7792.

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

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81-6928 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 90

Editorial Amendment of the 800 MHz Channelization Tables To Show Channel Frequencies

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Part 90 of the Commission's Rules and Regulations sets out a channelization plan for land mobile trunked systems in the 806-866 MHz band. This amendment lists the frequencies which correspond to the channels to avoid misinterpretation of channel-to-frequency calculations.

EFFECTIVE DATE: November 25, 1980.

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

FOR FURTHER INFORMATION CONTACT: Keith Plourd, Private Radio Bureau, (202) 634-2443.

Order

Adopted: November 25, 1980.

Released: December 4, 1980.

In the Matter of Amending the 800 MHz Channelization Tables in Part 90 to Show Channel Frequencies.

1. In July of 1979, the Commission adopted a channelization plan for land mobile trunked systems in the 806-866 MHz band.[1]

2. Table I in § 90.365, which sets forth this channelization plan does not however, list the frequencies which correspond to the numbered channels. This omission leads to the potential for misinterpretation, since the frequencies can only be determined through a somewhat complex algebraic computation. Consequently, for ease of understanding, we are adopting here editorial changes to add a list of the actual frequencies along with the corresponding channels, for the benefit of our licensees.

3. This amendment is purely editorial in nature and is issued pursuant to the authority contained in § 0.23(d) of the Commission's rules and regulations and Sections 4(i) and 303(r) of the Communications Act of 1934, as amended.

4. In view of the foregoing, It is Ordered, effective November 25, 1980, that Part 90 of the Rules and Regulations is amended as set out in the attached Appendix.

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

Federal Communication Commission.

Richard D. Lichtwardt,

Executive Director.

Appendix

Part 90 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

In § 90.365, Table 1 of paragraph (h) is revised to read as follows:

§ 90.365 Selection and assignment of frequencies.

* * * * *

(h) See table below:

Table 1.—*Channelization for Trunked Systems*

[Other than Chicago]

Block No.	Channel No.	Mobile frequency/ base frequency (MHz)
1	1	820.9875/865.9875
	41	819.9875/864.9875
	81	818.9875/863.9875
	121	817.9875/862.9875
	161	816.9875/861.9875
	21	820.4875/865.4875
	61	819.4875/864.4875
	101	818.4875/863.4875
	141	817.4875/862.4875
	181	816.4875/861.4875
	11	820.7375/865.7375
	51	819.7375/864.7375
	91	818.7375/863.7375
	131	817.7375/862.7375
	171	816.7375/861.7375
	31	820.2375/865.2375
	71	819.2375/864.2375
	111	818.2375/863.2375
	151	817.2375/862.2375
	191	816.2375/861.2375
2	2	820.9625/865.9625
	42	819.9625/864.9625
	82	818.9625/863.9625
	122	817.9625/862.9625
	162	816.9625/861.9625
	22	820.4625/865.4625
	62	819.4625/864.4625
	102	818.4625/863.4625
	142	817.4625/862.4625
	182	816.4625/861.4625
	12	820.7125/865.7125
	52	819.7125/864.7125
	92	818.7125/863.7125
	132	817.7125/862.7125
	172	816.7125/861.7125
	32	820.2125/865.2125
	72	819.2125/864.2125
	112	818.2125/863.2125
	152	817.2125/862.2125
	192	816.2125/861.2125
3	3	820.9375/865.9375
	43	819.9375/864.9375
	83	818.9375/863.9375
	123	817.9375/862.9375
	163	816.9375/861.9375
	23	820.4375/865.4375
	63	819.4375/864.4375
	103	818.4375/863.4375
	143	817.4375/862.4375
	183	816.4375/861.4375
	13	820.6875/865.6875
	53	819.6875/864.6875
	93	818.6875/863.6875
	133	817.6875/862.6875
	173	816.6875/861.6875
	33	820.1875/865.1875
	73	819.1875/864.1875
	113	818.1875/863.1875
	153	817.1875/862.1875
	193	816.1875/861.1875
4	4	820.9125/865.9125
	44	819.9125/864.9125
	84	818.9125/863.9125
	124	817.9125/862.9125
	164	816.9125/861.9125
	24	820.4125/865.4125
	64	819.4125/864.4125
	104	818.4125/863.4125
	144	817.4125/862.4125
	184	816.4125/861.4125
	14	820.6625/865.6625
	54	819.6625/864.6625
	94	818.6625/863.6625
	134	817.6625/862.6625
	174	816.6625/861.6625
	34	820.1625/865.1625
	74	819.1625/864.1625
	114	818.1625/863.1625
	154	817.1625/862.1625
	194	816.1625/861.1625
5	5	820.8875/865.8875

[1] SS Docket No. 78-394, FCC 79-422.

Table 1.—*Channelization for Trunked Systems*—Continued

[Other than Chicago]

Block No.	Channel No.	Mobile frequency/ base frequency (MHz)
	45	819.8875/864.8875
	85	818.8875/863.8875
	125	817.8875/862.8875
	165	816.8875/861.8875
	25	820.3875/865.3875
	65	819.3875/864.3875
	105	818.3875/863.3875
	145	817.3875/862.3875
	185	816.3875/861.3875
	15	820.6375/865.6375
	55	819.6375/864.6375
	95	818.6375/863.6375
	135	817.6357/862.6375
	175	816.6375/861.6375
	35	820.1375/865.1375
	75	819.1375/864.1375
	115	818.1375/863.1375
	155	817.1375/862.1375
	195	816.1375/861.1375
6	6	820.8625/865.8625
	46	819.8625/864.8625
	86	818.8625/863.8625
	126	817.8625/862.8625
	166	816.8625/861.8625
	26	820.3625/865.3625
	66	819.3625/864.3625
	106	818.3625/863.3625
	146	817.3625/862.3625
	186	816.3625/861.3625
	16	820.6125/865.6125
	56	819.6125/864.6125
	96	818.6125/863.6125
	136	817.6125/862.6125
	176	816.6125/861.6125
	36	820.1125/865.1125
	76	819.1125/864.1125
	116	818.1125/863.1125
	156	817.1125/862.1125
	196	816.1125/861.1125

Table 1.—*Channelization for Trunked Systems*—Continued

[Other than Chicago]

Block No.	Channel No.	Mobile frequency/ base frequency (MHz)
7	7	820.8375/865.8375
	47	819.8375/864.8375
	87	818.8375/863.8375
	127	817.8375/862.8375
	167	816.8375/861.8375
	27	820.3375/865.3375
	67	819.3375/864.3375
	107	818.3375/863.3375
	147	817.3375/862.3375
	187	816.3375/861.3375
	17	820.5875/865.5875
	57	819.5875/864.5875
	97	818.5875/863.5875
	137	817.5875/862.5875
	177	816.5875/861.5875
	37	820.0875/865.0875
	77	819.0875/864.0875
	117	818.0875/863.0875
	157	817.0875/862.0875
	197	816.0875/861.0875
8	8	820.8125/865.8125
	48	819.8125/864.8125
	88	818.8125/863.8125
	128	817.8125/862.8125
	168	816.8125/861.8125
	28	820.3125/865.3125
	68	819.3125/864.3125
	108	818.3125/863.3125
	148	817.3125/862.3125
	188	816.3125/861.3125
	18	820.5625/865.5625
	58	819.5625/864.5625
	98	818.5625/863.5625
	138	817.5625/862.5625
	178	816.5625/861.5625
	38	820.0625/865.0625
	78	819.0625/864.0625
	118	818.0625/863.0625
	158	817.0625/862.0625
	198	816.0625/861.0625
9	9	820.7875/865.7875
	49	819.7875/864.7875

Table 1.—*Channelization for Trunked Systems*—Continued

[Other than Chicago]

Block No.	Channel No.	Mobile frequency/ base frequency (MHz)
	89	818.7875/863.7875
	129	817.7875/862.7875
	169	816.7875/861.7875
	29	820.2875/865.2875
	69	819.2875/864.2875
	109	818.2875/863.2875
	149	817.2875/862.2875
	189	816.2875/861.2875
	19	820.5375/865.5375
	59	819.5375/864.5375
	99	818.5375/863.5375
	139	817.5375/862.5375
	179	816.5375/861.5375
	39	820.0375/865.0375
	79	819.0375/864.0375
	119	818.0375/863.0375
	159	817.0375/862.0375
	199	816.0375/861.0375
10	10	820.7625/865.7625
	50	819.7625/864.7625
	90	818.7625/863.7625
	130	817.7625/862.7625
	170	816.7625/861.7625
	30	820.2625/865.2625
	70	819.2625/864.2625
	110	818.2625/863.2625
	150	817.2625/862.2625
	190	816.2625/861.2625
	20	820.5125/865.5125
	60	819.5125/864.5125
	100	818.5125/863.5125
	140	817.5125/862.5125
	180	816.5125/861.5125
	40	820.0125/865.0125
	80	819.0125/864.0125
	120	818.0125/863.0125
	160	817.0125/862.0125
	200	816.0125/861.0125

* * * * *

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Proposed Rules

Federal Register
Vol. 46, No. 42
Wednesday, March 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.

NUCLEAR REGULATORY COMMISSION

10 CFR Part 51

Appendix A, Narrative Explanation of Table S–3, Uranium Fuel Cycle Environmental Data

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.[1]

SUMMARY: The Commission is publishing for public comment a proposed rule consisting of amendments and a new Appendix A to its regulation 10 CFR Part 51, "Licensing and Regulatory Policy and Procedures for Environmental Protection." Appendix A consists of a narrative explanation for Table S–3, "Uranium Fuel Cycle Environmental Data," 10 CFR 51.20(e), describing the basis for the values contained in Table S–3 and the conditions which govern the use of the table. Specifically, Appendix A clarifies the significance of Table S–3 and addresses important fuel cycle impacts such as environmental dose commitments and health effects, socioeconomic impacts, and cumulative impacts, where these are appropriate for generic treatment. With certain exceptions the proposed amendments would remove from consideration in individual reactor licensing proceedings the environmental impacts addressed by Table S–3, on the grounds that the narrative in Appendix A supports a generic conclusion that these impacts cannot significantly affect the environmental cost-benefit balance for a light water reactor.

DATES: Comment period expires May 4, 1981. Comments received after the expiration date will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments filed on or befor that date.

ADDRESSES: All interested persons who desire to submit written comments or suggestions for consideration in connection with the proposed explanatory narrative should send them to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C., 20555, Attention: Docketing and Service Branch. Copies of all comments received may be examined in the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. It should be noted that the Commission is soliciting comments only on the narrative; the values for environmental effects given in Table S–3 have been adopted by the Commission in their final fuel cycle rule, and, hence, are not appropriate subjects for comment.

FOR FURTHER INFORMATION CONTACT: Homer Lowenberg, Assistant Director for Operations and Technology, Division of Fuel Cycle and Material Safety, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Telephone (301) 427–4142.

SUPPLEMENTARY INFORMATION: Pursuant to the National Environmental Policy Act of 1969 (NEPA), an environmental impact statement is prepared by the Nuclear Regulatory Commission in connection with issuance of a construction permit or an operating license for each light-water nuclear power reactor (LWR). Each statement contains a detailed evaluation of the environmental impacts of construction and operation of a plant and a discussion of reasonable alternatives, as well as an overall assessment of the costs and benefits of the licensing action.

In November 1972, a document entitled "Environmental Survey of the Nuclear Fuel Cycle" was published by the Directorate of Licensing of the Atomic Energy Commission (AEC) to establish a technical basis for an informed consideration of the environmental effects of the uranium fuel cycle in the environmental impact statements for individual LWRs. The survey was not intended to be an analysis of alternatives, costs, and benefits of the entire uranium fuel cycle, i.e., it was not intended to be a complete environmental impact statement on the LWR fuel cycle; rather, it was intended to be a survey of nuclear fuel cycle production operations and related effects.

In the survey, the nuclear fuel cycle was treated generically. This approach was necessary because it was not possible to trace either the fresh or the spent fuel of an individual reactor through the fuel cycle and thus pinpoint environmental impacts at specific plants at specific points in time. Accordingly, the various steps in the fuel cycle were reviewed and models for each step were developed that would provide characteristic, but conservative, assessments of the effluents and effects from each operation.

Comments on the Environmental Survey were solicited in a **Federal Register** notice (37 FR 24191) and a hearing was held on February 1 and 2, 1973. The purpose of the hearing was to consider possible amendments to Appendix D of 10 CFR Part 50 which could, by rule, specify the environmental effects of the uranium fuel cycle that should be factored into the assessment of costs and benefits in environmental impact statements for individual LWRs. Written comments were received and recommendations for improvement were offered during the hearings. After consideration of these comments, the AEC promulgated a final fuel cycle rule (so-called Table S–3) on April 22, 1974 (39 FR 14188) and republished the earlier survey, with additions and corrections, as WASH–1248, "Environmental Survey of the Uranium Fuel Cycle." The AEC indicated that the rule and survey would be reexamined from time to time to accommodate new information. Table S–3 was codified in 10 CFR Part 51 of the NRC Regulations when Appendix D to Part 50 was redesignated in 1974.

On January 19, 1975, AEC was abolished, and its licensing and regulatory responsibilites transferred to the Nuclear Regulatory Commission. On July 21, 1976, the United States Court of Appeals for the District of Columbia Circuit decided *Natural Resources Defense Council* v. *NRC*, 547 F.2d 633 (D.C. Cir. 1976), and *Aeschliman* v. *NRC*, 547 F.2d 623 (D.C. Cir. 1976), two cases involving judicial review of the fuel cycle rule. In those cases, the court approved the overall approach and methodology of the rule. However, the court found that the rule was inadequately supported by the record

[1] This proposed rule and the accompanying narrative were developed concurrently with, but independently of, the revision of 10 CFR Part 51 made in response to the CEQ regulations. The rule and the narrative, after Commission review and action, will be conformed to 10 CFR Part 51, as published.

insofar as it treated two aspects of the fuel cycle—the impacts from reprocessing of spent fuel and radioactive waste management.

The Commission issued a General Statement of Policy (41 FR 34707, August 16, 1976) in response to the court decisions, announcing its intention to reopen rulemaking proceedings on the environmental effects of the fuel cycle. the purpose of the reopened proceeding was to supplement the existing record with regard to reprocessing and waste management, to determine whether the rule should be amended, and if so, in what respect. The Commission directed the staff to prepare a supplement to the survey to establish a basis for identifying environmental impacts associated with fuel reprocessing and waste management[2] activities that are attributable to the licensing of a model LWR. The supplement, NUREG–0116, was published in October 1976. The public comments, responses, and additional information on reprocessing and waste management were made available in March 1977 in NUREG–0216.

On March 14, 1977, the Commission promulgated an interim rule (42 FR 13803) incorporating revised values which had been developed for Table S–3. Hearings on the supplements and the amended rule were started in January 1978 and completed in April 1978.

The rulemaking grew well beyond a narrow inquiry into the evidentiary basis supporting the numbers tabulated in the interim rule. The broader perspective taken by the participants and the Hearing Board clarified many issues concerning fuel cycle environmental impacts not covered by Table S–3 which need to be addressed, at least conceptually, in a comprehensive fuel cycle rule. These issues include—but are not necessarily limited to—environmental dose commitments and health effects from fuel cycle releases, fuel cycle socioeconomic impacts, and possible cumulative impacts.

On July 27, 1979, the Commission approved the final rule which set out revised envronmental impact values for the uranium fuel cycle to be included in environmental reports and environmental statements for reactors (44 FR 45362). In the **Federal Register** notice, the Commission announced that, as recommended by the Hearing Board, it would publish an explanatory narrative that would be part of the same rule.[3] The Commission noted that the fuel cycle rulemaking record made clear that effluent release values, standing alone, did not meaningfully convey the environmental significance of uranium fuel cycle activities. The focus of interest and the ultimate measure of impact for radioactive releases are the resulting radiological dose commitment and associated health effects. The Commission directed that an explanatory narrative be developed that would convey in understandable terms the significance of releases in the table. The narrative was also to address such important fuel cycle impacts as environmental dose commitments and health effects, socioeconomic impacts and cumulative impacts, where these are appropriate for generic treatment.

The staff has written an explanatory narrative that provides the public with some quantitative measures (dose commitments and health effects) of the radiological impacts resulting from the releases of radioactive materials specified in Table S–3. The narrative, to be extent practicable, was drawn primarily from the WASH–1248, NUREG–0116, and NUREG–0216 documents and other material in the S–3 hearing record. Material in these documents, and in the S–3 hearing record, was abstracted to form the basis of the narrative. References to applicable sections of these and other documents have been included in the narrative.

Other topics have been included in the narrative: a discussion of cumulative effects; a discussion of the methods that might be used to calculate dose commitments over long time periods and the significance of the calculations and discussion of the time period over which the waste in a repository represents a significant potential hazard. Included in the discussion of the time period over which waste in a repository represents a significant potential hazard is an analysis, based on data presented in NUREG–0116 (Table 4.19, page 4–96), of potential releases from the repository over very long periods of time if a repository did not perform as expected.

Two isotopes that may be emitted from various fuel cycle facilities have not been included in Table S–3 as a result of Commission decisions:

- Radon emissions are presently not treated in Table S–3. The value for radon emissions was specifically deleted from Table S–3 based upon recommendations of the staff and the positions of several intervenors in individual licensing actions (43 FR 15613, April 14, 1978). Accordingly, radon releases, together with an appraisal of their impacts, may be considered in individual reactor licensing proceedings.
- Technetium-99 releases are not given in Table S–3. The Fuel Cycle Rule Hearing Board concluded that the conservative assumption of complete release of iodine-129 tended to compensate for the omission of technetium from the table. However, the Commission decided that the emissions of technetium, together with an appraisal of the impacts associated with them, could be considered in individual reactor licensing proceedings.

Pending adoption of the explanatory narrative as part of the fuel cycle rule, the use of Table S–3 in individual proceedings must be accompanied by supplementary presentations. Accordingly, the Commission has directed the NRC staff to continue presenting in individual proceedings an evaluation of dose commitments and health effects from fuel cycle releases. In addition, the staff will address economic and socioeconomic impacts, possible cumulative impacts of fuel cycle activities, and other impacts of the fuel cycle as may reasonably appear to have a significance for individual reactor licensing sufficient to warrant attention for NEPA purposes. These matters currently remain open for litigation in individual proceedings.

Upon adoption of the explanatory narrative as part of the fuel cycle rule, except for radon emissions and technetium-99 releases, no further consideration of fuel cycle impacts addressed by Table S–3 and the explanatory narrative will be required or allowed in individual reactor licensing proceedings. The Commission has found, based on the narrative explanation given in Appendix A, 10 CFR Part 51, that the fuel cycle impacts addressed by Table S–3 cannot significantly affect the cost-benefit balance for a light water reactor.

[2] "Waste management," as used in WASH-1248 and the Supplements, refers to the handling of wastes from post-fission operations in the fuel cycle, or other operations from which wastes arise and are shipped to some storage or burial facility.

[3] In recommending the addition of an explanatory narrative, the Hearing Board stated, "If all the impacts of the fuel cycle would be expressed in the table in terms of familiar impacts of the operation of a power plant or other common facility, other explanation might not be necessary. However, the radiological impacts and some others cannot be described in this manner. We conclude, therefore, that Table S–3 should be supplemented by a brief explanatory narrative . . . The narrative should contain a brief description of the fuel cycle, with references to specific sections of reports where more detailed information can be obtained. The numbers in Table S–3 should be related to the major sources in the narrative and the impacts should be explained.

"Environmental dose commitments resulting from the radiological releases should be discussed in the narrative. Health effects could be included or dealt with in the discussion of the health effects of reactor operation. Socioeconomic impacts should be discussed but economics need not be included."

Accordingly, with the exception of radon-222 and technetium release values and their potential significance, there shall be no further consideration of fuel cycle impacts addressed by Table S-3. Table S-3 and the material in the narrative will be referenced as support for a generic conclusion that these fuel cycle impacts cannot affect significantly the cost-benefit balance for a light water reactor.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, the National Environmental Policy Act of 1969, as amended, and section 553 of Title 5 of the United States Code, notice is hereby given that adoption of the following proposed amendment to 10 CFR Part 51 is contemplated:

1. In § 51.20, paragraph (e) is revised to read as follows:

§ 51.20 Applicant's environmental report—construction permit stage.

* * * * *

(e) In the Environmental Report required by paragraph (a) for light-water-cooled nuclear power reactors, the contribution of the environmental effects of uranium mining and milling, the production of uranium hexafluoride, isotopic enrichment, fuel fabrication, reprocessing of irradiated fuel, transportation of radioactive materials and management of spent fuel and low-level wastes and high-level wastes related to uranium fuel cycle activities to the environmental costs of licensing the nuclear power reactor, shall be as set forth in Table S-3, Table of Uranium Fuel Cycle Environmental Data. No further discussion of the environmental effects addressed by the table shall be required. This paragraph does not apply to any applicant's environmental report submitted prior to (*date of publication* of final rule).

2. In § 51.23, paragraph (c) is revised to read as follows:

§ 51.23 Contents of draft environmental statement.

* * * * *

(c) The draft environmental impact statement will include a preliminary cost-benefit analysis which considers and balances the environmental and other effects of the facility and the alternatives available for reducing or avoiding adverse environmental and other effects, as well as the environmental, economic, technical and other benefits of the facility. The contribution of the environmental effects of the uranium fuel cycle activities specified in § 51.20(e) shall be addressed in the draft environmental impact statement by setting out Table S-3, Table of Uranium Fuel Cycle Environmental Data, and noting that the Commission has found, based on the narrative explanation given in Appendix A, 10 CFR Part 51, that the fuel cycle impacts addressed by Table S-3 cannot significantly affect the cost-benefit balance for a light water reactor. With the exception of radon-222 and technetium release values [4] and their potential significance, there shall be no further consideration of fuel cycle impacts addressed by Table S-3. The impact statement shall consider and take account of economic and socioeconomic impacts, possible cumulative impacts, and other fuel cycle impacts as may reasonably appear significant. The cost benefit analysis will, to the fullest extent practicable, quantify the various factors considered. To the extent that these factors cannot be quantified, they will be discussed in qualitative terms. The cost-benefit analysis will indicate what other interests and considerations of federal policy are thought to offset any adverse environmental effects of the proposed action identified pursuant to paragraph (a). Due consideration will be given to compliance of the facility construction or operation and alternative construction and operation with environmental quality standards and requirements which have been imposed by federal, state, regional, and local agencies having responsibility for environmental protection, including applicable zoning and land-use regulations and water pollution limitations or requirements promulgated or imposed by the Federal Water Pollution Control Act. The environmental impact of the facility will be considered in the cost-benefit analysis with respect to matters covered by these standards and requirements irrespective of whether a certification or license from the appropriate authority has been obtained, including any certification obtained pursuant to Section 401 of the Federal Water Pollution Control Act. While satisfaction of Commission standards and criteria pertaining to radiological effects will be necessary to meet the licensing requirements of the Atomic Energy Act, the cost-benefit analysis will, for the purposes of NEPA, consider the radiological effects of the facility and alternatives.

[4] Values for releases of Rn-222 and Tc-99 are not given in the Table. The amount and significance of Rn-222 releases from the fuel cycle and Tc-99 releases from waste management or reprocessing activities shall be considered in the draft environmental impact statement and may be the subject of litigation in individual licensing proceedings.

3. In Part 51, a new Appendix A, "Explanatory Narrative for Table S-3," Table of Uranium Fuel Cycle Environmental Data, is added to read as follows:

Appendix A—Explanatory Narrative for Table S-3, Table of Uranium Fuel Cycle Environmental Data

Section I. The LWR Uranium Fuel Cycle

A. *Introduction.* The purpose of this narrative explanation of Table S-3 is to assist the reader in identifying the major environmental impacts of each step in the fuel cycle and in determining which fuel cycle steps are the major contributors to each type of environmental impact shown in Table S-3. Table S-3 summarizes the environmental effects of the normal operations of the uranium fuel cycle associated with producing the uranium fuel for a nuclear power plant and in disposing of the spent nuclear fuel and the radioactive wastes. The values in Table S-3 were estimated principally by methods which are described in detail in the reports WASH-1248, "Environmental Survey of the Uranium Fuel Cycle,"(*1*) NUREG-0116, "Environmental Survey of the Reprocessing and Waste Management Portions of the LWR Fuel Cycle,"(*2*) and NUREG-0216, "Public Comments and Task Force Responses Regarding the Environmental Survey of the Reprocessing and Waste Management Portions of the LWR Fuel Cycle."(*3*) In addition, at a public hearing beginning on January 16, 1978, (Docket No. RM 50-3) on the reprocessing and waste management environmental effects, the Commission staff answered questions about the estimates for the back end of the fuel cycle and considered suggestions made by other participants in the hearing. The complete record of this public hearing and the three documents cited above are available in the NRC's Public Document Room at 1717 H Street, N.W., Washington, D.C., and provide further explanation of the factors considered in developing estimates for Table S-3. These reference materials contain the complete technical basis for the estimates in the Table, and give detailed descriptions of the fuel cycle operations and their environmental effects.

The following narrative explanation of the values given in Table S-3 is drawn from the record and cross-referenced to source documents for the benefit of readers seeking more information. The Table S-3 values which pertain to the front end of the fuel cycle (up to the loading of the fuel in the

reactor) are taken from WASH–1248; values pertaining to the back end of the fuel cycle are taken from NUREG–0116, with changes which are noted in the hearing record.(4) Since the narrative is designed to help the reader in interpreting the environmental effects given in Table S–3, the aforementioned documents, together with others that were cited in the documents or discussed during the hearings, are generally the only references cited in the narrative. The exceptions to this statement are found in Section III, where the staff has provided information on how long-term environmental dose commitments might be calculated, and what incremental releases from waste disposal sites might be. Since these topics were not covered in detail in WASH–1248, NUREG–0116, NUREG–0216 or the hearing record, information not in the record had to be used to develop the material.

Section I of the narrative describes the extant LWR uranium fuel cycle, the alternatives and the individual operations of the fuel cycle; Section II contains a description of the environmental effects of the LWR fuel cycle and of the individual fuel cycle operations; Section III contains a discussion of environmental dose commitments and health effects resulting from releases of radioactive materials from the fuel cycle. Section III also includes a discussion of how dose commitment evaluations over extended periods of time might be performed and what their significance might be. In addition, there is a discussion of what, if any, incremental releases from waste disposal sites might occur over very long periods of time (i.e., an evaluation of repository impacts for the repository considered in NUREG–0116). Section IV contains a discussion of socioeconomic impacts.

B. *Alternative Fuel Cycles.* The several alternative fuel cycles which can be used for present generation LWR reactors can be primarily characterized by how the spent fuel is handled, since all presently available alternatives start with uranium fuel. The alternatives are:

Once-Through Fuel Cycle:

• The spent fuel can be disposed of without recovery of residual fissionable isotopes; this is the present operating mode for U.S. nuclear reactors.

Uranium-Only Recycle:

• Uranium can be recovered from spent fuel by reprocessing and can be recycled in nuclear fuel. Plutonium can be stored for later use or combined with residual radioactive materials as wastes. Uranium-only recycle, including plutonium storage, was considered to be the most likely mode of operation at the time of preparation of WASH–1248 (1972–1974), and was the fuel cycle addressed in that document.(5) In NUREG–0116, plutonium was considered to be a waste to be disposed of at a federal repository.(6)

Uranium and Plutonium Recycle:

• Both uranium and plutonium can be recovered from spent fuel by reprocessing and recycling to the reactor, the plutonium being recycled with uranium as mixed oxide fuel. The residual radioactive materials are wastes. The wide scale use of this mode of operation was under consideration in the Commission's GESMO(7) proceeding.

There are only two LWR fuel cycles potentially licensable for wide-scale use in the United States at this time: the once-through cycle, and the uranium-only recycle fuel cycle. The back-end steps of these two fuel cycles are considered in NUREG–0116 and –0216, and the larger environmental effect of the two fuel cycles is included in Table S–3. Since the fuel cycle rule is to cover LWRs during their operating lifetime, even though there are no reprocessing plants operating in the United States at this time, the remanded hearing (Docket No. RM 50–5) of January 1978 through April 1978 considered both the once-through and uranium-only recycle fuel cycles to cover the possibility that spent fuel may be reprocessed at some future date.

C. *Fuel Cycle Operations.* Many different operations are required for either the once-through fuel cycle or the uranium-only recycle fuel cycle. Operations involved in preparing fresh fuel for use in a reactor are collectively known as the "front end" of the fuel cycle. The operations following irradiation of the fuel in the reactor are known as the "back end" of the fuel cycle. Figure 1 shows a block flow diagram for the front end of the fuel cycle; Figures 2a and 2b show the back end of the once-through and uranium-only recycle fuel cycles respectively.

LWR URANIUM FUEL CYCLE FRONT END OPERATIONS

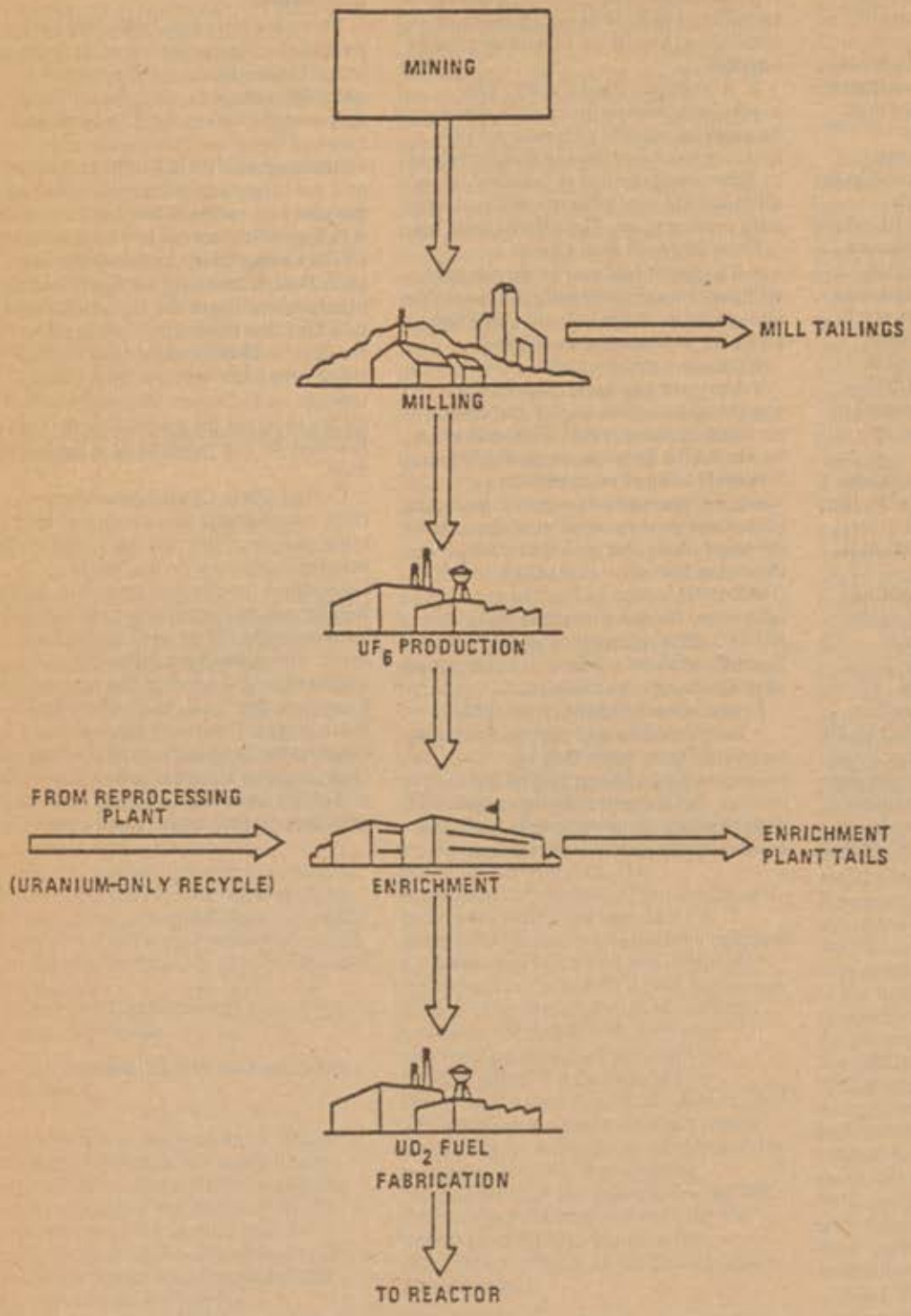

Figure 1 LWR Uranium Fuel Cycle Front End Operations

LWR URANIUM FUEL CYCLE BACK END OPERATIONS

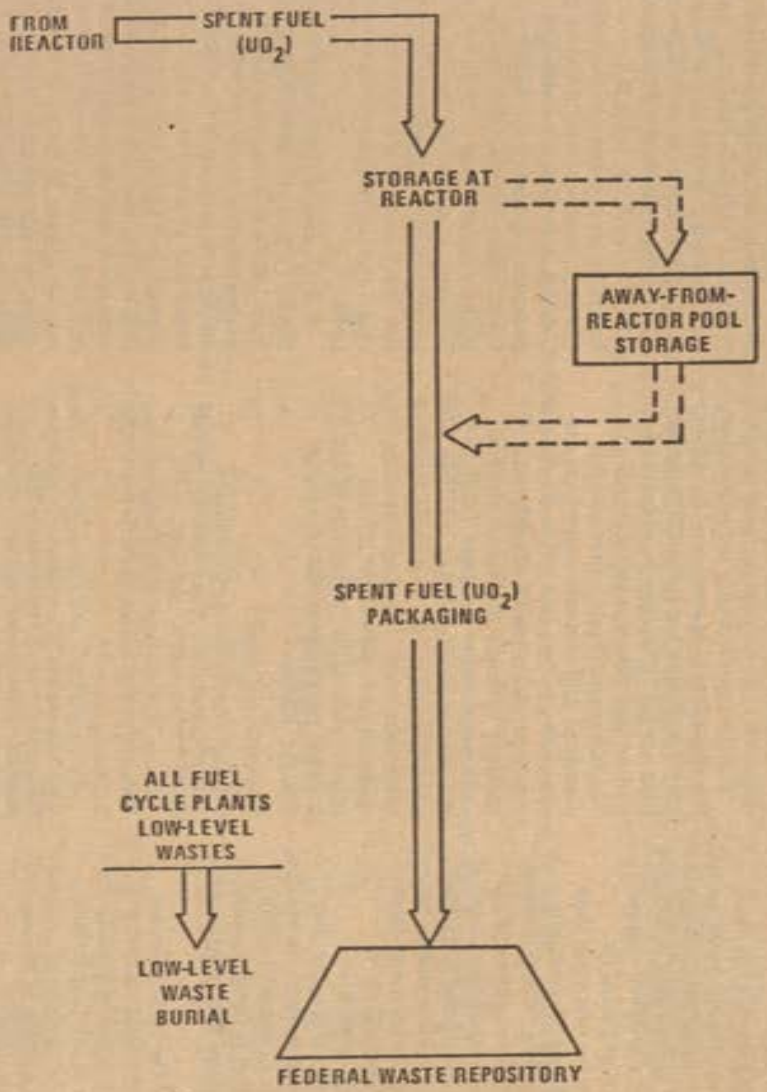

Figure 2a Once-Through Fuel Cycle

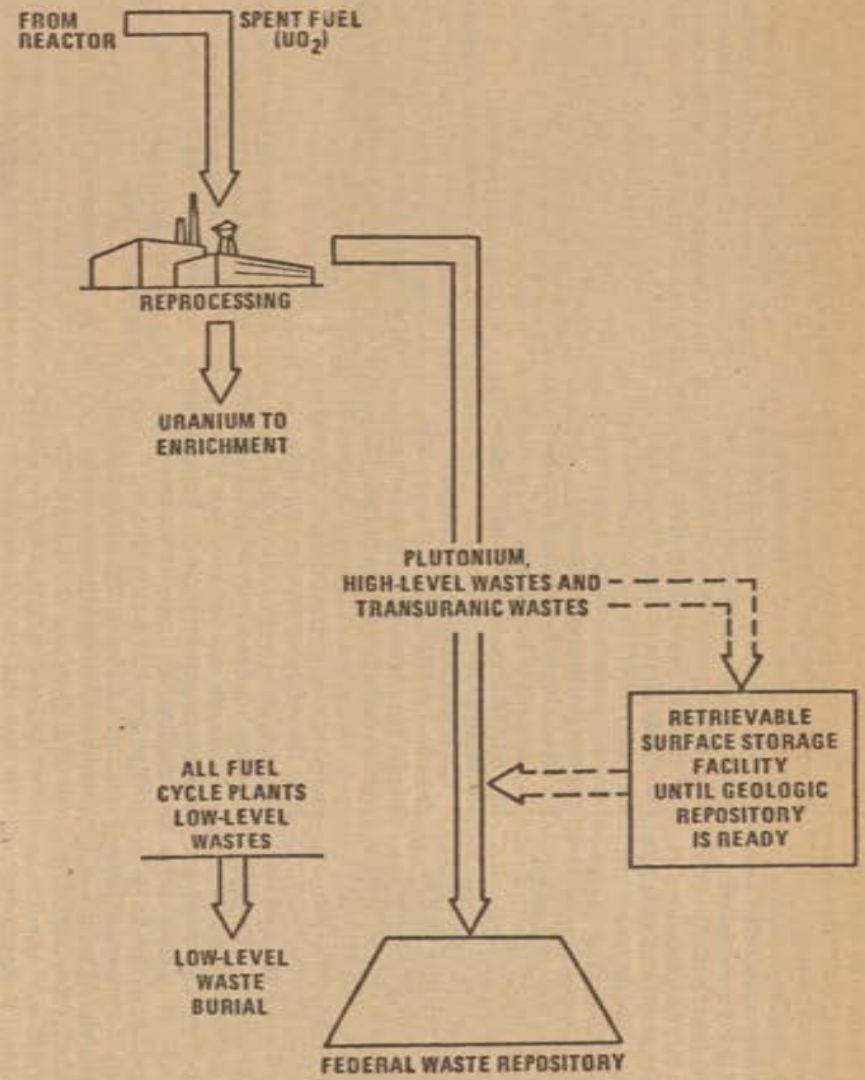

Figure 2b Uranium-Only Recycle Fuel Cycle

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Five operations comprise the front end of the fuel cycle (Figure 1): ore is mined; the uranium content of the ore is recovered as an impure compound (yellowcake) by milling; a purified uranium compound (UF_6) is produced; the uranium-235 content of natural uranium is increased at enrichment plants; and uranium fuel is fabricated.(*8*)

Two different sets of operations comprise the back end of the fuel cycle. In the once-through fuel cycle (Figure 2a), spent fuel from the LWR is stored, either at the reactor or at special facilities away from the reactor, for periods of time in excess of 5 years. The spent fuel is packaged and disposed of in Federal repositories. In the uranium-only recycle mode (Figure 2b), spent fuel is stored at reactors for short periods of time (greater than 90 days), and then shipped to reprocessing plants, where uranium is recovered in a form suitable for feed to enrichment plants. Plutonium and other residual materials from the spent fuel (cladding, fission products, actinide elements, activation products) are solidified, and packaged in a form suitable for disposal. Current regulations (10 CFR Part 50, Appendix F) require that certain wastes from reprocessing plants be solidified within 5 years of their generation and that these wastes be disposed of within 10 years of their generation. Most of the waste from reprocessing plants will be disposed of at Federal repositories.

D. *The Model Reactor and its Fuel Cycle Requirements.* For the purposes of developing the values in Table S–3, a model light-water reactor was defined in WASH–1248 as a 1,000-MWe reactor assumed to operate at 80% of its maximum capacity for one year, thus producing 800 MW-yrs of electricity annually.(*9*) The fuel cycle requirements averaged over a 30-year operating life for this reactor were labelled an annual fuel requirement (AFR) in WASH–1248. Since that time, the AFR acronym has been used to characterize away-from-reactor storage of spent fuel. In NUREGs–0116 and –0216, the terminology "reference reactor year" (RRY) was employed to describe the fuel cycle requirements of a model 1,000-MWe reactor operating for one year. The same terminology will be utilized in this narrative.

The front end of the fuel cycle, as described in WASH–1248, covers the supply of fuel for the model reactor: 91,000 metric tons of ore (containing 2 parts of U_3O_8 per 1,000 parts of ore) are required per RRY. Milling of the ore produces 182 metric tons of yellowcake,* which in turn is converted into 270 metric tons of natural UF_6. In the enrichment operation, much of this natural UF_6 feed material is rejected from the fuel cycle as enrichment plant tails. of the 270 metric tons of UF_6 feed, 218 metric tons are rejected from the fuel cycle as depleted uranium tails. The remaining 52 metric tons of enriched uranium product is the feed for the fuel fabrication plant and contains enough uranium for 40 metric tons of UO_2 fuel (35 metric tons of contained uranium). This amount of fuel is required annually by an LWR producing 800 MW-years of electricity.(*10*)

The back-end fuel cycle steps, described in NUREGs–0116 and –0216, handle the post-fission products and wastes, including the spent fuel. The spent fuel, which still contains about 34 metric tons of uranium,(*11*) is removed from the reference reactor annually. (Approximately one metric ton of uranium has been converted to fission products and actinide elements.) The fresh and spent fuel is in the form of fuel assemblies, each containing between about 0.2 and 0.5 metric tons of uranium.(*12*) Hence, the number of fuel assemblies handled in each reactor reload ranges from about 70 to 180, depending on the type of reactor. For the once-through fuel cycle, this fuel is stored under water for periods of time in excess of 5 years, either at the reactor site or at offsite facilities. Following the storage period, the spent fuel will be disposed of at a Federal repository.(*13*)

For the uranium-only recycle option, the spent fuel is reprocessed to recover uranium. Plutonium (about 0.35 metric tons per RRY)(*14*) may be recovered as plutonium oxide in a separate stream. The fission products, other actinide elements, and activation products are concentrated into one or more solid waste products which are disposed of together with any plutonium stream.

To develop the values in Table S–3, the environmental effects resulting from operating the model fuel cycle facilities were estimated. These effects were then normalized to reflect the effects attributable to the processing of fuel for a single year's operation of a model reactor (RRY).

Section I—References

1. U.S. Atomic Energy Commission, "Environmental Survey of the Uranium Fuel Cycle," WASH–1248 1974, p. iv.

2. U.S. Nuclear Regulatory Commission, "Environmental Survey of the Reprocessing and Waste Management Portion of the LWR Fuel Cycle, A Task Force Report," W. Bishop, F. J. Miraglia, Ed., NUREG–01116, October 1976, pp. i, ii.

3. U.S. Nuclear Regulatory Commission, "Public Comments and Task Force Responses Regarding the Environmental Survey of the Reprocessing and Waste Management Portions of the LWR Fuel Cycle," NUREG–0216, March 1977.

4. U.S. Nuclear Regulatory Commission, "Staff Recommendations for Minor Adjustments to Table S–3," submitted by James Lieberman, Counsel for NRC Staff, Docket RM 50–3, January 19, 1978.

5. WASH–1248, p. S–3.

6. NUREG–0116, p. S–12.

7. "U.S. Nuclear Regulatory Commission, Final Generic Environmental Statement on the Use of Recycle Plutonium in Mixed Oxide Fuel in Light Water Cooled Reactors," Office of Nuclear Material Safety and Safeguard, NUREG–0002, August 1976.

8. WASH–1248, p. S–2.

9. Ibid., p. S–5.

10. Ibid.

11. NUREG–0002, Table IV C–9, p. IV C–75.

12. Ibid., Section 3.28, p. 3–8.

13. NUREG–0116, p. 4–6.

14. Ibid., Section 3.2.7.1, p. 3–9.

Section II. Environmental Effects of the LWR Fuel Cycle

A. *Environmental Date.* Table S–3, Table of Uranium Fuel Cycle Environmental Data, is a summary of environmental impacts attributable to the uranium fuel cycle, normalized to the annual fuel requirement in support of a model 1,000-MWe LWR. Data from the "front end" of the uranium fuel cycle, based on WASH–1248, have been combined with data from the "back end," which is based on NUREGs–0116 and–0216 and the remanded proceeding (Docket No. RM–50–3). Table S–3A, which follows, set forth the contributions by the various segments of the fuel cycle to the total values given in Table S–3. In general, Table S–3 presents the sum of the higher values taken either the once-through fuel cycle or the uranium-only recycle option. The following is a brief discussion of the environmental considerations related to the "back end" of the once-through fuel cycle and the uranium-only recycle option.

1. Back End of the Once-Through Fuel Cycle. At present, spent fuel discharged from LWRs is being stored in the United States pending a policy decision whether to dispose of the irradiated spent fuel as a waste product—the once-through fuel cycle, or to reprocess spent fuel and recover the residual fissile values for recycle as fuel in power reactors, in this case—the uranium-only recycle option. In the once-through fuel cycle, the storage and disposal of spent fuel as waste, along with other waste

*Varying fuel cycle operating conditions including reactor parameters, yellowcake purity, enrichment tails assay, etc. affect the yellowcake RRY requirement which is thus subject to considerable variation.

management activities, constitutes the "back end" of the uranium fuel cycle. (1)

The environmental considerations related to the once-through fuel cycle are summarized in column F of Table S-3A. It is expected that spent fuel will remain in interim storage facilities for periods of up to 10 years or more to reduce radiation and heat emissions prior to packaging and disposal, and because facilities for the permanent disposal of spent fuel are not yet available.(2) Thus, column F includes the environmental impacts of extended pool storage as well as spent fuel disposal in a deep salt bed, geological repository. Low-level wastes, and decontamination and decommissioning wastes, from all segments of the fuel cycle are also included in column F.(3) There are no significant amounts of transuranic (TRU) wastes generated in the once-through fuel cycle.

It has been assumed that spent fuel or high-level wastes will be disposed of in a geologic, bedded salt, repository.(4) Operation of repository facilities is similar for both spent fuel or high-level waste, and it has been assumed that a repository in bedded salt will be designed and operated so as to retain the solid radioactive waste indefinitely. However, the radiological impacts related to the geologic disposal of spent fuel are based on the assumption that all gaseous and volatile and radionuclides in the spent fuel are released before the geologic repository is sealed.(5) Since the gaseous and volatile radionuclides are the principal contributors to environmental dose commitments, this assumption umbrellas the upper bounds of the dose commitments that may be associated with the disposal of spent fuel.

2. Back End of the Uranium-Only Recycle Fuel Cycle Option. At present, there are no spent fuel reprocessing plants in the United States that can reprocess LWR spent fuel. Moreover, if a policy decision is made to permit reprocessing of spent fuel, the capability to reprocess spent fuel in the United States may not be available until about the early 1990s. However, if LWR spent fuel is reprocessed, the environmental impacts from reprocessing and related waste management activities are nearly identical for the recycling of uranium and plutonium, and for the recycling of uranium-only, as fuel in nuclear power reactors. Whether plutonium will be used as a fuel in LWRs, or breeder reactors, or both, is a separate issue that will be resolved in connection with the policy decision whether to resume reprocessing in the United States. For this purpose, to cover the contingency that at some future date spent fuel from LWRs may be reprocessed, it has been assumed that only the uranium that is recovered from the reprocessing of spent fuel from LWRs will be recycled as fuel to LWRs. The plutonium is not recycled for its fuel value in LWRs; instead, it becomes a byproduct waste that may be disposed of in a manner similar to that for high-level waste.(6) This is called the uranium-only recycle option, and its environmental considerations are summarized in columns G (Reprocessing) and H (Waste Management) of Table S-3A, and the other segments of the fuel cycle, excluding column F.*

With respect to waste management activities associated with the uranium-only recycle option (column H), the environmental considerations include the geologic disposal of high-level wastes (HLW), transuranic wastes (TRU), plutonium low-level or nontransuranic wastes, and the disposal of wastes from decontamination and decommissioning of fuel cycle facilities.(7) The environmental considerations relevant to waste management activities directly related to reprocessing, such as storage of liquid wastes in tanks, waste solidification and packaging, and interim storage of solidified wastes at the reprocessing site, are included in column G.

It has been assumed that a geologic repository will be designed and operated so as to retain solid radioactive waste indefinitely. However, to umbrella the upper bounds of the environmental dose commitments that may be associated with reprocessing and waste management operations related to the uranium-only recycle option, it has been assumed that all of the gaseous and volatile radionuclides contained in the spent fuel are released to the atmosphere prior to the disposal of the wastes.(8) The gaseous radionuclides (tritium, carbon-14, and krypton-85) and the volatile radionuclide iodine-129 are the principal contributors to environmental dose commitments from the "back end" of the uranium fuel cycle.

*It should be noted that column F, and columns G and H, are not added together to arrive at totals, but are presented as alternatives. Column F presents the environmental effects associated with the back end of the once-through fuel cycle (no reprocessing), and columns G and H present the environmental effects associated with the back end of the uranium-only recycle (reprocessing) option. The higher value from these two alternative fuel cycles is added to arrive at totals.

Table S-3A.—Summary of Environmental Considerations for LWR Fuel Cycle by Component Normalized to Model LWR Reference Reactor Year

	A	B	C	D	E	F	G	H	I	Total
	Mining	Milling*	UF_6 Prod.	Enrichment	Fuel Fab.	Spent fuel storage and disposal	Reprocessing	Waste mgmt. for uranium recycle	Transportation	
NATURAL RESOURCE USE										
Land (acres):										
Temporarily committed	55	0.5	2.5	0.8	0.2	7.7	32	9.0		100
Undisturbed area	38	0.2	2.3	0.6	0.16	7.5	28.5	8.6		79
Disturbed area	17	0.3	0.2	0.2	0.04	.192	3.5	0.35		22
Permanently committed	2	2.4	0.02	0.0	0.0	7.7	0.12	8.4		13
Overburden moved (millions of MT)	2.7					.001	0.1	0.0015		2.8
Water (millions of gallons):										
Discharged to air		65	3.3	84		11.4	6.6	0.69		160
Discharged to water bodies			23.0	11,006	5.2	.05	54.8			11,090
Discharged to ground	123					3.1		3.5		127
Total water	123	65	26.3	11,090	5.2	14.5	61.4	4.2		11,377
Fossil fuel:										
Electrical energy (thousand MWh)	0.25	2.70	1.70	310	1.7	1.9	4.0	2.3		323
Equivalent coal (thousands MT)	0.09	0.97	0.62	113	0.62	0.7	1.5	0.82	0.016	118
Natural gas (million scf)		68.5	20.0		3.6	12	28.6	14		135
EFFLUENTS:										
Chemical (MT):										
SO_x	8.5	37.0	29.0	4,300	23	0.035	5.4	0.06	0.045	4,400
NO_x	5.0	15.9	10.0	1,130	6	0.04	21.9	0.065	0.62	1,190
Hydrocarbons	0.3	1.3	0.6	11	0.06	0.0004	0.5	0.02	0.062	14
CO	0.02	0.3	0.2	28	0.15	0.026	0.5	0.029	0.38	29.6
Particulates		9.7	7.6	1,130	6	0.000088	0.6	0.02	0.012	1,154

Table S-3A.—Summary of Environmental Considerations for LWR Fuel Cycle by Component Normalized to Model LWR Reference Reactor Year—Continued

	A Mining	B Milling*	C UF_6 Prod.	D Enrichment	E Fuel Fab.	F Spent fuel storage and disposal	G Reprocessing	H Waste mgmt for uranium recycle	I Transportation	Total
Other gases:										
F^-			0.1[3]	0.5	0.005		0.05			0.67
Cl^-						0.013	0.006	0.013		0.014
Liquids:										
SO_x			4.5	5.4			<0.02			9.9
NO_x			0.1	2.7	23					25.8
Fluoride			8.8		4.[3]					12.9
Ca				5.4						5.4
Cl^-			0.2	8.2			0.09			8.5
Na^+			3.9	8.2			<0.02			12.1
NH_3			1.5		10.0					10.0
Fe				0.4						0.4
Tailings solutions (thousands)		240								240
Solids	91,000		40		26			0.42		91,000
RADIOLOGICAL (CURIES)										
Gases (including entrainment):[4]										
Rn-222										
Ra-226		0.02				4.5×10^{-1}		4.5×10^{-1}		0.02
Th-230		0.02				4.5×10^{-1}		4.5×10^{-1}		0.02
Uranium		0.03	0.0015	0.002	0.0002	7.3×10^{-1}	0.000039	7.3×10^{-1}		0.034
Tritium (thousands)						.4	18.[4]	6.8×10^{-1}		18.1
C-14						19	24			24
Kr-85 (thousands)						290.70	400	1.1×10^{-1}		400
Ru-106							0.14			0.14
I-129						1.3	0.03			1.3
I-131						.003	0.83			0.83
Fission Products and Transuranics										0.203
Liquids:										
Uranium and daughters		2	0.044	0.02	0.02	5.9×10^{-4}		5.4×10^{-4}		2.1
Ra-226			0.0034							0.0034
Th-230			0.0015							0.0015
Th-234					0.01					0.01
Tritium (thousands)										
Fission and Activation Products						5.9×10^{-4}		4.5×10^{-4}		5.9×10
Solids (buried onsite):										
Other than high level (shallow)		600	0.86		0.23	1700.	0.52	10,700		11,300
TRU and HLW (deep) (millions)						11		11		11
Thermal (billions of Btu)		69	20	3,200	9	750	75.5	689	0.014	4,063

(1) Estimated effluents based upon combustion of equivalent coal for power generation.
(2) 25% from natural gas use.
(3) Combined effluents from combustion of coal and natural gas and process tankage; contains 0.2 MT of Hexane
(4) Contains about 80% Potassium.
(5) In the "uranium recycle" case, gaseous radionuclides are assumed to be released in reprocessing, and the releases are shown in the "Reprocessing" column (G). In the "once through" case, where spent fuel goes to geologic disposal, gaseous radionuclides are assumed to leak out of the fuel at the repository; the amounts are shown in column F. Only the larger of the two values is added into the "Total" column, since they represent alternative cases.
*Numbers presented for uranium milling are taken from WASH-1248. They are not necessarily consistent with more recent staff staff analyses, e.g., those presented in NUREG-0511 "Draft Generic Environmental Impact Statement on Uranium Milling," published in April 1979

B. *Environmental Considerations of Uranium Fuel Cycle Options.* This section is a brief discussion of the environmental considerations of the uranium cycle, which are summarized in Table S-3 [1] and Table S-3A. It also provides a brief explanation of how the vaules in Table S-3, which has been normalized to a model 1,000-MWe reference reactor year (RRY), can be converted into the cumulative environmental effect over the 30-year reference reactor lifetime, and in turn converted into the cumulative environmental effect related to a prospective nuclear power forecast.[2] The narrative is drawn primarily from the WASH-1248, NUREG-0116, and NUREG-0216 documents, and the S-3 hearing record. References to applicable sections of these documents are included in the narrative.

It should be noted that radon emissions from the front end of the fuel cycle and technetium-99 release estimates for the back end of the fuel cycle are not given in Table S-3. Accordingly, radon and technetium releases, together with an appraisal of their impacts, may be the subject of litigation in individual reactor licensing proceedings.(9)

1. Natural Resource Use

a. Land.

The totel land use per RRY attributable to the uranium fuel cycle in support of a model 1,000-MWe LWR is about 113 acres, of which about 100 acres are temporarily committed, and about 13 acres are permanently committed. About 80% of the temporarily committed land used by fuel cycle facilities is undisturbed land. Temporarily committed land, which is used during the life of specific fuel cycle facilities, can be released for unrestricted use after those facilities are closed down and decommissioned. Permanently committed land is that land which may be used for waste disposal but may not be released for unrestricted use after certain facilities have ceased operating and are decommissioned.(10)

The mining of unranium ore accounts for about 55% of the temporarily committed land use of the entire uranium fuel cycle. Mining operations also account for most of the overburden moved: 2.7 million metric tons compared to a total of 2.8 million metric tons per RRY for the entire fuel cycle. Next to mining, reprocessing and waste management operations use most of the remaining temporarily committed land attributable to the uranium fuel cycle. Of the permanently committed land use attributable to the uranium fuel cycle, mining and milling operations account for about 35%, and most of the remaining 65% is used for the disposal of radioactive wastes (8.5 acres/RRY).

[1] Table S-3 summarizes the total environmental considerations given in the column "Total" of Table S-3A.

[2] Most effluent values, unless indicated otherwise can be converted from RRY values to reactor lifetime values by multiplying the value/RRY by 30 years (reactor life)

To determine the cumulative land use effect related to a prospective nuclear economy, one must first convert the land use per RRY to land use per model 1,000–MWe LWR lifetime (30 years), and then multiply that value by the equivalent number of model 1,000–MWe LWRs projected (GWe). The weighted average factor to convert land use per RRY to land use per model LWR life is about 40.

The conversion factor of 40 is a weighted average that results from consideration of three factors: land use for facilities; land use for waste management, which increases with time; and ore depletion and mill recovery performance over the life of the reactor. In WASH–1248, uranium mining and milling operations were based on an average ore grade of 0.2% and 100% mill recovery, which represented current operations. However, a later analysis developed for NUREG–0002 indicated that when ore depletion and mill recovery performance is considered over the years 1976–2000, it would be more appropriate to use an average ore grade of 0.1%, with 90% mill recovery, over the life of an LWR. Thus, to convert land use per RRY to land use per LWR life committed to mining and milling, the land use per RRY should be multiplied by 67. Added to this value is the land use per RRY for UF_6 production, enrichment, fuel fabrication, and reprocessing; and 30 time the land use per RRY for waste management operations. For the reason given above, since most of the "overburden moved" is related to the mining of uranium ore, the factor used to convert MT/RRY of overburden moved to MT/LWR life is 67.

Environmental Effects: The land use requirements related to the fuel cycle in support of a model 1,000–MWe LWR do not represent a significant impact. A 1,000–MWe coal-fired power plant that uses strip-mined coal requires the disturbance of about 200 acres of land per year for obtaining coal alone. Thus, for comparison, the coal plant disturbs about 10 times as much land as the disturbance attributable to the entire fuel cycle in support of the model 1,000–MWe LWR.

b. Water.

The principal use of water in the fuel cycle supporting a model 1,000–MWe LWR is for cooling. Of the total 11,377 million gallons of water use per RRY, about 11,000 million gallons are required to remove heat, by once-through cooling, from the power stations that supply electrical energy for uranium enrichment.

The discharge of water to surface streams is in accordance with the National Pollutant Discharge Elimination System Permits issued by EPA and the states. Drainage water pumped out of uranium mines (123 million gallons/RRY) and from waste management operations (3.5 million gallons/RRY) is discharged to the ground. Of the 160 million gallons of water evaporated per RRY, about 65 million gallons of water are evaporated from mill tailings ponds, and the other 95 million gallons of water are evaporated from cooling water from fuel cycle facilities.

To determine the cumulative water use effect related to a prospective nuclear economy, one must first convert water use per RRY to water use per model 1,000–MWe LWR lifetime (30 years), and then multiply that value by the equivalent number of model 1,000–MWe LWRs projected (GWe). The factor used to convert water use per RRY to water use per model LWR life is 30. However, to determine the water use evaporated or discharged to ground, the conversion factor for mining and milling operations is 67; and the factor for other fuel cycle operations is 30.

Environmental Effect: The water use requirements related to the fuel cycle in suport of a model 1,000–MWe LWR do not represent a significant impact. If all plants supplying electrical energy used cooling towers, the water use of the fuel cycle would be about 6% of that required by the model 1,000–MWe LWR. The evaporated water loss of the fuel cycle is about 2% of the evaporated water loss of a model 1,000–MWe LWR cooling tower.

c. Fossil Fuel.

Electrical energy and process heat are used in the fuel cycle. The electrical energy (323 thousand MWh/RRY), of which about 96% is used for uranium enrichment, is produced by conventional, coal-fired, power plants.(T312T1) Most of the process heat used in the fuel cycle is supplied by the combustion of natural gas (135 million scf/RRY). In general, about 50% of the natural gas is used for yellowcake drying.(T313T1) 15% is used in UR_6 production, 3% is used in fuel fabrication, 22% is used in reprocessing, and 10% is used in waste management operations.

To determine the cumulative fossil fuel use effect related to a prospective nuclear economy, multiply the fossil fuel per RRY value by 30 to convert to the fossil fuel use over the 30-year life of the model 1,000-MWe LWR, and then multiply that value by the equivalent number of model 1,000-MWe LWRs projected (GWe).

Environmental Effect: The fossil fuel use requirements related to the fuel cycle in support of a model 1,000-MWe LWR do not represent a significant impact. The electrical energy needs of the fuel cycle are only about 5% of the electrical energy produced by the model 1,000-MWe LWR. If the natural gas consumed by the fuel cycle were used to generate electricity, it would contribute less than 0.4% of the electrical energy produced by the model LWR.

2. Effluents—Chemical.

a. Gases.

The gaseous chemical effluents from the fuel cycle result, for the most part, from the combustion of fossil fuel to provide electrical energy or process heat for fuel cycle facilities.(*14*) To determine the cumulative gaseous chemical effect related to a prospective nuclear economy, perform the calculation in a manner similar to that given above for fossil fuel.

Environmental Effect: The gaseous chemical effluents related to the fuel cycle in support of a model 1,000-MWe LWR do not represent a significant impact. Based on data in a Council on Environmental Quality report,(*15*) these emissions represent a very small addition (about 0.02%) to emissions from transportation and stationary fuel combustion in the United States.

b. Other Gases.

Small amounts of halogen compounds are released as gaseous effluents to the environs, primarily as fluorides from UF_6 conversion and uranium enrichment operations.

Environmental Effect: Measurements of fluorine in unrestricted areas indicate concentrations below the level at which deleterious effects have been observed.(T316T1) Moreover, long-term observations have not revealed any adverse effects attributable to fluoride releases from UF_6 conversion, uranium enrichment, and fuel fabrication facilities.

c. Liquids and Solids.

Some liquid chemical effluents are released to surface waters from UF_6, enrichment, and fuel fabrication facilities. Tailings solutions from the uranium mill account for the bulk of mass of liquid (240 thousand MT/RRY) and solid (91 thousand MT/RRY) effluents from the fuel cycle. However, the tailings solutions are slowly dissipated by natural processes, principally through evaporation, leaving the tailings solids for eventual disposal.(*17*)

There are two major aqueous waste streams associated with the wet UF_6 conversion process.(*18*) One is made up of dilute scrubber solutions that are treated with lime to precipitate calcium fluoride, which is then diluted with

cooling water effluent before it is released. The other is a raffinate streams which is held in sealed ponds from which the water is allowed to evaporate. The solids which are recovered from the settling ponds are packaged and ultimately buried. The discharge of water to surface stream is in accordance with a National Pollutant Discharge Elimination System Permit issued by EPA or the state.

A number of chemicals (primarily calcium, chlorine, sodium, and sulfate ions) are present in the liquid effluent from the enrichment plant. Water treatment and dilution by the receiving river reduces the concentration of chemicals to a small fraction of the recommended permissible water quality standards.(*19*)

The liquid effluent from fuel fabrication facilities contains nitrogen compounds resulting from the use of ammonium hydroxide in the production of UO_2 powder, and from the use of nitric acids in scrap recovery operations. The fluorine introduced into the fuel cycle during UF_6 production becomes a waste product during the production of UO_2 powder. The gaseous fluoride is removed from the effluent air streams by water scrubber systems.(*20*) The scrubber system wastes are treated with lime to precipitate calcium fluoride, which is filtered from the waste effluent stream and packaged (about 11 cubic yards/RRY) for disposal.(*21*) The discharge of water to surface streams is in accordance with a National Pollutant Discharge Elimination System Permit issued by EPA or the state.

To determine the mass of tailings solution and solid tailings related to a prospective nuclear economy, which are a function of the average grade of ore processed, multiply the values for tailings solutions and solids in Table S-3 by 67 to obtain the mass of tailings solution and tailings generated over the model LWR lifetime.

Environmental Effect: The liquid and solid chemical effluents related to the fuel cycle in support of a model 1,000-MWe LWR do not represent a significant impact. All liquid discharges from fuel cycle facilities into the navigable waters of the United States are subject to requirements and limitations set forth in the National Pollutant Discharge Elimination System Permit issued by an appropriate state or federal regulatory agency. When milling activities are terminated, the tailings pile must be graded, covered with earth and topsoil, and seeded to reduce radon emanation.*

3. Effluents—Radiological.

a. Gases and Liquids.

Table S-3 summarizes (except from radon-222 and technetium-99) the curies of radioactivity released per RRY in the gaseous and liquid effluents from the uranium fuel cycle in support of a model 1,000-MWe LWR. In general, the natural radionuclides (radium, thorium, and uranium) are released from the front end, and the other radionuclides are released from the back end of the fuel cycle.

In the front end of the fuel cycle, small amounts of radium, thorium, and uranium are released to the environment in the gaseous process effluents and in the ventilation air discharged to the atmosphere from milling, UF_6 production, enrichment, and fuel fabrication facilities. Small amounts of uranium and its daughters also are released in the liquid effluents from these facilities, but most of these radionuclides become part of the solid waste collected in the tailings pile from milling operations or in settling ponds associated with the other front end operations.

In the once-through fuel cycle, the spent fuel is stored for five or more years and then disposed of in a geologic respository when the repository is available to receive spent fuel.(*22*) During interim storage prior to sealing of the repository, some of the gaseous and volatile radionuclides contained in the spent fuel may escape due to the failure of the fuel element cladding and leakage of the spent fuel disposal containers.(*23*)

About 50% of the krypton, 10% of the carbon-14, and 1% of tritium and iodine contained in spent fuel exists within the gas space in the fuel rod and is likely to be released from the fuel rod if the cladding fails. However, the curies of tritium, carbon-14, krypton-85, and iodine-129, given in Column F of Table S-3A, represent the total curies of each contained in 35 metric tons of spent fuel (the annual reference reactor fuel requirement), irradiated to 33,000 MWd/MT, and aged 5 years. Since the site and method for spent fuel disposal have not yet been defined, the NRC staff cannot determine what amounts of radionuclides may eventually escape from the repository or when they may enter the environment. However, the NRC staff has identified which radionuclides have the higher probability of migrating from a repository, and which of these radionuclides are the principal contributors to environmental dose commitments if they do eventually enter the biosphere. In general, the gaseous radionuclides that escape from failed fuel rods, or leaking waste canisters, before the repository is sealed, and the very long-life radionuclides that have low retardation in soils, such as iodine-129, which may migrate with groundwater and eventually reach the biosphere, are the principal contributors to environmental dose commitments. Accordingly, to umbrella the upper bounds of prospective dose commitments, it has been assumed in Table S-3 that all of the tritium, carbon-14, krypton-85, and iodine-129 contained in 5-year-old spent fuel per RRY have been released to the environment.

In the uranium-only recycle option, the spent fuel is reprocessed. During reprocessing, the gaseous radionuclides (tritium, carbon-14, and krypton-85) are released to the atmosphere; however, most of the iodine is removed from the process effluents. (*24*) The radiological effluents related to the uranium-only recycle option are given in column H of Table S-3A. These values, per RRY, are based on the reprocessing of 6-month-old spent fuel.

Since the radiological effluents given in Table S-3 are based on the higher values taken from either fuel cycle, the radiological considerations related to the back end of the fuel cycle are based on 100% release of the tritium, carbon-14, krypton-85, and iodine-129 contained in 6-month-aged spent fuel, and small amounts of other fission products and transuranic radionuclides that may be released if spent fuel were reprocessed.

Environmental Effect: Excluding radon, the radiological effluents released per RRY from the fuel cycle in support of the model 1,000-MWe LWR result in an estimated 100-year environmental dose commitment to a U.S. population of 300 million persons of about 650 person-rem, of which about 550 person-rem is attributable to gaseous effluents and about 100 person-rem is attributable to liquid effluents. Of the dose commitment attributable to gaseous effluents, about 42% is from tritium, 31% is from carbon-14, 5% is from krypton-85, 10% is from iodine, and the balance (12%) is from all other radionuclides, which contribute primarily to the local population dose commitment. Although tritium and carbon-14 account for most of the population dose commitment from the uranium fuel cycle, tritium and carbon-14 produced in the world's atmosphere by cosmic radiation contribute about 1% of the total population dose commitment from natural background radiation. However, that 1% implies that naturally occurring tritium and carbon-14 will

*At this time, radon emissions are excluded from the S-3 fuel cycle rule. Proposed regulations related to the disposal of mill tailings were published in the **Federal Register** on August 24, 1979.

result in about 300,000 person-rem each year to the U.S. population, or about 30,000,000 person-rem over a 100-year period.

Although radon effluents are excluded from Table S-3, the dose commitment from radon has to be added to the above fuel cycle environmental dose commitment to arrive at the estimated dose commitment attributable to the entire fuel cycle. Based on recent studies, the 100-year environmental dose commitment per RRY attributable to radon emissions from mining and milling is about 210 person-rem.(*25*)

On this basis, the 100-year environmental dose commitment attributable to the entire fuel cycle is about 860 person-rem per RRY. For comparison, the annual dose commitment to a U.S. population of 300 million from natural background radiation results in about 30,000,000 person-rem. Thus, the dose commitment per RRY from the fuel cycle is about 0.003% of the annual dose commitment, and about 0.00003% of the 100-year environmental dose commitment, to the U.S. population from natural background radiation. Section III contains an assessment of the environmental dose commitment to the U.S. population attributable to the radiological effluents, except radon, released from the uranium fuel cycle.

b. Solids.

The curies per RRY of radionuclides in buried radioactive low-level, high-level, and transuranic waste materials are given in Table S-3. As discussed above, it is assumed that there will be no release of solid radionuclides to the environment from buried solid waste materials. Moreover, the radiological effluents from waste management are so small in relation to the other segments of the fuel cycle that they do not show up in the totals presented in Table S-3.(*26*)

About 10,700 curies of mixed radionuclides are buried per RRY at low-level waste land burial sites. Of this total, 9,100 curies come from LWR low-level waste(*27*) 1,500 curies are attributable to decommissioning of nuclear facilities, including the reactor;(*28*) and the balance, about 100 curies, is generated by the uranium fuel cycle operations in support of the LWR. About 600 curies of uranium and its daughters are added per RRY to the tailings pile at the mill site.(*29*)

The high-level radioactive waste from the once-through fuel cycle is the spent fuel assemblies, which will be packaged and disposed of in a geologic repository. The radioactive waste from the uranium-only recycle option consists of the fuel assembly hulls, the high-level and intermediate-level wastes from reprocessing, and the plutonium waste. These wastes will be disposed of in a geologic repository in the form of solids which will have chemical and physical properties that mitigate the release of radionuclides to the environs. It is assumed that the geologic repository will be designed and operated so that the solid radioactive wastes are confined indefinitely.

Environmental Effect: There are no significant releases of solid radioactive materials from shallow land-burial facilities, or from the geologic repository, to the environment.

4. Effluents—Thermal.

The uranium fuel cycle in support of a model 1,000-MWe LWR discharges approximately 4 trillion Btu of heat per RRY into the environs. Most of this heat, about 80%, is rejected to the atmosphere at the power plants supplying electrical energy to the enrichment plant or at the enrichment plant itself.(*30*) Waste management and spent fuel storage contribute about 18% of the heat rejected to the environs. This heat results from the decay of radionuclides. The rejection of process heat from fuel cycle facilities accounts for the remaining 2% of the thermal effluent from the fuel cycle.

To determine the heat rejection by the fuel cycle over the model LWR lifetime, multiply the thermal effluent value per RRY by 30.

Environmental Effect: The thermal effluents related to the fuel cycle in support of a model 1,000-MWe LWR do not represent a significant impact. The thermal effluent of the fuel cycle is only about 8% of the heat dispersed to the environs by the model LWR.

5. Transportation.

The dose commitment to workers and the public related to the transport of nuclear materials in support of a model 1,000-MWe LWR is estimated to be about 2.5 person-rem per RRY.(*31*)

To determine the transportation dose commitment over the model LWR lifetime, multiply the dose commitment per RRY by 30.

Environmental Effect: The transportation dose commitment related to the fuel cycle in support of a model 1,000-MWe LWR does not represent a significant impact. Compared to natural background radiation, this dose commitment is small.

5. Occupational Exposure.

The occupational exposure value given in Table S-3 (22.6 person-rem) represents an upper exposure value related to reprocessing and waste management activities associated with the back end of the fuel cycle, if the model 1,000-MWe LWR is operated on the uranium-only recycle mode. Most of the occupational exposure attributable to the back end of the fuel cycle results from the variety of operations associated with reprocessing and related waste management activities involving the disposal of irradiated spent fuel. For comparison, the occupational exposure related to the back end of the once-through uranium fuel cycle is estimated to be 7 person-rem per RRY. The occupational exposure attributable to the entire uranium fuel cycle in support of a model 1,000-MWe LWR is estimated to be about 200 person-rem per RRY.(T332T1)

Environmental Effect. The occupational exposure attributable to the fuel cycle in support of a model 1,000-MWe LWR is acceptable. NRC regulations limit the permissible occupational exposure of any individual to 5 rem annually.

Section II—References

1. NUREG-0116, Sections 2.6 and 4.6.
2. Ibid., p. 4-109.
3. Ibid., p. 4-117.
4. Ibid., Section 4.4.
5. Ibid., p. 4-114.
6. Ibid., Section 2.5 and p. 4-100.
7. Ibid., Sections 2.2, 2.3, 2.4, 2.5, and 4.4.
8. Ibid., p. 4-114.
9. Federal Register, *44*, p. 45371.
10. WASH-1248, p. S-9.
11. Ibid., p. S-16.
12. Ibid., p. D-14.
13. Ibid., p. B-10.
14. Ibid., p. S-18.
15. U.S. Council on Environmental Quality, "the Seventh Annual Report," September 1976, Figures 11-27 and 11-28, pp. 238-239.
16. WASH-1248, p. S-18.
17. Ibid., p. B-9.
18. Ibid., p. C-4.
19. Ibid., pp. D-18, 19.
20. Ibid., p. E-3.
21. Ibid., p. E-3.
22. NUREG-0116, p. 4-109.
23. Ibid., pp. 4-110 and 4-115.
24. Ibid., p. 4-9
25. NUREG-0511, *Generic Environmental Statement on Uranium Milling*, April 1979.
26. NUREG-0116, p. 4-84, Table 4.16.
27. NUREG-0216, p. H-17, Table VII.
28. Ibid., p. H-18, Table VIII.
29. WASH-1248, p. S-24.
30. Ibid., p. S-24.
31. NUREG-0116, p. 4-150, Table 4.35.
32. NUREG-0216, p. I-2.

III. Calculated Population Dose Commitments and Health Effects of the Uranium Fuel Cycle

In the **Federal Register** notice promulgating the final fuel cycle rule (44 FR 45362), the Commission stated, in note 35, that one important issue to be addressed in the narrative is the question of the time period over which dose commitments from long-lived radioactive effluents should be evaluated. The Commission also

directed that the narrative address how dose commitment evaluations over extended periods of time might be performed and what their significance might be.

This portion of the narrative has been developed to meet the above Commission directive. Section A contains a discussion of the population dose commitments and health effects calculated to result from the radioisotope releases given in Table S-3 when integrated over 100 years.[a] Section B contains a discussion of the period of time that the waste in a federal repository may represent a significant potential hazard, the incremental radioisotope releases from the repository which might occur during that period, and the period of time for which calculations may provide meaningful information. Section C contains a discussion of how very long-term (thousands of years) dose commitments and health effects attributable to long-lived radioisotopes released to the environment might be calculated, and what the significance of the calculations might be.

A. *100-Year Environmental Dose Commitments.* In this discussion, the environmental models used to calculate the transport of released radioactivity to man and to estimate the potential somatic and genetic health effects are the models discussed in the GESMO Hearings.(*1*) The models have been described in some detail in Appendix C of NUREG–0216. Basically, the models account for the dispersion of radioactivity released in the environment, the bioaccumulation in food pathways, the uptake by man and the dose commitments resulting from that uptake. There are two types of population dose commitments calculated: the 50-year dose commitment from combined external exposure and internal dose resulting from the continued uptake of the radioisotopes released in a 1-year period, and the environmental dose commitment (EDC). The EDC represents the sum of the 50-year dose commitments for each year of a specified period following the release of a given quantity of radioactivity. It includes the dose from the release during the first year, as well as additional exposure from deposited and resuspended radioactivity and internal doses from biological uptake of radioactivity for the subsequent 49 years after the release.

In practice, it is impossible to estimate with precision the complete EDC for very long-lived nuclides, such as iodine-129 (17 million-year half-life), as there is no way to predict with any degree of certainty the many variables that affect such estimates so far into the future, e.g., the growth of human population, technological advances, the environmental behavior of long-lived radionuclides, and the occurrence of catastrophic climatic and geologic changes. (See Section C for a discussion of how long-term dose commitments might be calculated.)

NRC, EPA, and other agencies use a so-called imcomplete EDC. In GESMO,(*2*) the length of the incomplete EDC selected was 40 years for a total U.S. population of 250 million. Thus, 50-year population doses were calculated for each year of the 40-year exposure period and summed (i.e., the total length of time covered was 40+50, or 90 years). These calculations have been modified to extend the population dose integration period to 100 years, as recommended by the S–3 Hearing Board. Since each year's exposure is calculated for 50 years, the total time covered is 150 years. For the overall fuel cycle, the total body exposure is projected to be 550 person-rem/RRY for an assumed stable U.S. population of 300 million.

It should be noted that for tritium and krypton-85 (two of the major dose contributors), there is little difference between a 40-year and a 100-year EDC, since about 90% of both nuclides will decay within the first 40 years. Furthermore, much the same is true of most of the fission and activation products released from the nuclear fuel cycle (e.g., iodine-131, ruthenium-106, strontium-90, cesium-137). For this reason, increasing the length of the EDC from 40 to 100 years results in much less than a doubling of the estimated dose commitments and potential health effects; not much additional change would occur if the EDC were extended beyond the 100 years for most isotopes. However, for the very long-lived radioisotopes such as carbon-14 and iodine-129, among others, and the special case of 3.8-day radon-222 which continues to be formed by decay of long-lived parents, the EDCs continue to increase with time and the calculated health effects also continue to increase. (See Section C for a discussion of very long EDCs.)

In the area of health effects, it is possible that even the 40-year EDCs calculated for the S–3 hearings overestimated the impacts of the releases. The health effects models represent a linear extrapolation of effects observed at high dose rates (e.g., Japanese nuclear bomb survivors) to potential effects at low doses and low dose rates. In addition, the assumption is made that there is no dose below which effects cannot occur. It is believed that the use of such models, although useful for regulatory purposes, tends to overestimate the effects of exposure to low-level ionizing radiation. Most animal and cellular studies indicate reduced somatic and genetic effects as the doses or dose rates are reduced. At low doses and low dose rates, the effects per unit of radiation dose may decline due to cellular repair and other mechanisms.

The linear hypothesis, as the 1972 BEIR report indicated, in most cases probably overestimates, rather then underestimates, the risk from low-LET [b] radiation; and such estimates should not be regarded as more than upper limits of risk. In this regard, beyond mining and milling, the population dose commitment from the uranium fuel cycle results, for the most part, from the exposure of about 300 million people to very low doses of low-LET radiation. In general, the controversy about whether the risks related to high-LET radiation are understated pertains to the effects from exposure to neutrons and alpha particles, which are not significant to the back end of the uranium fuel cycle. The high-LET radiation from transuranic radionuclides in the uranium fuel cycle effluents contributes less than about 0.4% of the health effects attributable to the back end of the uranium fuel cycle.

The health risk estimators from the GESMO (*3*) studies are as follows: [c]

Total body dose: 135 cancer deaths per million person-rem; 258 genetic effects per million person-rem

Thyroid dose: 13.4 cancer deaths per million person-rem

[a] WASH-1248 and Table S-3 did not address the question of population dose commitments or potential health effects. However, these topics were discussed in considerable detail in NUREGs–0116 and –0216 (Supplements 1 and 2 of WASH–1248). These reports present a detailed reevaluation of the "back end" of the uranium fuel cycle.

[b] Linear energy transfer.

[c] The conclusions in the S–3 narrative concerning potential biological effects are based on risk estimators in the BEIR I Report modified to reflect more recent radiobiological data in WASH-1400. The BEIR III, which reevaluates the risk estimators presented in BEIR I, recently has been published (July 1980). Although the NRC staff review is still under way, the range of risk estimators for low-level radiation presented in BEIR III appears to be essentially the same numerically or less than those presented in BEIR I for whole body exposures. However, in some cases the cancer risk estimators for specific organs in BEIR III appear to be different from (generally higher than) those in BEIR I, which were used in the S–3 narrative. Thus, cancer risk estimators for some specific organs could be underestimated in the S–3 narrative. However, since the bulk of the collective population doses from the uranium fuel cycle (excluding radon) are whole body exposures, the conclusions of this S–3 narrative would be changed only slightly, if at all, if the revised BEIR III risk estimators were to be used.

Lung dose: 22.2 cancer deaths per million person-rem
Bone dose: 6.9 cancer deaths per million person-rem

Although the risk of a genetic effect occurring is about twice that of a cancer death, most of the genetic effects (assumed to be occurring at the equilibrium rate) would not be fatal.[4]

Because there are higher dose commitments to certain organs (e.g., lung, bone, thyroid) than to the total body, the total risk of radiogenic cancer is not addressed by the total body dose commitment alone. By using the risk estimators presented above, it is possible to estimate the whole body equivalent dose commitments for certain organs. The sum of the whole body equivalent dose commitments from those organs was estimated to be about 100 person-rem. When added to the above value, the total 100-year environmental dose commitment would be about 650 person-rem/RRY.

In summary, the potential radiological impacts of the supporting fuel cycle (including fuel reprocessing and waste management but excluding radon emissions from mining and mill tailings) are as follows:

Total body person-rem/RRY: 550 (100-year dose commitment)
Risk equivalent person-rem/RRY: 650 (100-year dose commitment)[5]
Fatal cancers/RRY: 0.088
Genetic effects/RRY: 0.14

Thus, for example, if three light water reactor power plants were to be operated for 30 years each, the supporting fuel cycle would cause risk equivalent whole body population dose commitments of about 59,000 person-rem and a genetically significant dose commitment of about 50,000 person-rem, leading to estimates of 8 fatal cancers and 13 genetic effects in the U.S. population (300 million persons) over a period of 100 years. Some perspective can be added by comparing such estimates with "normal" cancer mortality for the same population. Assuming that future population characteristics (age distribution, cancer susceptibility, etc.) and competing risks of mortality remain the same as today, such projections would predict about 60 million cancer deaths from causes other than generation of nuclear power during the next 100 years. Assuming that the occurrence of genetic effects remains constant, projections would predict about 25 million genetic effects from causes other than generation of nuclear power during the next 100 years.

Using the lifetime risk estimate of 135 cancer deaths per 10^6 person-rem and averaging the 650 risk equivalent person-rem per RRY over the U.S. population of 300 million persons, the average lifetime individual risk in the United States from cancer mortality from radioactivity released from the supporting fuel cycle is about 3 chances in 10 billion per RRY. The average lifetime risk per person of cancer mortality from radioactivity released, excluding radon, from the uranium fuel cycle in support of all the currently projected and operating nuclear reactors, if operated for 30 years, is estimated to be less than 2 chances in 1 million. Assuming one RRY supplies electrical power for approximately a million persons and that all of the cancer risk is borne only by those users, the average lifetime risk to this population group would be about 9 chances in 100 million per RRY. This would also be the approximate average lifetime risk per person per RRY from the fuel cycle if all of the electricity used in the United States were produced by nuclear power plants. However, since nuclear power presently provides about 10% of the total electricity generated in the United States, the average lifetime risk per person in the United States would be about 9 chances in 1 billion per RRY.

In order to provide some perspectives on the risk of cancer mortality from the supporting fuel cycle, some mortality risks which are numerically about equal to 9 chances in 1 billion are as follows: a few puffs on a cigarette, a few sips of wine, driving the family car about 6 blocks, flying about 2 miles, canoeing for 3 seconds, or being a man aged 60 for 11 seconds.*(4)* Using electricity generated by any means for typical domestic use results in an average risk of 6×10^{-8} per year from accidental electrocution.*(5)* Thus, a lifetime risk of 9 in 1 billion would be equivalent to using electricity for about one half day.

Currently, the number of nuclear power reactors operating, being built, or tentatively planned in the United States totals about 190 which is estimated to provide a nuclear generating capacity in the United States of about 183,000 megawatts. The estimated potential upper-limit health effect risk from manmade radioactivity released to the environment from the uranium fuel cycle, beyond mining and milling, in support of the projected 30-year operation of all currently operating or planned nuclear reactors in the United States is as follows.

Estimated Risks of Cancer and Genetic Effects [1]

	100-yr EDC [2]		10,000-yr EDC [2]	
	Cancer mortality	Incidence of genetic effects	Cancer mortality	Incidence of genetic effects
Health Effect Risk, All Currently Operating or Planned Reactors	484	771	652	1,155
Natural Occurrence (300 million population)	60×10^6	25×10^6	60×10^6	25×10^6
Percent Increase Over Natural	8×10^{-4}	3×10^{-3}	1.1×10^{-3}	4.6×10^{-3}

[1] Excludes mining and milling radon effluents.
[2] Environmental Dose Commitment.
[3] Increase results primarily from long-life C-14 and I-129 effluents.

Thus, for the currently projected U.S. nuclear power industry, the potential upper-limit cancer mortality risk estimates, estimated for a 100-year EDC and a 10,000-year EDC, excluding radon, are about 8×10^{-4} percent and about 1×10^{-5} percent respectively, of the potential occurrence of natural cancer mortality in the U.S. population over equivalent periods of time. The incremental difference in U.S. population dose due to the projected growth of nuclear power would average less than 1 mrad/person/year. According to the BEIR Committee, manmade radiation levels of 100 mrem/year can be regarded as comparable to other risks that are often accepted by the public.

It is believed that the estimated Table S-3 values and the dose and health effects models used by the NRC to develop the above estimates result in conservatively high projections. Therefore, they provide reasonable assurance that the radiological effects resulting from the releases in Table S-3 (as presented in NUREGs-0116 and -0216) have not been underestimated.

B. *Potential Long-Term Effects of Waste Disposal.* NUREG-0116, Environmental Survey of the Reprocessing and Waste Management Portions of the LWR Fuel Cycle, contained estimates of the short-term impacts from waste disposal operations (i.e., those impacts that could result from the waste disposal operation during their operating life). Although NUREG-0116 and NUREG-0216 contained data on potential long-term risks from escape of radionuclides from a repository*(6)*

[4] It requires about 5 generations for a genetic effect to closely approach equilibrium in a specific population.
[5] Includes dose commitments to other organs as well as whole body dose commitments.

and from low-level waste disposal operations.*(7)* no entries were made in Table S–3 for these potential releases because they were judged to be too small to be of significance.

The staff has reviewed the long-term effects of low-level waste disposal and TRU and high-level waste or spent fuel disposal for both of the two fuel cycles covered by the present proceeding—once-through and uranium-only recycle. The potential effects resulting from long-term releases of low-level waste have been addressed in NUREG-0216,*(8)* and no additional consideration of the potential effects of disposal of these types of wastes is believed to be necessary. Moreover, since it has been assumed that TRU wastes will be disposed of in a repository along with high-level wastes, there is no explicit discussion of TRU wastes because the TRU wastes are considered to be part of the high-level waste.

The wastes from the once-through and uranium-only fuel cycles that will be disposed of in federal repositories differ from one another in several ways as noted below:

• Waste Form—The dominant amount of radioactive waste from the once-through fuel cycle is in the form of spent fuel assemblies, with the fission products and actinides in a UO_2 matrix; while the dominant waste from the uranium-only fuel cycle will be solidified high-level, plutonium, and TRU waste. The latter will be in the form of solids having properties engineered to reduce mobility of fission products and actinides. The NRC cannot at this time describe in any detail the variations in the properties (in terms of better long-term retention of fission products and actinides) of one type of waste form from the other. Hence, for this discussion, the various forms of solid waste have been assumed to have similar nuclide-retention properties.

• Radionuclide Content—The spent fuel contains all of the nonvolatile fission products, transuranic elements, and activation products produced in the course of its irradiation, as well as all the residual uranium. Similarly, the high-level wastes in combination with the plutonium and any TRU wastes from the uranium-only fuel cycle contain essentially all of the nonvolatile fission products, transuranic elements, and activation products produced in the fuel in the course of irradiation. The main difference between the spent fuel and the wastes from uranium-only recycle is that the wastes from the latter contain only 2–5% of the residual uranium. Thus, on a broad comparative basis, since all other nuclides are present in about equal amounts in both wastes, the spent fuel represents a slightly greater long-term risk because of its larger uranium content.

Since all solidified wastes have been assumed for this study to have equivalent nuclide retention properties, and since spent fuel represents the greater long-term risk, the following discussion is based on spent fuel.

The potential effects from long-term releases of radioisotopes from a repository require the consideration of two basic issues:

• over what period of time does the waste represent a significant potential hazard, and

• given the state-of-the-art of modeling transport of radionuclides, do calculations provide meaningful information over that period ot time?

One way to address the question of time over which the spent fuel in the repository represents a significant hazard is to assess the net potential impact of the disposal of the waste relative to the potential impacts if the charge to the reactors (fresh fuel) had remained in the ore body. For this assessment it is assumed that an engineered system, including waste from packaging, and the repository, can be expected to confine (isolate) radioactive waste materials at least as well as an isolated ore body. This assumption is believed to be reasonable, based upon the following observations. Ore deposits were located in various geologic settings by natural phenomena and some may be in contact with groundwater, in soils with only moderate retardation of solute movement, and with varying ion travel distances to the biosphere. A repository, on the other hand, will be located in a hydrogeologic setting purposely selected to have no known or prospective contact with circulating groundwater, high retardation of solute movement, and long ion travel distances to the biosphere. In addition, the repository system, including waste form and packaging, will also include engineered features which are intended to prevent or greatly slow the release of the waste to the host media.

For waste placed in a repository system to reach the bisophere, one of two types of events must occur. The first involves essentially commonplace occurrences and requires: (1) water to infiltrate the repository; (2) the waste container to corrode; and (3) radionuclides to leach form the waste from. Long-lived radionuclides will eventually reach the biosphere by migration of leached radionuclides with the movement of groundwater to a discharge point or to a well. This type of event could expose man to radioactive materials via food chains or other environmental pathways. The second type of event involves unusual occurrences, such as disruption of the repository by man or natural events, which released radionuclides to the biosphere. However, sites for waste repositories will be selected in areas where the probability that a natural event would disturb the repository is extremely low and located away from identified natural resources to minimize the probability that man would accidentally disturb the repository. An analysis of the consequences of a meteorite strike of the repository, an extraordinary event that would be classified as coming under scenario two, has been given in NUREG–0116.*(9)* Thus, the analysis here considers primarily the probability of waste reaching the biosphere under the conditions of scenario one.

In the event water infiltrated the repository, it would take a long time for any of the leached radionuclides to be transported to the biosphere by groundwater migration. Movement of groundwater is itself slow, and retarding mechanisms such as ion exchange increase the travel time for most radionuclides such that it might take tens to hundreds of thousands of years for them to reach the biosphere.*(10)* In this period of time, most radioactive material will have decayed away before it could reach the biosphere. On the other hand, fission products carbon-14, technetium-99, and iodine-129 have a combination of low retardation by ion exchange in soil and long lives. Accordingly, if these radionuclides were leached from wastes by infiltrating water, they could reach the biosphere in relatively small concentrations over a rather long time period. However, in developing the source terms for Table S–3, it was assumed that carbon-14 and iodine-129 were released to the biosphere before the waste was sent to the repository. While not the actual case with respect to the disposal of spent fuel from the once-through fuel cycle, for the purpose of the S–3 rule, this assumption bounds the upper limits relevant to releases of carbon-14 and iodine-129 from the uranium fuel cycle. Technetium can exist in several oxide forms. Under the conditions expected for groundwaters not in contact with the atmosphere, insoluble TcO_2 or related hydrated forms should be the solubility-controlling phases, and the concentrations of technetium in migrating groundwater should be extremely low. However, the oxidation conditions are difficult to predict due to the effects of construction of the repository and due to waste-rock

interactions. Therefore, technetium has been considered to be present as the pertechnetate oxyanion (TcO_4^-) which is assumed to migrate to the biosphere with the groundwater.

To determine the time period over which spent fuel might be deemed a significant hazard, we have compared its dilution index with that of unirradiated uranium fuel. The dilution index is a measure of the amount of water required to dilute the concentration of radionuclides to the limits of 10 CFR Part 20 for unrestricted release, which can be used to compare the consequences of ingestion of radioactive materials. From Figure 3, it can be seen that in spent fuel the fission products dominate the dilution index up to about 200 years from reactor discharge. Beyond 200 years to about 50,000 years, the transuranic radionuclides and their daughters dominate the dilution index, and beyond 100,000 years, uranium and its daughters dominate the dilution index. From Figure 4, it can be seen that the growth of uranium daughters radium and lead dominate the dilution index for aged unirradiated uranium fuel, such that by about 100,000 years, the dilution indexes for both spent fuel and unirradiated uranium fuel are about the same, both being dominated by uranium and its daughters. Thus, without consideration of dispersion or retardation relative to groundwater transport time, at about 100,000 years the dilution index of the waste in a repository is about the same as aged unirradiated uranium fuel. Moreover, since plutonium and americium have long delay times during transport from the repository to the environment, the dilution index of those materials in the waste that could potentially be released is about the same as aged unirradiated fuel after 10,000 years.

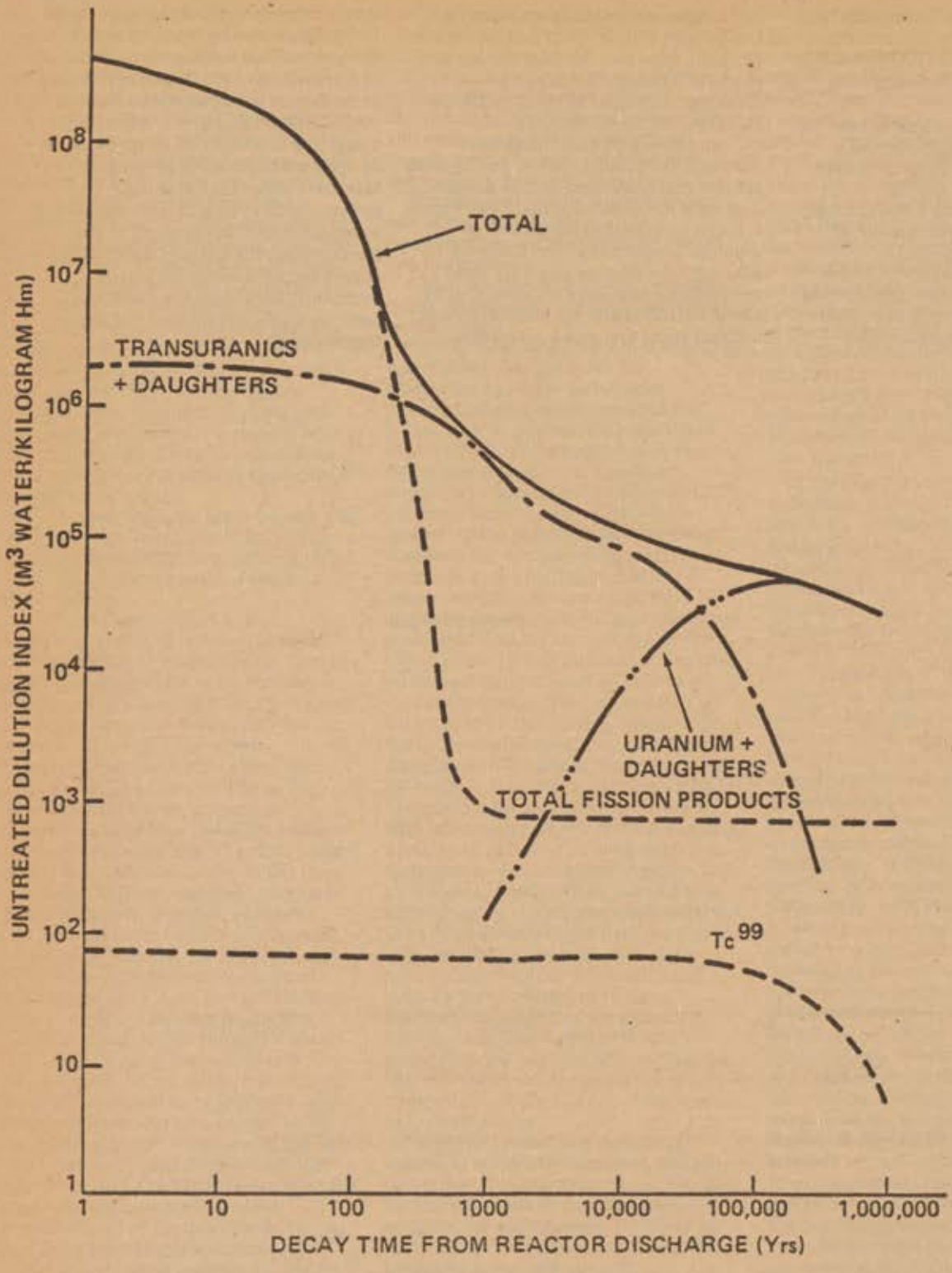

Figure 3 Dilution Index for Spent Uranium Fuel.

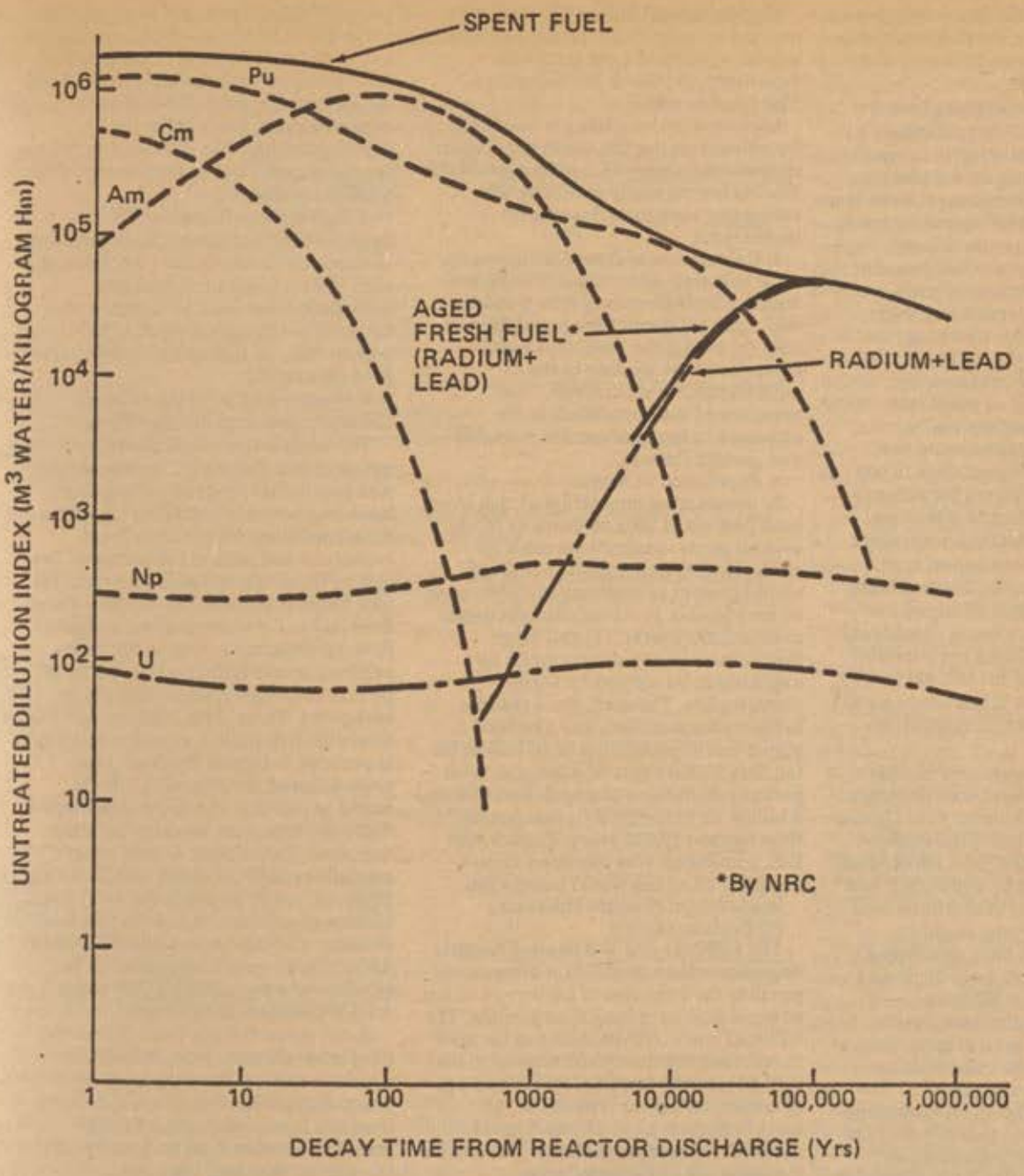

FIGURE 4 Dilution Index for Actinides and Daughters in Spent and Aged Fresh Uranium Fuel

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Thus the answer to the previously posed questions concerning the potential long-term effects of waste repositories may be framed as follows:

1. For natural-type releases from a repository, significant net potential impacts of spend fuel relative to aged fresh fuel exist for less than 10,000 years. In natural-type releases, there is a long time delay (10^4–10^5 years) between the time the nuclide (or its parent) leaves the repository and reaches the biosphere. The net impact of such releases can be conservatively (high side) approximated by assuming the complete release of the technetium-99. Given the number of conservative assumptions required to model the releases from a repository under natural-type circumstances and the small potential net impact after 10,000 years, calculating releases for natural-type conditions beyond 10,000 years provides little meaningful information.

2. If disturbances of a repository which could result in the direct release of significant quantities of otherwise immobile isotopes are being considered (well-digging), significant net potential hazards could persist for 100,000 years. The impacts from the disturbance would depend on the time and nature of the action.

C. *Dose Commitments and Health Effects from Long-Lived Radioisotopes Released from the Uranium Fuel Cycles.* The Commission directed the staff to discuss the time period over which dose commitments should be evaluated, how the dose commitment evaluations over extended periods of time might be evaluated, and what their significance might be. In Section A, page 38, it was shown that a 100-year EDC was adequate to provide the total dose commitment from most isotopes. Very long-time EDCs are necessary if the complete environmental dose commitments from fuel cycle emissions such as carbon-14 and iodine-129 are to be determined. In addition to these isotopes, the analysis given in Section B showed that a very conservative evaluation of long-term emissions from a repository would show technetium-99 could be released from a repository. Applicable released for these isotopes are:

Carbon-124—24 Ci/RRY
Iodine-129—1.3 Ci/RRY
Technetium-99—upper bound for long-term releases from the repository is 500 Ci/RRY, 100% of the technetium in fuel.[1]

[1] Environmental Standards being developed by EPA and regulations being developed by NRC are expected to require reasonable assurance that release of Tc-99 are a small fraction of this quantity.

Carbon-14 and iodine-129 would be emitted as volatile materials; technetium would be leached from the waste repository and reach the biosphere dissolved in water.

Mathematical models are available for estimating the long-term population doses from carbon-14 and iodine-129. No models are currently available for estimating long-term doses from technetium.

1. Calculation of Dose Commitments.

To calculate dose commitments and health effects over long time periods, one must: (a) predict the population at risk; (b) model the time-dependent behavior of the nuclide in the environment; and (c) predict the response of the population to the exposure in terms of cancer mortality and genetic defects.

a. Population at Risk.

In considering population at risk over time periods of 100,000 years or more, several gross assumptions must be made. Realistically, geologic history would predict several catastrophes such as ice ages (as many as 10 might occur over 250,000 years) (*11*) and large fluctuations in population might be expected to be caused by such catastrophes. The staff, for want of a better rationalization, has assumed a stable world population of 10 billion for the first 10,000 years of expsoure, with periodic variations of population of from 2 billion to 10 billion as a function of time beyond 10,000 years. Further, the U.S. population was assumed to be a constant 3% of the world population.

b. Models of Nuclide Behavior.

(1) Carbon-14.

The GESMO and S–3 hearing records do not contain a model that adequately predicts the behavior of carbon-14 in the environment over long time periods. The GESMO model (RABGAD) can be used to estimate the dose commitment to the U.S. population from the initial passage of carbon-14 before it mixes in the world's carbon pool. The carbon-14 model developed by Killough (*12*) can be modified, using the population variations given above, to obtain long-term dose commitments.

(2) Iodine-129. Appendix C, Section 3.0 of NUREG-0216 provides an adequate model for estimating long-term population doses from iodine-129. The GESMO model (RABGAD) can be used for estimating the U.S. population dose resulting from the initial passage of the iodine-129 prior to mixing in the world pool of stable iodine. For the long term, the model assumed for the S–3 hearings results in 1.1×10^{-12} rem/year/Ci to each person in the world after the mixing occurs, with the annual dose-rate declining with a half-life of 17 million years. Although removal mechanisms probably exist which would result in an environmental half-life much less than the 17 million year radiological half-life, the environmental half-life was conservatively taken to be the radiological half-life. This conservatism is prudent until better long-term iodine models are developed.

c. Response to Exposure. In considering response of the population to exposure to radioactive nuclides, the staff has no basis to choose any responses other than those estimated currently—135 cancer deaths/10^6 person-rem, and 258 genetic defects/10^6 person-rem.(*13*)

2. Numerical Estimates of Dose Commitments and Health Effects.

The models described above, with the assumptions delineated for population and population response to exposure have been used to calculate long-term dose commitments resulting from carbon-14 and iodine-129 releases. The values are given in Table I (carbon-14) and Table II (iodine-129). It can be seen from Table I that integrating carbon-14 dose commitments over 10,000 years captures essentially the total potential person-rem dose commitments from carbon-14. These data indicate that the total U.S. population exposure to infinity is perhaps 3–4 times the first-pass exposure and the potential infinite world population exposure is perhaps 8 times the first-pass world population exposure. Cumulative excess cancer mortalities/RRY of about 0.06 (U.S.) and 1 (world) might be predicted from the carbon-14 releases. A cumulative total of about 0.1 (U.S.) and 3 (world) genetic defects/RRY would be predicted to result over a period of 100,000 years from the carbon-14 released.

It can be seen from Table II that the dose commitments from iodine-129 continue to increase with time, even beyond 250,000 years. Since the model does not incorporate any removal mechanism other than radioactive decay (17 million year half-life), the calculations could, in theory, be extended to 200 million years or so to capture the total dose commitments of iodine-129. This has not been done for the present treatment. (A discussion of the significance of long-time calculations is given in Section 3. below.)

The data in Table II show that the 250,000-year dose commitments (whole body risk equivalent) from iodine-129 (76 U.S. and 1,250 world person-rem/RRY) are about 12 to 16% of the 100,000-year (infinite) dose commitments from carbon-14 (430 U.S. and 10,600 world person-rem/RRY). Cumulative excess

cancer mortalities/RRY for a 250,000-year exposure are about 0.01 (U.S.) and 0.17 (world); cumulative genetic defects/RRY (250,000-year) are about 0.002 (U.S.) and 0.035 (world).

Table I.—*Population Dose Commitments and Potential Health Effects for 24 Ci/RRY Release of C-14 From the Fuel Cycle*

Time (years)	Cumulative person-rem (T.B. risk equivalent*) and cumulative genetically significant dose (organ-rem)		Cumulative cancer mortality		Cumulative genetic defects	
	U.S.**	World**	U.S.	World	U.S.	World
100	130	790	0.02	0.1	0.03	0.2
1,000	170	+1,900	0.02	0.3	0.04	0.5
10,000	380	+8,900	0.05	1.2	0.10	2.3
100,000	430	++10,600	0.06	1.4	0.11	2.7
250,000	430	++10,600	0.06	1.4	0.11	2.7

*Total body dose equivalent is the sum of the total body dose and each organ dose multiplied by the ratio of the mortality risk per organ-rem to the mortality risk per person-rem total body.
**First Pass Dose = 127 person-rem (total body risk equivalent) or organ-rem.
†Based on approximation to Killough's C-14 model (ORNL-5269) as follows:
person-rem/Ci F (t) = [28 + 592 $(1 - e^{-(t - 100)/5,730})$]·[assumed world population of 10 billion/Killough population of 12.21 billion]
††Based on approximation to Killough's C-14 model as follows:
person-rem/Ci F(t) = [10/12.21]·[441 + 179 $(1 - e^{-(t - 10,000)/5,730})$]·[5.2 billion avg./12.21 billion]

Table II.—*Population Dose Commitments and Potential Health Effects for 1.3 Ci/RRY Release of I-129 From a HLW Repository*

Time (years)	Cumulative person-rem (total body risk equivalent)*		Cumulative genetically significant population dose (organ-rem)	
	U.S.**	World**	U.S.***	World***
100	40	41	4.4	4.5
1,000	40	49	4.4	5.4
10,000	43	130	4.7	14.6
100,000	55	524	6.0	57.6
250,000	76	1,250	8.4	137

	Cumulative cancer mortality		Cumulative genetic effects	
	U.S.	World	U.S.	World
100	0.0054	0.0055	0.0011	0.0012
1,000	0.0054	0.0066	0.0011	0.0014
10,000	0.0058	0.018	0.0012	0.0038
100,000	0.0074	0.071	0.0015	0.015
250,000	0.01	0.17	0.0022	0.035

*Total body dose equivalent is the sum of the total body dose and each organ dose multiplied by the ratio of the mortality risk per organ-rem to the mortality risk per person-rem (total body).
**First Pass Dose = 31 person-rem whole body risk equivalent.
***First Pass Organ Dose 4.4 organ-rem (gonads).

3. The Significance of Long-Term Dose Commitments.

In the above section, at the direction of the Commission, the staff has provided theoretical mathematical calculations for dose commitments and health effects of carbon-14 and iodine-129 for up to 250,000 years. In order to perform these calculations, the staff has had to make a series of assumptions based upon little foundation and in which it has little or no confidence. Because of the shortness of human life expectancy relative to the much slower changes occurring on earth, such as variations in climate, continental drift, erosion, and evolution of species, it is difficult to comprehend the immensity of potential changes over long periods of time.

For comparatively short-lived isotopes, dose commitment integrations can be projected for what amounts to infinite time intervals. For example, an infinite time integration of population dose can be done for tritium or krypton-85 since such time integration effectively requires consideration of a period of about 100 years or less. However, projecting population at risk, and population response to risk over even such relatively short time intervals requires many assumptions which the staff has reason to question. It is possible for example, to reasonably postulate the following occurrences during the next 100 years: major changes in the size of the population at risk because of war or global starvation; important medical developments; the onset of the "greenhouse" effect; the depletion of oil, natural gas, and mineral resources. Any of these occurrences may have significant effects on worldwide conditions and affect the validity of calculated dose commitments and related health effects.

The staff is unable to make any definitive statements about the possible variations in the long-term dose commitments and health effects resulting from potential future happenings. However, the staff believes that the cumulative combined impacts from long-lived radionuclides such as carbon-14 and iodine-129 are small relative to those from natural background radiation, which is about 100,000 billion person-rem (world) over a 250,000 year total, i.e., less than about 10^{-7} percent of those impacts resulting from natural background radiation.

Section III—References

1. Docket No. RM-50-5, Generic Environmental Statement on Mixed Oxide Fuel (GESMO). Hearing transcripts for January 19, 25 and 26, 1977.
2. NUREG-0002, Chapter IV-J.
3. Ibid., Chapter IV-J, Appendix B, page IV-J (B)-1.
4. Pochin, E. E., "The Acceptance of Risk," Br. Med. Bull., Vol. 31, No. 3, pp. 184-190 (1975).
5. U.S. Nuclear Regulatory Commission, The Reactor Safety Study, Main report, WASH-1400, 1975. Table G-3.
6. NUREG-0116, page 4-94 ff.
7. NUREG-0216, Appendix H, page H-16 ff.
8. Ibid.
9. NUREG-0116, Table 4-19.
10. Oak Ridge National Laboratory," Siting of Fuel Reprocessing Plants and Waste Management Facilities, ORNL-4451, July 1970.
11. Norwine, J., "A Question of Climate: Hot or Cold?," *Environment, 19,* #8, p. 7, Nov. 1977, Mitchell, J. M., Jr., "Carbon Dioxide and Future Climate," E.D.S., N.O.A.A., Commerce, March 1977; Calder, N., "Head South with All Deliberate Speed: Ice Age May Return in a Few Thousand Years," *Smithsonian, 8,* #10, Jan. 1978.
12. Killough, G. G., "A Diffusion-Type Model of the Global Carbon Cycle for the Estimation of Dose to the World Population from Releases of Carbon-14 to Atmosphere," ORNL-5269, May 1977.
13. NUREG-0002, Chapter II-J, Appendix B.

Section IV. Socioeconomic Impacts

Socioeconomic impacts of the uranium fuel cycle can result from increases in levels of employment and public services requirements. Because the topic is so broadly defined, it is desirable to approach it as a series of interrelated subcategories. Briefly, these consist of:

- Population—changes in population resulting from the influx of workers and their families at both the construction and operation stages of facilities.

• Economy—induced changes in income and expenditures, including demands for services, both public and private.

While this factor was not discussed in WASH–1248, it was briefly covered in the remanded hearing (Docket No. RM 50–3) on the back end of the fuel cycle, and the following discussion is based on the record of that proceeding.

For the nuclear fuel cycle, population and economic data can be obtained at each stage from mining, milling, and fuel fabrication through waste isolation. The tabulation of conventional socioeconomic impacts at each stage can provide a generic measure of the conventional socioeconomic impacts associated with the entire fuel cycle.

For each stage of the fuel cycle, the character and magnitude of the socioeconomic impacts are site-specific and are determined by the size of the work force, the size of the local populations, the number of incoming workers in relation to the population size, the capacities of public service facilities impacted, the administrative capability of the impacted political jurisdictions, and other related factors. The size of work forces needed for reprocessing plants and waste-related facilities suggests that socioeconomic impacts should be manageable through proper planning and mitigative efforts. In fact, the socioeconomic effects of establishing reprocessing plants and waste-related facilities are not expected to differ in quantity or quality from those associated with any commercial nuclear power plant. The socioeconomic considerations can be summarized as follows:

Impacts that can be expected are comparable to or less than those caused by LWR construction activities and could include noise and dust around the site; disruptions or dislocations of residences or businesses; physical or public-access impacts on historic, cultural, and natural features; impacts on public services such as education, utilities, the road system, recreation, public health and safety; increased tax revenues in jurisdictions where facilities are located; increased local expenditures for services and materials, and social stresses. *(1)*

With respect to the socioeconomic impacts that may be attributable to reprocessing facilities, NUREG–0116 *(2)* cites TVA information showing the anticipated socioeconomic impacts associated with the construction of an LWR are representative of those socioeconomic impacts which can be expected from construction and operation of a reprocessing facility.

Since a 2,000-metric-ton reprocessing plant (the size of the model reprocessing plant) is capable of servicing 57 reactors annually, the socioeconomic impacts from construction of a reprocessing plant attributable to a single reactor can be approximated as less than 2% of those of the reactor.

With respect to the socioeconomic impacts which can be attributed to a high-level waste repository (HLWR), commercial nuclear power plant information was utilized to illustrate the anticipated impacts. The anticipated impacts can be expected to vary depending upon the location of the repository and the size of the surrounding communities.

Preliminary estimates of the construction labor force, developed by the Office of Waste Isolation at Oak Ridge National Laboratory, show a peak number of 800 people, in contrast to the average LWR work force of 2,000. The anticipated socioeconomic impacts of high-level waste repository construction thus could be expected to be less than those of construction of an LWR. Since the proposed repository has the capability of servicing a total of 133 reactors, and can store fuel from 40 reactors (based on 1,200 RRYs over 30 years of operation), the socioeconomic impacts resulting from construction of the repository, when allocated to a single reactor, would be only a few percent of the socioeconomic impact of constructing the reactor.

In terms of operating work force, preliminary estimates developed at the Office of Waste Isolation at ORNL set the number of peak labor force for a high-level waste repository at 1,630, about 10 times that of an LWR work force (170).

An added 1,630 workers to a rural employment base would mean a change in the economy of the area. If the pattern followed the experience of large industrial plants locating in small towns, the following observations could be expected to apply:*(3)*

1. Rural industrial development seldom produces an unmanageable population growth rate; it provides a stabilizing influence on population;

2. There is a tendency for long distance commuting, which tends to spread out impacts on community facilities;

3. Housing would be a common problem in rural areas.

If the settlement pattern were very concentrated, the impacts on community facilities and housing could be expected to be larger. It is believed that the lead times will be sufficient to allow the potentially impacted communities and the applicant to develop mitigative programs which would allow for an orderly and manageable resolution of potential socioeconomic impacts.

Should the repository be located within a relatively easy commuting distance, it is believed that the surrounding communities should be able to absorb the 1,630 workers with fewer impacts occurring and be able to resolve any potential impacts requiring mitigation in advance of the operation phase.

Based upon these assessments of socioeconomic considerations associated with the construction and operation of reprocessing and waste burial facilities, it was concluded that when they are spread over many power reactors, they add an insignificant amount to the environmental impacts of an individual reactor. Thus, no specific value for socioeconomic considerations was placed in Table S–3.

In its effort to update Table S–3, the Commission is performing socioeconomic studies which are intended to provide more detailed data on the impacts actually experienced as a result of construction and operation of the facilities involved in each step of the nuclear fuel cycle. The studies may provide information that will permit an incremental assessment of socioeconomic impacts attributed to the fuel cycle activities.

Section IV—References

1. NUREG–0116, Section 4.11.4, p. 4–168.
2. Ibid, p. 4–170.
3. U.S. Nuclear Regulatory Commission, Policy Research Associates, "Socioeconomic Impacts: Nuclear Power Station Siting," NUREG–0150, June 1977.

Regulatory Flexibility Statement

In accordance with the Regulatory Flexibility Act of 1980, 5 U.S.C. 605(b), the Commission hereby certifies that this rule will not, if promulgated, have a significant economic impact on a substantial number of small entities. This proposed rule affects only the licensing and operation of nuclear power plants that do not fall within the scope of the definition of "small entities" set forth in the Regulatory Flexibility Act 5 U.S.C. 601 or the Small Business Size Standards set out in regulations issued by the Small Business Administration at 13 CFR Part 121. Since these companies are dominant in their service areas, this proposed rule does not fall within the purview of the Act. Furthermore, the notice of proposed rulemaking contains a narrative explanation of Table S–3 and does not impose additional requirements.

(Secs. 161(b) and (i), Pub. L. 83–703, 68 Stat. 948, 949 (42 U.S.C. 2201(b), (i)); Sec. 170, Pub.

L. 85–256, 71 Stat. 576, Pub. L. 94–197, 89 Stat. 1111 (42 U.S.C. 2210) Sec. 201, Pub. L. 93–438, as amended, 88 Stat. 1242, 89 Stat. 413 (42 U.S.C. 5841)).

Commissioner Bradford dissents from portions of this rule. His separate views and additional views of Chairman Ahearne are attached.

Dated at Washington, DC this 23rd day of February, 1981.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

Separate Views of Commissioner Bradford on the S–3 Narrative

The Commission was given four possible methods of dealing with environmental effects arising from the back-end of the fuel cycle:

1. The narrative is to be included in the draft and final EIS, either directly or by reference, purely as a matter of information to the public and the licensing board. There are no restrictions on the board's power to receive or require additional material on significance of the S–3 impacts and to weigh these impacts in the reactor cost-benefit balance as it sees fit, based on the record compiled in the proceeding.

2. As in option 1, except that the board could not require from the staff or applicant additional information beyond that contained in the narrative, i.e., the narrative would be deemed sufficient consideration of the environmental significance of the S–3 impacts. But supplementation by the parties would not be precluded.

3. No further discussion of fuel cycle impacts addressed by the table and the narrative would be required or allowed. The licensing board would factor fuel cycle impacts into the cost-benefit balance based on the material in Table S–3 and the narrative.

4. No further consideration of fuel cycle impacts addressed by the table and the narrative would be required or allowed in individual licensing proceedings. Table S–3 and the material in the narrative would be referenced as support for a generic conclusion that these fuel cycle impacts cannot affect significantly the cost-benefit balance for a reactor.

The Commission chose Option #4.

I do not agree with the Commission's proposal to prohibit consideration of fuel cycle impacts in individual license proceedings. By this proposal the Commission is finding as a matter of law that the deaths which may be caused by the fuel cycle may not be considered in a federal decision on whether or not to license a plant. The narrative itself estimates these possible deaths to number 484 over 150 years for the back-end of the fuel cycle associatd with 190 currently projected reactors. This finding means that if a viable alternative, which was not expected to kill, were otherwise equal on a cost-benefit basis with a reactor, the Commission would ignore the alternative's lack of human casualties. The only rational basis for the Commission's view is the assumption that the back-end of the nuclear fuel cycle does not kill as many persons as other alternatives. However, in adopting this proposal, the Commission has made no study whatsoever to support this assumption. Accordingly, I would not find fuel cycle impacts insignificant as a matter of law. While I recognize that the effects may be acceptable in comparison with alternatives, I would leave the significance question to the Boards in the first instance, as in opinion No. 1.

As a final matter, the narrative should deal with worldwide impacts. It should also acknowledge that the additional of the front end of the fuel cycle (Radon 222) to the narrative might increase the fatal cancer risk by two times for a 100-year environmental dose commitment and 200 times for the 10,000-year environmental dose commitment. I am surprised that I should have to make this point separately, but the Commission has expressly refused to include it.

Additional Views of Chairman Ahearne on the S–3 Narrative

The Commission in promulgating Table S–3 and the narrative has made a generic determination of the impacts of the back end of the fuel cycle. Thus it appears appropriate for the Commission, as opposed to individual licensing boards, to decide how these impacts affect the cost-benefit balance for a reactor. To allow the individual licensing boards to address the significance of the S–3 impacts defeats the purpose of issuing a generic rule.

In deciding that these fuel cycle impacts cannot affect the cost-benefit balance, I have considered the impacts presented in the narrative. As Commissioner Bradford notes in his separate views, the narrative estimates that the back end of the fuel cycle associated with the 190 currently projected reactors may cause 484 deaths over 150 years. From a different perspective, this means that the back end of the fuel cycle for each individual reactor may cause less than 3 deaths over 150 years. Given the magnitude of the impacts from other parts of the fuel cycle and the uncertainties associated with estimating the impacts of the total fuel cycle, it is impossible for such a relatively small impact to significantly affect the cost-benefit balance of a reactor. In any event, the Commission could reassess its position if future data indicate that the impacts are different from the current estimates.

As Commissioner Bradford notes, the Commission has not addressed the potential impacts of radon in the narrative. Radon is also not included in Table S–3 since the Commission has yet to make a generic determination of the impacts of radon. The value of radon and an appraisal of its impacts are being considered in individual reactor proceedings. Thus, until the Commission decides the value for radon emission, it is inappropriate for the Commission to discuss the generic impacts in the narrative and preempt the individual licensing discussions.

[FR Doc. 81-6525 Filed 3-3-81; 8:45 am]

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FEDERAL HOME LOAN BANK BOARD

12 CFR Part 545

[No. 81–118]

Adjustable-Rate Mortgage Instrument Amendments

Dated: February 27, 1981.

AGENCY: Federal Home Loan Bank Board.

ACTION: Request for additional comments.

SUMMARY: The Board requests comment on several issues raised in response to the Board's October 23, 1980, proposal to amend its renegotiable rate mortgage and alternative mortgage instrument regulations. Since these issues were not specifically addressed in the Board's proposal, the Boared is making this request for comments so that it may obtain a full review of these issues before making final amendments to its regulations. The issues include: whether a limitation should be placed on the amount by which monthly payments may be increased; whether, if such a limitation is imposed, there should also be a limitation on the amount by which the interest rate may be adjusted periodically; whether additions to the principal loan balance should be permitted in connection with a limitation on monthly payment increases; and whether the proposed amendments should contain a provision regarding adjustment of the interest rate over the life of the loan different from the 5 percentage-point limitation initially proposed.

DATE: Comments must be received by April 3, 1981.

ADDRESS: Send comments to the Public Information Officer, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street NW., Washington, D.C. 20552.

FOR FURTHER INFORMATION CONTACT: Kenneth F. Hall, Office of General Counsel ((202) 377–6466), or Susan E. Kelsey, Office of Policy and Economic Research ((202) 377–6914), at the above address.

SUPPLEMENTARY INFORMATION: On October 23, 1980, the Board proposed to amend its renegotiable rate mortgage (RRM) regulation with regard to maximum annual interest-rate changes and grouping of loans, and to amend its alternative mortgage instrument regulation to make it consistent in certain respects with the RRM regulation (45 FR 72675, November 3, 1980). A number of the 181 comments received on that proposal, including oral

and written testimony presented at the joint hearings held in December 1980 by the Board and the Office of the Comptroller of the Currency, raised several issues not addressed by the proposal. Since these issues relate to the imposition of limitations on adjustment of the interest rate on a mortgage loan, the major change in the Board's pending proposal, the Board believes it is essential to obtain a full review of these issues before making final amendments to the regulations. The board notes that many commenters raised these issues through reference to the proposed regulation of the Office of the Comptroller of the Currency relating to adjustable rate mortgages (45 FR 64196, September 29, 1980), which directly addressed some of these issues. While the Board's staff has reviewed comments on these issues received by the Comptroller regarding that Office's proposal, the Board wishes to obtain directly the views of all interested parties on these issues as they relate specifically to mortgage financing by Federally-chartered thrift institutions.

The purpose of this request is to obtain comments that will assist the Board in analyzing fully the many considerations raised by these issues. The areas on which the Board wishes comment are set forth below.

Limitation on Monthly Payment Increases

Under the Board's proposed amendments, the maximum interest rate adjustments permitted on a renegotiable rate mortgage (RRM) or variable rate mortgage (VRM) would be limited to the equivalent of 1 percentage point per year. The principal reason for imposing rate-adjustment limitations is to protect the borrower from financial hardship resulting from large movements of the interest rate. However, these limitations prevent both the borrower and the lender from realizing the full benefit of rate changes that would otherwise be appropriate if the loan interest rate were permitted to follow freely the movement of the index rate. One otion that addresses both the prevention of undue financial hardship and the desire for maximum flexibility regarding rate changes is imposition of a cap on the amount by which the monthly payment could be increased at any one time, coupled with liberalization of the maximum amount by which the interest rate may be adjusted at any one time. If the payment cap did not permit full accommodation of an interest-rate adjustment, the excess interest normally would be added to the principal balance of the loan, assuming such additions were permitted by the board (see discussion below). The Board requests comment on whether excess interest could be accounted for in some other manner.

A number of comments from both consumers and lenders expressed general support for authorization of a payment-change limitation. The Board therefore solicits comment on all aspects of the use of such a limitation.

Such a limitation need not be imposed on each individual payment adjustment, but instead could limit the total payment change that would be permissible during a particular time interval while also precluding any one payment change during that interval from exceeding the total change permissible over the interval. For example, payment changes could be permitted semiannually, but with a cap on the amount by which the payment could be adjusted in any one year. Although no semiannual change could exceed the annual cap, a regulatory provision need not limit each semiannual change to one-half of the annual cap. As an additional example, if a loan contract provided for payment changes every three years, the permissible payment adjustment on that date would be three times the amount of the annual cap. In connection with this issue, the Board requests comment on how frequently adjustments to the monthly payment should be permitted and on whether these adjustments should be required to be at regular intervals over the life of the loan.

The table below demonstrates the effect of various percentage limitations on the amount by which the monthly payment on a $50,000, 30-year mortgage could be increased from year to year. In this example, monthly payments are adjusted annually, and the loan interest rate increases substantially from 12 percent to 18 percent in the first five years of the loan and stabilizes. This hypothetical illustrates most graphically the effects of different payment caps on the monthly payment amount and on the rate of amortization. In actual practice, the interest rate would more likely fluctuate, and its movement would not be as extreme as in the hypothetical.

As can be noted from the table, a 7.5 percent limitation would permit significantly less addition to principal than would a figure of 5 percent, thus resulting in a smaller total payment on the loan. A 10 percent limitation would entail no additions to principal whatsoever, since a 10% payment increase would accommodate the additional interest due as a result of the 1.5 percentage-point increase in the loan interest rate (although it would slow the rate at which principal is amortized). The 10 percent limitation would, though, result in a greater payment change than would a 7.5 or 5 percent limitation. In general, for any given payment cap and any given change in the interest rate, additions to principal will be larger, in proportion to the amount of the monthly payment and the outstanding principal loan balance, at lower interest rate levels than at higher interest rate levels.

Table I.—*30-year, $50,000 Mortgage Initial Interest Rate—12 Percent*

Year	Rate (percent)	Monthly payment				Remaining balance			
		5 percent cap	7.5 percent cap	10 percent cap	No cap	5 percent cap	7.5 percent cap	10 percent cap	No cap
1	12	$514	$514	$514	$514	$49,818	$49,818	$49,818	$49,818
2	13.5	540	552	565	572	50,079	49,915	49,751	49,669
3	15	567	594	622	630	50,837	50,295	49,745	49,544
4	16.5	595	638	684	689	52,180	50,977	49,738	49,437
5	18	625	686	753	748	54,235	51,992	49,648	49,344
6	18	656	738	753	748	56,284	52,534	49,535	49,231
10	18	797	800	753	748	63,908	51,838	48,815	48,516
15	18	1,018	800	753	748	68,591	49,678	46,781	46,494
20	18	1,112	800	753	748	61,723	44,400	41,811	41,555
25	18	1,112	800	753	748	43,797	31,505	29,666	29,466
29	18	1,112	800	753	748	12,130	8,726	8,217	8,167

The Board requests comment on the impact of a payment limitation on the sale of mortgages containing such a feature in the secondary market. In addition, the Board requests comment on whether a limitation on changes in the monthly payment should apply only to increases, and on whether use of such a limitation should be optional with a borrower rather than mandatory for all adjustable-rate mortgage loans. Finally, the Board requests comment on whether a regulation that imposes a limitation on changes in the monthly payment should also provide for an initial period, longer than succeeding periods, during which the monthly payment could not be adjusted, and on what would be the appropriate length of such an initial period.

Additions to Principal

If the Board's regulations were amended to provide for a cap on

monthly payment increases, situations could arise where the monthly payment would be insufficient to pay all of the interest due on a loan at a particular time. Under current provisions governing the graduated payment mortgage (GPM) (12 CFR 545.6–4(b)), the loan would negatively amortize in such a situation—that is, interest not covered by the monthly payment would be added to the principal balance of the loan and, from that time on, be treated as principal. Under the Board's pending proposal on graduated payment adjustable mortgages (GPAMs) (45 FR 66798, October 8, 1980), which would combine the features of the GPM and the RRM, additions to principal would also be permitted. Both the GPM and the proposed GPAM regulations, however, impose specific limitations on the maximum period during which additions to principal may take place (*e.g.*, five years where the monthly payment may increase by as much as 7.5 percent from one year to the next, or 10 years where the maximum monthly payment increase from year to year would be 3 percent).

The Board requests comment on whether additions to principal should be permitted on an adjustable-rate mortgage and, if so, what limitations should be imposed on such additions. In addition, the board requests comment on whether the proposed GPAM instrument should be retained as a separate type of mortgage instrument, or whether, and under what circumstances, it should be merged with the RRM or VRM, or both.

Another aspect of concern to the Board regarding additions to principal on adjustable-rate mortgages involves the Board's maximum limitations on the amount of a loan relative to the value of the property securing the loan (12 CFR 545.6–2). Under the Board's existing regulations on loan-to-value ratios, the dollar amount of a conventional loan (one that is neither guaranteed nor insured by a government agency) may never exceed 95 percent of the original appraised value of the security property. In addition, on any such loan exceeding 90 percent of the value of the security property, as long as the loan exceeds 90 percent, the borrower is required to maintain private mortgage insurance on the amount of the loan exceeding 80 percent of the original appraised value of the property. Given these restrictions, the Board requests comment on what provisions should be included in the regulation to ensure that additions to the principal balance of an adjustable-rate mortgage never lead to a violation of the maximum loan-to-value limitations. One such provision, for example, could prohibit the loan amount from exceeding 95 percent of the current value of the security property.

The Board is also concerned with ensuring that the major ramifications of additions to principal are properly disclosed to borrowers. A disclosure could provide merely a textual explanation, could rely heavily on numerical examples, or could employ some combination of both types of explanatory material. Under the Board's current GPM regulation, lenders are required to give the borrower a side-by-side comparison of the operation of a GPM and of a conventional fixed-rate mortgage. The proposed GPAM regulation, in contrast, would not require as extensive a disclosure involving numerical examples. The Board requests comment on all issues relating to complete disclosure of the effects of additions to the principal balance of an adjustable-rate mortgage.

Limitation on Periodic Rate Adjustment

If the Board's regulations governing adjustable-rate mortgages are amended to provide for a limitation on increases in the monthly payment, a question arises as to whether it is necessary or desirable to continue to impose a limitation on the extent to which the interest rate may be periodically adjusted. The principal reason for imposing a limitation on the amount by which the monthly payment may be adjusted from one time interval to the next is to prevent the financial burden that an unusually large increase may impose on a borrower. Therefore, selection of a particular payment-change limitation necessarily entails a determination that borrowers generally will not be unduly burdened by a payment increase of that magnitude. To the extent a limitation on periodic *rate* changes would prevent payment increases as large as those that would be permitted if only a *payment*-change limitation were used, the rate-change limitation must be considered to be unrelated to the affordability of such payment increases. Thus, use of a payment cap raises a question as to the need for a rate-change limitation where payment increases are restricted.

On the other hand, a rate-change limitation could prove useful as an implicit cap on additions to principal, assuming such additions are authorized. That is, if the largest payment increase permitted by a payment-change limitation were still insufficient to cover the additional interest due as a result of an interest-rate increase, a restriction on the amount of the rate increase would limit the amount by which the additional interest exceeded the permissible payment increase, thus limiting the amount of interest that could be added to the principal loan balance.

The Board requests comment on all aspects of this issue. In addition, if a periodic rate-adjustment limitation is to be retained, the Board requests comment on what would be the appropriate magnitude of such a limitation and on how frequently interest-rate adjustments should be permitted relative to the frequency of changes in the monthly payment. Finally, the Board requests comment on whether it should provide for an initial period, longer than succeeeding periods, during which the loan interest rate may not be adjusted, and on what would be the appropriate length of such a period.

Aggregate Limitation on Rate Adjustment

The RRM regulation currently provides for a maximum rate adjustment of 5 percentage points over the life of a loan. The Board's pending proposal would increase the maximum life-time adjustment on the VRM from 2.5 to 5 percentage points, to match the RRM limitation. A number of commenters asserted that the 5 percentage-point limit was too low or that a straight percentage limitation on adjustment of the interest rate would not be the most appropriate limitation. Some of these latter commenters suggested two alternative limitations. One would provide for a percentage limitation tied to a specific period of years during the term of the loan. For example, the interest rate would be prohibited from rising more than 5 percentage points during the initial 12 years of the loan. The second alternative would be based on the percent by which the contract interest rate may be increased (*e.g.*, no more than 50% higher than the initial rate). The Board notes that the Office of the Comptroller of the Currency, in its proposal regarding adjustable-rate mortgages, requested comment on these alternative limitations as well as on whether any aggregate limitation should be required at all.

The Board would like to receive comment on the type of aggregate rate-change limitation, if any, that should be imposed. The Board is also interested in comments on all types of limitations, including those summarized above (which were addressed by the Comptroller's proposal).

Conversion Provision for Senior Citizens

One of the adjustable-rate mortgage plans reviewed by the California State Legislature in 1980 contained a provision that would have permitted an

adjustable-rate mortgage borrower to convert to a fixed-rate loan after reaching the age of 65 (S.B. 1937). The adjustable-rate loan would have had to have been in effect for at least nine years prior to the conversion, and the security property would have had to remain the borrower's principal residence. The inclusion of such a conversion option would reflect the fact that borrowers who are senior citizens normally have a fixed income level and, therefore, might find it more difficult to afford interest-rate adjustments.

The Board requests comment on whether such a provision should be included in the Board's adjustable-rate mortgage regulations, either on an optional or mandatory basis. The Board is particularly interested in comments regarding the need for such a provision as well as in alternative provisions that might be included to meet the needs of senior citizens.

Prepayment Penalty

The Board's RRM regulation currently prohibits imposition of a prepayment peanlty after notice of the first interest-rate adjustment. The VRM regulation currently prohibits a prepayment penalty only during a 90-day period coinciding with each rate adjustment but, as proposed to be amended, would contain a provision similar to that currently applicable to RRMs.

The Board requests comment on whether imposition of a prepayment penalty should be prohibited altogether. Given the greater leeway that Federal associations could have under the proposals, it may be appropriate to maximize borrowers' ability to respond to market changes by prohibiting prepayment penalties. The Board notes that, although associations are permitted to impose a prepayment penalty prior to the initial rate adjustment, Federal associations using the Federal Home Loan Mortgage Corporation's uniform adjustable-rate mortgage forms would be unable to impose a prepayment penalty.

Conclusion

Accordingly, the Board requests additional comments on the specific issues set out above. The Board wishes to make clear that additional comments on other issues raised in the currently-pending proposal are not requested by this action. The Board's desire is that additional comments focus on the questions raised by this request. Since the Board has already requested and received comments regarding amendement of its adjustable-rate mortgage regulations and since this request is intended to be a limited inquiry into issues not specifically addressed in the Board's October 23, 1980, proposal, the Board has determined to require the submission of comments by April 3, 1981.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464; Reorg. Plan No. 3 of 1947; 3 CFR 1943–1948 Comp. 1071)

By the Federal Home Loan Bank Board.

J. J. Finn,

Secretary.

[FR Doc. 81-6913 Filed 3-3-81; 8:45 am]

BILLING CODE 6720-01-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 240

[Release Nos. 33-6295, 34-17582, 35-21937, 39-613, IC-11651, IA-751; File No. S7-877]

Records Not Obtained by the Commission

AGENCY: Securities and Exchange Commission.

ACTION: Proposed rulemaking.

SUMMARY: The Securities and Exchange Commission is requesting written comments on a proposed rule defining the circumstances under which a document received by the Commission will not be considered to have been "obtained" by the Commission within the meaning of Section 24(a) of the Securities Exchange Act of 1934, 15 U.S.C. 78x(a), thereby not becoming an "agency record" for purposes of the Freedom of Information Act ("FOIA"). In connection with the publication of a rule concerning confidential treatment procedures, the Commission received some comments urging adoption of this proposal. Publication of the current proposed rule is necessary to obtain additional public comment and to provide more focused attention upon the effect of the proposed rule on those who supply information to the Commission and those who seek information under the FOIA. Receipt of comments will enable the Commission to reach a more informed decision as to whether such a rule should be adopted.

DATE: Comments should be received by the Commission on or before June 1, 1981.

ADDRESSES: All communications concerning this matter should be submitted in triplicate to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549. Such communications should refer to File No. S7-877, and will be available for public inspection at the Commission's Public Reference Room, 1100 L Street, N.W., Washington, D.C. 20549.

FOR FURTHER INFORMATION CONTACT: Harlan W. Penn, Office of the General Counsel, Securities and Exchange Commission, Washington, D.C. 20549, (202) 272-2454.

SUPPLEMENTARY INFORMATION: The Securities and Exchange Commission today published for comment a proposed rule defining the circumstances under which a document received by the Commission will not be considered to have been "obtained" by the Commission within the meaning of Section 24(a) of the Securities Exchange Act of 1934, 15 U.S.C. 78x(a). The Commission proposes to adopt a new § 240.24a-1 of Part 240, Chapter II, Title 17, Code of Federal Regulations, which defines the circumstances under which a document, or other form of recorded information, which has been received by the Commission other than in connection with a filing with the Commission, shall not be considered a "record * * * otherwise obtained by the Commission," within the meaning of Section 24(a), thus not becoming a "record" within the meaning of the Freedom of Information Act ("FOIA"), 5 U.S.C. 552.

The Commission, itself an agency committed to the concept of full and fair disclosure for public investors in securities so that they can make informed investment decisions, strongly supports the concept of openness in government so that the public may know what its government is doing. The proposed rule concerns a matter of balancing between the public's right to know what its government is doing, in the form of obtaining information pursuant to the FOIA, and the legitimate concerns of persons who are required to furnish information to the Commission during law enforcement investigations.

In the course of carrying out its responsibilities to enforce the federal securities laws, the Commission receives a great deal of information from or concerning those under investigation. Much of that information is not required to be filed with the Commission or elsewhere and is not publicly available from the companies or individuals involved. It is, in fact, fortuitous that much of this information ever comes to be contained within Commission files. Such items as corporate minutes and stockholder lists often are not available to members of the public under state law. Those who submit such information are rightfully concerned that its presence in Commission files not result

in unnecessary publication of such non-public information.

Under the FOIA, however, information contained within an agency record generally must be released to those who request access to those agency records. During the active phase of Commission law enforcement efforts, the Commission can and generally does assert Exemption 7(A) to withhold investigatory records. *See* 5 U.S.C. (b)(7)(A). When no active investigation is pending and other law enforcement efforts have been concluded, however, Exemption 7(A) is unavailable and other exemptions must be relied upon if agency records, including items received from third parties, are to be protected from general public scrutiny. The exemption usually relied upon in such situations is Exemption 4 which protects "trade secrets and commercial or financial information obtained for a person and privileged or confidential." Yet, it is clear from the language of Exemption 4 and from judicial decisions interpreting it, that it is of limited applicability and will generally only protect information which can fairly be characterized as a trade secret or as commercial or financial in nature. In addition, it must be recognized that, after the government's law-enforcement interest in a matter is concluded, the Commission has essentially a stakeholder role to play in disputes concerning release of this information. Under the FOIA, however, the submitter of information has few, if any, effective avenues of legal recourse available to prevent disclosure. *See Chrysler* v. *Brown*, 441 U.S. 281 (1979).

Many of the members of the public requesting access to this information are business competitors of or litigants adverse to the submitter of the information. These requesters seek the information as a means of discovering confidential information which may secure some advantage over the submitter of information, an advantage not within the contemplation of Congress when it enacted the FOIA. As a consequence of these factors, many persons who are requested to submit information during Commission law enforcement investigations perceive a risk that that information ultimately may become public under the FOIA, even though it may never have been directly relevant to the Commission's law enforcement interest. Because of this perception, there is resistance to the voluntary and prompt submission of confidential information to the Commission.

The Commission needs access to such information in order to make informed decisions in executing the various laws the Commission is charged to administer. It is the Commission's experience that, in most cases, information can be secured on a more timely and less expensive basis through voluntary submission or through prompt compliance with a Commission subpoena rather than pursuant to judicial enforcement of a subpoena. Accordingly, to encourage such submissions the Commission recently promulgated a procedural rule regarding requests for confidential treatment. *See* 17 CFR 200.83, 45 FR 62418 (Sept. 19, 1980).

The Commission received a number of public comments on the proposed confidential treatment rule. Those comments suggested, *inter alia*, that the Commission should consider carefully what records constitute "agency records" under the FOIA. Those comments also suggested that recent Supreme Court decisions demonstrated that the Commission has the ability to do more to protect the confidentiality of records submitted to it by private parties, including determining which records coming into its possession should become agency records subject to the FOIA. Thus, as a result of the public comment process, it was recommended that the Commission consider a rule defining the circumstances under which records received from third parties would become agency records.

The Commission has affirmative obligations under the FOIA to provide the public with access to agency records subject to certain specified exemptions. But, the Commission is also aware of the increasing number of instances in which the Commission has had to resort to subpoenas and even petition for judicial enforcement of those subpoenas because of the submitters' concern with eventual public disclosure of submitted material under the FOIA. This concern has arisen, on occasion, as a result of uncertainty as to whether particular information may become "agency records" in the Commission's possession. Moreover, comments received from the public concerning the confidential treatment rule indicate that clarification of the term "agency records" would diminish these concerns, thereby enabling the Commission to pursue its responsibilities expeditiously, especially the investigation of possible violations of the federal securities laws. The Commission considers it appropriate, therefore, to exercise its general rulemaking authority to define the circumstances under which a record received by the Commission other than in connection with a filing will be considered to have been "otherwise obtained" by the Commission, within the meaning of Section 24(a) of the Securities Exchange Act of 1934.

In this regard, it is significant that the FOIA does not define the term "agency record." [1] And, the United States Supreme Court in *Forsham* v. *Harris*, 445 U.S. 169, 186, n.17 (1980), declined to categorize what degree of agency control over information is necessary to support a finding that it has "obtained records," although it ruled that an unexercised right of access was insufficient. It also appears that physical possession of documents by an agency subject to the FOIA is required but is not, of itself, sufficient to subject the document to the FOIA. *See Kissinger* v. *Reporters Committee for Freedom of the Press*, 445 U.S. 136, 155, 157 (1980); *Forsham* v. *Harris, supra*, 445 U.S. at 185, n.16.[2] Moreover, the Court of Appeals for the District of Columbia Circuit recently declared that records obtained by the Federal Trade Commission pursuant to subpoena do not necessarily become "agency records." *Federal Trade Commission* v. *Anderson*, 631 F.2d 741 (D.C. Cir. 1979). Although the *Anderson* court recognized that "even documents obtained under subpoena may have other characteristics that bring them within the rubric of agency records;" it also recognized that it is inappropriate to assume a statutory obligation to disclose such documents.[3]

Congress, however, defined the term "records" for FOIA purposes with respect to the Commission in Section

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[1] There are two pertinent provisions of the FOIA which require agencies and the courts to determine, in the first instance, whether the FOIA requestor has sought information within the provisions of the Act. One provision, 5 U.S.C. 552(a)(3), provides, in part, that

each agency, upon any request for records * * * shall make the records promptly available to any person.

The second section, 5 U.S.C. 552(a)(4)(B), provides, in part, that

the district court * * * has jurisdiction to enjoin the agency from withholding agency records improperly withheld * * *. [T]he court shall examine the matter *de novo*, and may examine the contents of such agency records *in camera* * * *.

[2] *See also Goland* v. *Central Intelligence Agency*, 607 F.2d 339, 347 (D.C. Cir. 1978), *cert. denied*, 445 U.S. 927 (1980); *Ryan* v. *Department of Justice*, 617 F.2d 781 (D.C. Cir. 1980); *Warth* v. *Department of Justice*, 595 F.2d 521, 522–523 (9th Cir. 1979); *Cook* v. *Willingham*, 400 F.2d 885 (10th Cir. 1968).

[3] *Federal Trade Commission* v. *Anderson, supra*, 631 F.2d at 750. The case was rendered moot on remand by the Federal Trade Commission Improvements Act of 1980, Pub. L. 96–252 (1980), which exempted records obtained by the Federal Trade Commission during investigations from public access under the FOIA.

24(a) of the Securities Exchange Act of 1934 which provides:

> For purposes of [the FOIA], the term "records" includes all applications, correspondence, notices, and other documents filed with or otherwise obtained by the Commission, pursuant to this title or otherwise.[4]

And, the Supreme Court in *Forsham* v. *Harris, supra*, 445 U.S. at 185, cited Section 24(a) as providing independent "standards for public access to documents generated by the [Securities Exchange] Act."

In the proposed rule, which follows, the Commission has defined those circumstances under which a document received by the Commission may be considered to have been "obtained" by the Commission within the meaning of Section 24(a) of the Act. The Commission seeks public comments with respect to all aspects of the proposed rule, but, in particular, requests commentators to address the following issues: (1) the extent to which this rule would encourage the prompt submission of in formation needed in the Commission's law enforcement efforts; (2) the possibility that other identifiable measures also would be effective in encouraging cooperation with Commission requests for information; and (3) the adverse impact, if any, of this rule on the legitimate interests of those who request access to information under the FOIA.

Authority

This notice of proposed rulemaking is effected under the authority of Section 19 of the Securities Act of 1933, 15 U.S.C. 77r; Sections 23 and 24 of the Securities Exchange Act of 1934, 15 U.S.C. 78w and 78x; Section 20 of the Public Utility Holding Company Act of 1935, 15 U.S.C. 79t; Section 319 of the Trust Indenture Act of 1939, 15 U.S.C. 77sss; Section 38 of the Investment Company Act of 1940, 15 U.S.C. 80a–37; and Section 211 of the Investment Advisers Act of 1940, 15 U.S.C. 80b–11.

Regulatory Flexibility Act

No regulatory flexibility analysis (or certification that one is not required) is necessary because the rule is interpretive, and thus not within the definition of "rule" for purposes of Chapter 6, Title 5, U.S.C.

[4] This language was inserted in 1975 as an amendment to the Act. This language appeared only in the Senate version of the bill. *Compare* S. Rep. No. 94–75, 94th Cong., 1st Sess. 136–137, 245 (1975) *with* H.R. Rep. No. 94–123, 94th Cong., 1st Sess. 181 (1975). The Conference Committee accepted the Senate version without comment. *See* H.R. Rep. No. 94–229, 94th Cong., 1st Sess. 70–71 (1975).

Conclusion

It is therefore proposed to amend Part 240 of Chapter II, Title 17, Code of Federal Regulations, by adding thereto § 240.24a–1, as set forth below.

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

§ 240.24a–1 Records not obtained by the Commission.

A "record" received by the Commission, other than in connection with a filing with the Commission, shall not be considered to have been "otherwise obtained" by the Commission, within the meaning of section 24(a) of the Act, 15 U.S.C. 78x(a), unless such record is used as an exhibit by the Commission or its staff in the law enforcement activities of the Commission, including investigations and judicial or administrative proceedings, or in proceedings by the Commission conducted pursuant to its Rules of Practice or under its Conduct Regulation. This section does not affect the status of records created by, or at the direction of, the Commission or its staff.

By the Commission.

George A. Fitzsimmons,

Secretary.

February 27, 1981.

[FR Doc. 81-6907 Filed 3-3-81; 8:45 am]

BILLING CODE 8010-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-7-FRL 1764-8]

Approval and Promulgation of Implementation Plans; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of receipt of submittal to satisfy conditions of plan approval.

SUMMARY: In order to satisfy the requirements of Part D of the Clean Air Act (CAA), as amended, the State of Missouri revised its State Implementation plan (SIP) in 1979. On April 9, 1980, EPA conditionally approved certain elements of Missouri's plan. On February 12, 1981, the State submitted documentation for the purpose of fulfilling two of these conditions. The conditions involve commitments to transportation control measures and the results of carbon monoxide modeling for the St. Louis area.

The purpose of this notice is to advise the public that the State of Missouri has made a submission involving this condition. EPA is reviewing the material submitted and intends to issue a notice of proposed rulemaking after the review is complete. Until final action is published in the **Federal Register**, the conditional approval of the SIP is being continued.

ADDRESSES: Copies of the State submission are available for inspection during normal business hours at the following locations:

Environmental Protection Agency, Air, Noise and Radiation Branch, 324 East 11th Street, Kansas City, Missouri 64106.

Environmental Protection Agency, Public Information Reference Unit, 401 M Street, SW., Room 2922, Washington, D.C. 20460.

Missouri Department of Natural Resources, 2010 Missouri Boulevard, Jefferson City, Missouri 65101.

East-West Gateway Coordinating Council, 112 North Fourth Street, St. Louis, Missouri 63102.

FOR FURTHER INFORMATION CONTACT: Wayne G. Leidwanger at (816) 374–3791, (FTS) 758–3791.

SUPPLEMENTARY INFORMATION: On April 9, 1980, EPA conditionally approved certain elements of Missouri's SIP with regard to the requirements of Part D of the Clean Air Act, as amended. A detailed discussion of that action can be found in the **Federal Register** notice published on that date (45 FR 24140).

One of the conditions promulgated by EPA requires the East-West Gateway Coordinating Council (EWGCC) to complete an analysis of alternative transportation measures and to secure commitments from responsible agencies to specific transportation strategies which will achieve hydrocarbon and CO emission reductions in the St. Louis nonattainment areas. This condition was due January 31, 1981. On January 28, 1981, EWGCC adopted a package of transportation measures and commitments. The State submitted this package to EPA as a SIP revision on February 12, 1981.

The other condition required EWGCC to complete and submit the requisite carbon monoxide dispersion modeling for the St. Louis area by January 31, 1981. The CO modeling results were included with the above revisions submitted by the State on February 12, 1981.

The public is advised that the State has made a submission. EPA is reviewing the material to determine if it

complies with the requirements of the Clean Air Act and the conditions promulgated by EPA. A notice of proposed rulemaking will be issued after EPA completes a review of the submission. EPA's conditional approval of the Missouri SIP is being continued until final action on the submittal is published in the **Federal Register.**

Dated: February 23, 1981.

Kathleen Camin,

Regional Administrator.

[FR Doc. 81-6944 Filed 3-3-81; 8:45 am]

BILLING CODE 6560-38-M

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40 CFR Part 52

[A-9-FRL 1750-4]

Approval and Promulgation of Implementation Plans; Nevada State Implementation Plan Revision

Correction

In FR Doc. 81-4834, published at page 11843, on Wednesday, February 11, 1981, on page 11845, in the first column, in the last paragraph, in the fifth line "Rules 1 and" should be corrected to read "Rules 12 and".

BILLING CODE 1505-01-M

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40 CFR Part 180

[PP OE2372/P169, PH-FRL 1769-7]

Chlorpyrifos; Proposed Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This notice proposes that a tolerance be established for the insecticide chlorpyrifos. This proposal was submitted by the Interregional Research Project No. 4 (IR-4). This amendment will establish a maximum permissible level for residues of the subject insecticide on mint hay at 1.0 part per million (ppm).

DATE: Written comments must be received on or before April 3, 1981.

ADDRESS: Written comments to: Clinton Fletcher, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Clinton Fletcher (703-557-7123).

SUPPLEMENTARY INFORMATION: The Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, has submitted pesticide petition number OE2372 to EPA on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of Oregon and Washington.

This petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act propose the establishment of a tolerance for combined residues of chlorpyrifos [*O,O*-diethyl *O*-(3,5,6-trichloro-2-pyridyl) phosphorothioate] and its metabolite 3,5,6-trichloro-2-pyridinol in or on the raw agricultural commodity mint hay at 1.0 ppm.

The data submitted in the petition and all other relevant material have been evaluated. The pesticide is considered useful for the purpose for which the tolerance is sought. The toxicology data considered in support of the proposed tolerance of 1.0 ppm in or on mint hay were 2-year rat and dog feeding studies each with no-observable-effect-levels (NOELs) of 0.1 milligram (mg)/kilogram (kg)/day based on red blood cell anticholinesterase (RBC AChE) effects and 3.0 mg/kg/day based on systemic effects. The rat feeding study gave negative oncogenic potential; a three-generation rat reproduction study with a NOEL of 1.0 mg/kg/day (highest dose); a 2-year mouse oncogenicity study negative at 15 ppm (highest dose); a mouse teratology study negative at 25 mg/kg (highest dose); a hen delayed neurotoxicity study negative at 100 mg/kg.

The acceptable daily intake (ADI), based on the rat feeding study (RBC AChE NOEL of 0.1 mg/kg/day) and using a 10-fold safety factor, is calculated to be 0.01 mg/kg of body weight (bw)/day. The maximum permitted intake (MPI) for a 60 kg human is calculated to be 0.6 mg/day. The theoretical maximum residue contribution (TMRC) from existing tolerances for a 1.5 kg daily diet is calculated to be 0.4114 mg/day. The current action will utilize less than 1 percent of the ADI. Published tolerances utilize 32.5 percent of the ADI.

The metabolism of chlorpyrifos is adequately understood and an adequate analytical method (gas chromatography) is available for enforcement purposes. No poultry feed items are involved here and there will be no problem of secondary residues in poultry tissue and eggs from this use. There are presently no actions pending against the continued registration of this chemical.

Based on the above information considered by the agency, the tolerance established by amending 40 CFR Part 180 would protect the public health. It is proposed, therefore, that the tolerance be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request on or before April 3, 1981 that this rulemaking proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. The comments must bear a notation indicating both the subject and the petition and document control number, "[PP OE2372/P169]." All written comments filed in response to this petition will be available for public inspection in the office of Clinton Fletcher from 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.

Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized." This proposed rule has been reviewed, and it has been determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

For information on Regulatory Flexibility Act, see appendix to this rule.

(Sec. 408(e), 68 Stat. 514, (21 U.S.C. 346a(e)))

Dated: February 19, 1981.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

Therefore, it is proposed that Subpart C of 40 CFR Part 180 be amended by alphabetically inserting the raw agricultural commodity "mint hay" in the table under § 180.342 to read as follows:

§ 180.342 Chlorpyrifos; tolerance for residues.

* * * * *

Commodities	Parts per million
* * * * *	
Mint hay	1.0
* * * * *	

Appendix to [PPOE2372/P169] Chlorpyrifos; Proposed Tolerance

Certification Under Regulatory Flexibility Act:

Congress enacted the Regulatory Flexibility Act (Pub. L. 96-543, 94 Stat. 1164, 5 U.S.C. 601-612, effective January 1, 1981). The

purpose of the act is to assure that the Agency analyzes the effect of regulatory requirements on small business, government jurisdictions, and organizations (collectively referred to as small entities). The law requires that all "notice-and-comment" rulemaking, both proposed and final, be accompanied by an initial or final regulatory flexibility analysis, or by a certification by the Administrator that no such analysis is necessary because the regulation will not have a significant adverse impact on a substantial number of small entities.

Under Sec. 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 tolerances levels, or exemptions from the requirements for a tolerance, for pesticides resulting in residues on raw agricultural commodities. Under Sec. 409 of the same act (21 U.S.C. 348), the Agency is authorized to issue regulations establishing permissible 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 productions of an adequate, wholesome and economical food supply.

The establishment of a tolerance or an exemption or an additive level allows a pesticide product to be registered for a particular use resulting in residues on food or feed. This generally has beneficial economic impacts on the producer, distributor, and professional applicator of the pesticide, all of whom benefit through sale of the pesticide. It also benefits the ultimate user of the pesticide, usually a grower or food processor, who would otherwise not be able to sell crops containing residues of that pesticide.

This proposed regulation would establish a maximum permissible level for residues of the insecticide chlorpyrifos in or on mint hay at 1.0 part per million. The only potential adverse impact on the proposed ruling would be that it would require some labeling changes by registrants. However, the number of affected registrants is relatively very small, the burden of amending the labeling would be slight, and any costs would almost certainly be outweighted by the benefits to the registgrants of being able to register this additional use.

Accordingly, I hereby certify that this proposed regulation would not, if promulgated, have a significant adverse impact on a substantial number of small entities. Therefore, this regulation does not require a regulatory flexibility analysis.

Dated: February 27, 1981.

Walter C. Barber, Jr.,

Acting Administrator.

[FR Doc. 81-6910 Filed 3-3-81; 8:45 am]

BILLING CODE 6560-32-M

40 CFR Part 180

[PP 9E2225/P168; PH FRL 1769-8]

Ethephon; Proposed Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This notice proposes that a tolerance be established for the plant growth regulator ethephon. This proposal was submitted by the Interregional Research Project No. 4 (IR-4). This admendment will establish a maximum permissible level for residues of the ethephon on cucumbers at 0.1 part per million (ppm).

DATE: Written comments must be received on or before April 3, 1981.

ADDRESS: Written comments to: Clinton Fletcher, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Clinton Fletcher (703-557-7123).

SUPPLEMENTARY INFORMATION: The Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, PO Box 231, Rutgers University, New Brunswick NJ 08903, has submitted pesticide petition number 9E2225, to EPA on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of North Carolina, Ohio, and Tennessee.

This petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act, proposes the establishment of a tolerance for residues of the plant growth regulator ethephon [(2-chloroethyl) phosphonic acid] in or on the raw agricultural commodity cucumbers at 0.1 ppm.

The data submitted in the petition and all other relevant material have been evaluated. The pesticide is considered useful for the purpose for which the tolerance is sought. The toxicology data considered in support of the proposed tolerance of 0.1 ppm in or cucumbers were a 2-year rat chronic feeding/oncogenesis study with a no-observable-effect-level (NOEL) of 30 ppm based on anticholinesterase inhibition effects, 3,000 ppm based on systemic effects, and negative for oncogenicity; a 2-year dog feeding study with a NOEL of less than or equal to 30 ppm based on anticholinesterase inhibition effects and 300 ppm based on systemic effects; a delayed neurotoxicity study in hens negative at 1,000 mg/kg/day. Data currently lacking and considered desirable include teratology studies in two animal species, an oncogenesis study in a second animal species, and a screening battery of mutagenicity tests. According to a letter of May 6, 1980, the registrant reported that these studies (except for a second teratology study) are currently underway and the results should become available to EPA soon.

The acceptable daily intake (ADI), based on the 2-year dog feeding study (NOEL of 300 ppm) and using a 100 fold safety factor, is calculated to be 0.0750 mg/kg of body weight (bw)/day. The maximum permitted intake (MPI) for a 60 kg human is calculated to be 4.5 mg/day. The theoretical maximum residue contribution (TMRC) from existing tolerances for a 1.5 kg daily diet is calculated to be 0.4555 mg/day. The current action will utilize 0.03 percent of the ADI. Published tolerances utilize 10.12 percent of the ADI.

The metabolism of ethephon is adequately understood and an adequate analytical method (gas chromatography) is available for enforcement purposes. There are no animal feed items involved with cucumbers. There are presently no actions pending against the continued registration of this chemical.

Based on the above information considered by the agency, it is proposed that the tolerance be established by amending 40 CFR Part 180 would protect the public health. It is proposed, therefore, that the tolerance be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request on or before April 3, 1981 that this rulemaking proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. The comments must bear a notation indicating both the subject and the petition and document control number, "[PP 9E2225/P168]." All written comments filed in response to this petition will be available for public inspection in the office of Clinton Fletcher from 8:00 a.m. to 4:00 p.m., Monday through Friday, except legal holidays.

Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized." This proposed rule has been reviewed, and it has been determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

For information on Regulatory Flexibility Act requirements, see appendix to this rule.

(Sec. 408(e), 68 Stat. 514; (21 U.S.C. 346a(e)))

Dated February 19, 1981.

Douglas D. Campt,

Director, Registration Division Office of Pesticide Programs.

Therefore, it is proposed that Subpart C of 40 CFR Part 180 be amended by (1) revising § 180.300 into an alphabetized columnar format, and (2) alphabetically inserting the raw agricultural commodity "cucumbers" to read as follows:

§ 180.300 Ethephon; tolerance for residues.

Tolerances are established for residues of the plant regulatory ethephon [(2-chloroethyl)phosphonic acid] in or on raw agricultural commodities as follows:

Commodity	Part per million
Apples	5
Blackberries	30
Blueberries	20
Cantaloupes	2
Cherries	10
Coffee beans	0.1(N)
Cranberries	5
Cucumbers	0.1
Figs	5
Filberts	0.5
Lemons	2
Peppers	30
Pineapples	2
Pineapple fodder	3
Pineapple forage	3
Tangerines	0.5
Tangerine hybrids	0.5
Tomatoes	2
Walnuts	0.5

Appendix to [PP9E2225/P168] Ethephon Proposed Tolerance

Certification Under Regulatory Flexibility Act:

Congress enacted the Regulatory Flexibility Act (Pub. L. 96-543, 94 Stat. 1164, 5 U.S.C. 601-612) effective January 1, 1981. The purpose of the act is to assure 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 all "notice-and-comment" rulemaking, both proposed and final, be accompanied by an initial or final regulatory flexibility analysis, or by a certification by the Administrator that no such analysis is necessary because the regulation will not have a significant adverse impact on a substantial number of small entities.

Under sec. 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 sec. 409 of the same act (21 U.S.C. 348), the Agency is authorized to issue regulations establishing permissible 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.

The establishment of a tolerance or an exemption or an additive level allows a pesticide product to be registered for a particular use resulting in residues on food or feed. This generally has beneficial economic impacts on the producer, distributor, and professional applicator of the pesticide, all of whom benefit through sale of the pesticide. It also benefits the ultimate user of the pesticide, usually a grower or food processor, who would otherwise not be able to sell crops containing residues of that pesticide.

This proposed regulation would establish a maximum permissible level for residues of the plant growth regulator ethephon in or on cucumbers at 0.1 part per million. The only potential adverse impact on the proposed ruling would be that it would require some labeling changes by registrants. However, the number of affected registrants is relatively very small, the burden of amending the labeling would be slight, and any costs would almost certainly be outweighed by the benefits to the registrants of being able to register this additional use.

Accordingly, I hereby certify that this proposed regulation would not, if promulgated, have a significant adverse impact on a substantial number of small entities. Therefore, this regulation does not require a regulatory flexibility analysis.

Dated: February 27, 1981.

Walter C. Barber, Jr.,

Acting Administrator.

[FR Doc. 81-6836 Filed 3-3-81; 8:45 am]

BILLING CODE 6560-32-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-5947]

National Flood Insurance Program; Proposed Flood Elevation Determinations; Correction; Maine

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule; correction.

SUMMARY: This document corrects a Notice of Proposed Determinations of base (100-year) flood elevations for selected locations in the Town of Gorham, Cumberland County, Maine, previously published at 45 FR 77085 on November 21, 1980, and in the *Portland Press Herald* on October 30, 1980, and November 6, 1980.

EFFECTIVE DATE: March 4, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Federal Emergency Management Agency, Federal Insurance Administration, National Flood Insurance Program, (202) 755-5585 or Toll Free Line (800) 424-8872, (In Alaska and Hawaii call Toll Free Line (800) 424-9080), Washington, D.C., 20472.

SUPPLEMENTARY INFORMATION. The Federal Insurance Administrator gives notice of the correction to the Notice of Proposed Determinations of base (100-year) flood elevations for selected locations in the Town of Gorham, Cumberland County, Maine, previously published at 45 FR 77085 on November 21, 1980, and in the *Portland Press Herald* on October 30, 1980, and November 6, 1980, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 44 CFR 67.4(a).

Due to a clerical error, a location under the Source of Flooding of Presumpscot River was listed as "Upstream of U.S. Route 202"; it should be amended to read "Upstream of State Route 4". The corresponding elevation was correct as published.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; Executive Order 12127, 44 FR 19367); and delegation of authority to Federal Insurance Administrator)

Issued: February 20, 1981.

Richard W. Krimm,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 6851 Filed 3-3-81; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

[Docket No. FEMA-5780]

National Flood Insurance Program; Proposed Flood Elevation Determinations; Mass.; Correction

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Proposed rule; correction.

SUMMARY: In correcting a flood model error on the Ipswich River, changes are made to the Flood Insurance Study (profiles) and Rate Maps for the Town of Wilmington, Middlesex County, Massachusetts. These changes affect the areas surrounding the Ipswich River, Lubbers Brook, and Maple Meadow Brook.

The proposed base flood elevation determination for the Town of Wilmington is correct as follows:

Source of flooding	Location	*Elevation in feet (NGVD)
Shawsheen River	Downstream corporate limits	*88
	Upstream corporate limits	*93
Ipswich River	Downstream corporate limits	*76
	Upstream of Church Street culvert	*88
	Canal Street culvert	*96
	Upstream corporate limits	*109
Martins Brook	Downstream corporate limits	*76
	Downstream of Salem Street	*76
	Upstream of Salem Street	*82
	Andover Street	*84
Maple Meadow Brook	Confluence with Ipswich River	*81
	Power company easement road	*85
Lubbers Brook	Confluence with Ipswich River	*77
	Upstream of Middlesex Avenue culvert	*82
	Downstream of Main Street	*93
	Upstream of Main Street	*98
	Upstream of Boston & Maine Railroad (south of Main Street)	*100

EFFECTIVE DATE: March 4, 1981.

FOR FURTHER INFORMATION CONTACT:
Mr. Robert G. Chappell, Federal Emergency Management Agency, Federal Insurance Administration, National Flood Insurance Program, (202) 755–5585 or Toll Free Line (800) 424–8872 (In Alaska and Hawaii call Toll Free Line (800) 424–9080), Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the correction to the Notice of proposed determinations of base (100-year) flood elevations for selected locations in the Town of Wilmington, Middlesex County, Massachusetts, previously published at 45 FR 13484 on February 29, 1980, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448)), 42 U.S.C. 4001–4128, and 44 CFR 67.4(a).

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator)

Issued: February 23, 1981.

Richard W. Krimm,

Acting Administrator, Federal Insurance Administration.

[FR Doc. 81-6850 Filed 3-3-81; 8:45 am]

BILLING CODE 6718-03-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR CH. I

[Gen. Docket 80-739]

Implementation of the Final Acts of the World Administrative Radio Conference, Geneva, 1979; Order Extending Time for Filing Comments and Reply Comments

AGENCY: Federal Communications Commission.

ACTION: Notice of inquiry; extension of comment and reply comments period.

SUMMARY: The FCC has extended the deadline for Comments and Reply Comments in the Implementation of the Final Acts of the World Administrative Radio Conference, Geneva, 1979, due to concern that inadequate time was available.

DATES: The deadline for comments has been extended to March 2, 1981, and the deadline for Reply Comments has been extended to March 23, 1981.

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

FOR FURTHER INFORMATION CONTACT:
Fred L. Thomas, Office of Science and Technology, (202) 653–8171.

Adopted: February 13, 1981.

Released: February 13, 1981.

In the matter of Implementation of the Final Acts of the World Administrative Radio Conference, Geneva, 1979, [General Docket 80–739], (46 FR 3060).

By the Office of Science and Technology:

1. It has been brought to the attention of the Commission that a number of parties interested in this proceeding, and who would like to file comments to the First Notice of Inquiry, are currently involved with a special task force preparing for the Region 2 AM Broadcast planning conference. The task force, which is presently concluding its work, has required a large amount of time from its members and has greatly restricted their efforts to file comments in this proceeding. Therefore, the Commission acting on its own motion, believes that an extension of time for both Comments and Reply Comments would be in the public interest.

2. Therefore, it is ordered, that the date for filing Comments is extended to and including 2 March 1981, and the date for filing Reply Comments is extended to and including 23 March 1981.

3. This action is taken pursuant to authority found in Sections 4(i), 5(d), and 303 of the Communications Act of 1934, as amended, and § 0.241 of the Commission's Rules.

Elliot Maxwell,

Acting Chief Scientist.

[FR Doc. 81-6932 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 81-100; RM-3763]

FM Broadcast Station; Tioga and Boyce, La.; Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This action proposes to assign Channel 252A to Tioga, Louisiana, and substitutes Channel 272A for Channel 252A at Boyce, Louisiana, in response to a petition filed by Loren Yadon.

DATE: Comments must be filed on or before April 20, 1981, and reply comments on or before May 11, 1981.

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

FOR FURTHER INFORMATION CONTACT:
Montrose H. Tyree, Broadcast Bureau, (202) 632–7792.

SUPPLEMENTARY INFORMATION:

Adopted: February 20, 1981.

Released: March 3, 1981.

By the Chief, Policy and Rules Division:

In the matter of amendment of § 73.202(b), Table of Assignments, FM broadcast stations (Tioga and Boyce, Louisiana.

1. The Commission herein considers a petition for rule making [1] filed by Loren Yadon ("petitioner"), which seeks the assignment of Channel 252A to Tioga, Louisiana, as its first FM assignment and seeks the substitution of Channel 272A for Channel 252A at Boyce, Louisiana. Supporting comments were filed by Boyce Broadcasting Corporation [2] and by the petitioner who stated an intent to apply for the channel, if assigned.

2. Boyce Broadcasting Corporation, in comments, stated that it is a corporation owned by Black minorities, and the community of Boyce is sixty percent Black. It has requested expedited action on its pending application for a construction permit.[3]

[1] Public Notice of the petition was given on October 17, 1980, Report No. 1253.

[2] Boyce Broadcasting Corporation is the applicant for a construction permit to operate on Channel 252A at Boyce, Louisiana.

[3] *Statement of Policy on Minority Ownership of Broadcast Facilities*, 68 F.C.C. 2d 979 (1978).

3. Tioga (population not listed) in Rapides Parish (pop. 118,078),[4] is located approximately 275 kilometers (170 miles) northwest of New Orleans, Louisiana. It has no local aural broadcast service.

4. Petitioner asserts that the population of Tioga, described as Ward 10 of Rapides Parish, has increased twenty-six percent from 1960 to 1970, and has shown consistent growth since 1970.[5] Petitioner further states that the economy is supported by dress industries, a manufacturer of industrial valves (the largest employer), retail stores, service stations, repair shops and restaurants. Ecomonic and demographic information was submitted to demonstrate the need for an FM assignment to Tioga. Petitioner should submit a recent population estimate for the community of Tioga.

5. The distance between Tioga and Boyce is approximately 23 kilometers (14 miles). The separation required between Class A co-channels is 104 kilometers (65 miles). Also, the proposed assignment of Channel 252A to Tioga requires a site restriction of approximately 7 kilometers (4.4 miles) northwest of the city, due to the proximity of Station WAFB (Channel 251) at Baton Rouge, Louisiana. The assignment of Channel 272A to Boyce is also restricted by Station KNOE (Channel 270) at Monroe, Louisiana. However, the use of Channel 272A is available at the site proposed for Channel 252A by the Boyce applicant.

6. In view of the apparent need for a first FM channel assignment to Tioga, the Commission believes that it would be in the public interest to propose assignment of Channel 252A to that community. We also propose to substitute Channel 272A for Channel 252A at Boyce, Louisiana.

7. Accordingly, the Commission proposes to amend the FM Table of Assignments (§ 73.202(b) of the Commission's Rules) with regard to the following communities:

City	Channel No.	
	Present	Proposed
Tioga, Louisiana		252A
Boyce, Louisiana	252A	272A

8. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein.

Note.—A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be assigned.

9. Interested parties may file comments on or before April 20, 1981, and reply comments on or before May 11, 1981.

10. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules. See, *Certification that Sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Makings to Amend §§ 73.202(b), 73.504 and 73.606(b) of the Commission's Rules*, 46 FR 11549, published February 9, 1981.

11. For further information concerning this proceeding, contact Montrose H. Tyree, Broadcast Bureau, (202) 632-7792. However, members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel assignments. An *ex parte* contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission.

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

Appendix

1. Pursuant to authority found in Sections 4(i), 5(d)(1), 303(g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) of the Commission's Rules, It is proposed to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules and Regulations, as set forth in the *Notice of Proposed Rulemaking* to which this Appendix is attached.

2. *Showings Required.* Comments are invited on the proposal(s) discussed in the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of the Commission's Rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this *Notice*, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to assign a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in §§ 1.415 and 1.420 of the Commission's Rules and Regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420(a), (b) and (c) of the Commission's Rules.)

5. *Number of Copies.* In accordance with the provisions of § 1.420 of the Commission's Rules and Regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, N.W., Washington, D.C.

[FR Doc. 81-6681 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

[4] Population figures are taken from the 1970 U.S. Census.

[5] This data is provided to petitioner by Mrs. Geneva Ropey, United States Postmaster at Tioga, Louisiana.

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47 CFR Part 73

[BC Docket No. 81-101; RM-3706]

FM Broadcast Station; East Hampton, N.Y.; Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: Action taken herein proposes amendment of § 73.202(b) of the Commission's Rules, the FM Table of Assignments, by assigning Channel 244A to East Hampton, New York, as that community's first FM assignment, in

response to a petition filed by Marken Properties, Inc.

DATES: Comments must be filed on or before April 20, 1981, and reply comments on or before May 11, 1981.

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

FOR FURTHER INFORMATION CONTACT: Kathy A. Grant, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

Adopted: February 20, 1981.

Released: March 3, 1981.

By the Chief, Policy and Rules Division:

In the matter of amendment of § 73.202(b), Table of Assignments, FM broadcast stations (East Hampton, New York).

1. The Commission has before it a petition for rule making [1] filed by Marken Properties, Inc. ("petitioner"), requesting the assignment of FM Channel 244A to East Hampton, New York, as that community's first FM assignment. Supporting comments were filed by the petitioner in which it restated its intent to apply for the channel, if assigned. No comments in opposition to the proposal were filed. Assignment of Channel 244A to East Hampton will require a site restriction of approximately 1 kilometer (.6 miles) southeast of the community.

2. East Hampton (pop. 1,753 [2] is located in Suffolk County (pop. 1,124,950), approximately 145 kilometers (90 miles) east of New York, New York. It presently has no local aural service. East Hampton is primarily a recreation resort, but the community also has a broad base of small businesses and service firms. The town also contains the East Hampton Airport and two U.S. Coast Guard Reservations.

3. In view of the fact that the assignment would provide a first local aural service to East Hampton, the Commission proposes to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules, for the community listed as follows:

City	Channel No.	
	Present	Proposed
East Hampton, New York		244A

4. The Commission's authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein.

Note.—A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be assigned.

5. Interested parties may file comments on or before April 20, 1981, and reply comments on or before May 11, 1981.

6. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules. See, *Certification that Sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Makings to Amend §§ 73.202(b), 73.504 and 73.606(b) of the Commission's Rules.* 46 FR 11549, published February 9, 1981.

7. For further information concerning this proceeding, contact Kathy A. Grant, Broadcast Bureau, (202) 632-7792. However, members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel assignments. An *ex parte* contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission.

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

Appendix

1. Pursuant to authority found in Sections 4(i), 5(d)(1), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) of the Commission's Rules, IT IS PROPOSED TO AMEND the FM Table of Assignments, § 73.202(b) of the Commission's Rules and Regulations, as set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached.

2. *Showings Required.* Comments are invited on the proposal(s) discussed in the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of the Commission's Rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this *Notice*, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filings of a counterproposal may lead the Commission to assign a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in §§ 1.415 and 1.420 of the Commission's Rules and Regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420 (a), (b) and (c) of the Commission's Rules.)

5. *Number of Copies.* In accordance with the provisions of § 1.420 of the Commission's Rules and Regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, D.C.

[FR Doc. 81-6879 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

[1] Public Notice of the petition was given on July 21, 1980, Report No. 1240.

[2] Population figures are taken from the 1970 U.S. Census.

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47 CFR Part 73

[BC Docket No. 81-102; RM-3783]

FM Broadcast Station; Fort Worth and Palestine, Tex.; Proposed Changes in Table of Assigments

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: This action proposes to substitute FM Channel 231 for Channel 230 in Fort Worth, Texas, and substitute FM Channel 244A for Channel 232A in Palestine, Texas; and to modify the licenses of Stations KESS in Ft. Worth

and KLIS in Palestine to specify operation on the newly assigned channels. The action was initiated in response to a petition filed by Latin American Broadcasting Company, licensee of Station KESS in Forth Worth.

DATES: Comments must be filed on or before April 20, 1981, and reply comments must be filed on or before May 11, 1981.

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

FOR FURTHER INFORMATION CONTACT: Michael A. McGregor, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

Adopted: February 20, 1981.

Released: March 3, 1981.

By the Chief, Policy and Rules Division:

In the matter of amendment of § 73.202(b), Table of Assignments, FM broadcast stations (Fort Worth and Palestine, Texas).

1. A petition for rule making [1] was filed by Latin American Broadcasting Company ("petitioner"), licensee of Station KESS(FM) in Fort Worth, Texas (Channel 230), proposing the substitution of Channel 231 for Channel 230 in Fort Worth, and Channel 244A for Channel 232A in Palestine, Texas. Petitioner further requests that its license be modified to specify operation on Channel 231 and that the license for the Palestine station (KLIS) also be modified. The proposed assignments can be made in compliance with the Commission's minimum distance separation requirements.[2] Comments in support of the petition were filed by petitioner; Vista Broadcasting Company, Inc. ("Vista"), licensee of Station KLIS(FM) in Palestine, Texas (Channel 232A), and Service Broadcasting Corporation ("Service"), licensee of Station KKDA-FM in Dallas, Texas (Channel 283).

2. Petitioner states that KESS is one of only two radio stations in the Dallas/Fort Worth area providing Spanish-language programming to the substantial Hispanic community living in the area. Petitioner asserts that from its present transmitter site its signal quality is poor in certain parts of Dallas where many Hispanics reside. Petitioner states that in order to provide reliable full-time Spanish-language service to the entire Dallas/Fort Worth area, KESS desires to move its transmitter site to the existing Dallas/Fort Worth antenna farm at Cedar Hill. Petitioner acknowledges that at this time, such a move is impeded by an IF separation problem with Station KKDA-FM in Dallas, operating on Channel 283. Petitioner requests that Channel 231 be substituted for Channel 230 so that the IF interference problem would no longer exist. According to petitioner, both KESS and KKDA-FM could then move their transmitter sites to Cedar Hill and thereby expand their service areas. The assignment of Channel 231 to Fort Worth would require the deletion of Channel 232A from Palestine, Texas. Petitioner requests that Channel 244A be substituted for Channel 232A in Palestine, and petitioner agrees to reimburse the licensee of Station KLIS for the expenses incurred in the frequency change.

3. Vista, the licensee of Station KLIS in Palestine, states that it supports the proposed changes in the Table of Assignments and agrees to the modification of its license to specify operation on Channel 244A. Thus, an *Order to Show Cause* is not necessary to obtain the licensee's consent to the modification. Service, licensee of Station KKDA-FM, likewise supports the rule making, and states that it will participate in the reimbursement of Station KLIS if the proposed assignments are adopted.

4. *Preclusion Study:* Petitioner states that the proposal to substitute Channel 231 for Channel 230 would reduce preclusion on Channels 228, 229 and 230, and would cause no new preclusion on Channels 231, 233 and 234. New preclusion will occur on Channel 232A in a small area around Waco-Gatesville-Martin. Petitioner should state in its comments whether additional channels are available for assignment in these areas.

5. In light of the above, the Commission proposes to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules, as to the named communities as follows:

Community	Channel No.	
	Present	Proposed
Fort Worth, Tex.	230, 242, 246, 258, 271 and 298.	231, 242, 246, 258, 271 and 298.
Palestine, Tex.	232A and 252A.	244A and 252A.

6. Authority to institute rule making proceedings, showings required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein.

Note.—A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be assigned.

7. Interested parties may file comments on or before April 20, 1981, and reply comments on or before May 11, 1981.

8. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules. See, *Certification that Sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Makings to Amend §§ 73.202(b), 73.504 and 73.606(b) of the Commission's Rules*, 46 FR 11549, published February 9, 1981.

9. For further information concerning this preoceeding, contact Michael A. McGregor, Broadcast Bureau, (202) 632-7792. However, members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel assignments. An *ex parte* contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission.

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

Appendix

1. Pursuant to authority found in sections 4(i), 5(d)(1), 303(g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) of the Commission's Rules, IT IS PROPOSED TO AMEND the FM Table of Assignments, § 73.202(b) of the Commission's Rules and Regulations, as set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached.

2. *Showing Required.* Comments are invited on the proposal(s) discussed in the *Notice of Proposed Rule Making* to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in intial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if

[1] Public Notice of the petition was given on November 10, 1980, Report No. 1256.

[2] The petition, when filed, conflicted with a proposal to assign Channel 244A to Crockett, Texas. This conflict was removed when the Commission proposed the assignment of Channel 228A to Crockett instead of Channel 244A.

advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See Section 1.420(d) of the Commission's Rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this *Notice*, They will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to assign a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in § 1.415 and 1.420 of the Commission's Rules and Regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420(a), (b) and (c) of the Commission's Rules.)

5. *Number of Copies.* In accordance with the provisions of Section 1.420 of the Commission's Rules and Regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquaters, 1919 M Street NW., Washington, D.C.

[FR Doc. 81-6880 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF THE INTERIOR

Office of the Secretary

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 410

Fish and Wildlife Coordination Act; Notice of Re-Opening Comment Period on Proposed Rulemaking and Draft Environmental Statement

AGENCY: National Oceanic and Atmospheric Administration, Commerce; Office of the Secretary, Interior.

ACTION: Re-opening of comment period.

SUMMARY: A new 50 CFR Part 410—rules which would establish uniform procedures for Federal agency compliance with the Fish and Wildlife Coordination Act (FWCA)—was proposed on December 18, 1980 (45 FR 83412). The same publication included Notice of Availablity of a Draft Environmental Impact Statement (DEIS), which describes the proposed action and alternatives to it. That notice established February 17, 1981, as the deadline for public comment on both the proposed rulemaking and the DEIS. Because of the importance of the issue, and because very few comments have been forthcoming thus far, the deadline has been extended.

DATES: Written comments on both the proposed rules and DEIS must be received no later than March 25, 1981.

ADDRESS: Comments should be addressed to Director, U.S. Fish and Wildlife Service (ES), Department of the Interior, Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Richard K. Robinson or Thomas J. Bond, U.S. Fish and Wildlife Service (ES), Department of the Interior, Washington, D.C. 20240; (202) 343–5197 or 343–7292 respectively; or James R. Chambers, National Marine Fisheries Service, 3300 Whitehaven St., NW., Washington, D.C. 20235; (202) 634–7490.

Dated this 25th day of the February 1981.

F. Eugene Hester,

Acting Director, Fish and Wildlife Service.

William H. Stevenson,

Assistant Administrator for Fisheries.

[FR Doc. 81-6829 Filed 3-3-81; 8:45 am]

BILLING CODE 4310-55-M

Notices

Federal Register
Vol. 46, No. 42
Wednesday, March 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.

DEPARTMENT OF AGRICULTURE

Forest Service

Middle Fork of the Feather Wild and Scenic River; Boundary Adjustment of the Recreation Zone; Correction

AGENCY: Forest Service, USDA.

ACTION: Notice; correction.

SUMMARY: This document is to correct errors and omissions in the legal land descriptions that appeared at pages 46834 and 46835 in the **Federal Register** of Friday, July 11, 1980 (45 FR 46834).

FOR FURTHER INFORMATION CONTACT:
Richard Hull, Director of Lands, (703) 235-8212.

The following corrections are made in FR Doc. 80-20683 appearing on 46834 in the issue of July 11, 1980:

1. On page 46834 in mid-column three under T. 22N., R. 12E., Section 9, "SW¼NW¼SE¼, NW¼" is corrected to read "SW¼NW¼SE¼NW¼" and "SE¼, NE¼NE¼SW¼" is corrected to read "SE¼NE¼NE¼SW¼."

2. On page 46835 at the bottom of column two, Section 10—"Lot 11 W½ Lot 12," is corrected to read "Lot 11, W½ Lot 12,."

3. On page 46835 near the top of column three, following "Section 15—" include "Lots 1, 2, 3, 4, 5, 6, 7, 8, and 12 and the N½ of Lots 9, 10, and 11."

Douglas R. Leisz,
Associate Chief.
February 23, 1981.

[FR Doc. 81-6939 Filed 3-3-81; 8:45 am]
BILLING CODE 3410-11-M

DEPARTMENT OF COMMERCE

International Trade Administration

Expanded Metal of Base Metal From Japan; Preliminary Results of Administrative Review of Antidumping Finding

AGENCY: U.S. Department of Commerce, International Trade Administration.

ACTION: Notice of Preliminary Results of Administrative Review of Antidumping Finding.

SUMMARY: This notice is to advise the public that the Department of Commerce has conducted an administrative review of the antidumping finding on expanded metal of base metal from Japan. The scope of the review covers four exporters of this merchandise to the United States not covered by the Department's previous review. This review covers separate time periods for each exporter up to December 31, 1979. The review indicates the existence of dumping margins in particular periods for certain exporters.

As a result of this review, the Department has preliminarily determined to assess dumping duties for individual exporters equal to the calculated differences between foreign market value and purchase price on each of their shipments occurring during the covered periods. Where company-supplied information was inadequate or no information was received, the Department has used the best information available. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: March 4, 1981.

FOR FURTHER INFORMATION CONTACT:
J. Linnea Bucher, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202-377-2704).

SUPPLEMENTARY INFORMATION:

Procedural Background

On January 16, 1974, a dumping finding with respect to expanded metal of base metal from Japan was published in the **Federal Register** as Treasury Decision 74-29 (39 FR 1979). On January 1, 1980, the provisions of title I of the Trade Agreements Act of 1979 became effective. Title I replaced the provisions of the Antidumping Act of 1921 ("the 1921 Act") with a new title VII to the Tariff Act of 1930 ("the Tariff Act"). On January 2, 1980, the authority for administering the antidumping duty law was transferred from the Department of the Treasury to the Department of Commerce ("the Department"). The Department published in the **Federal Register** of March 28, 1980 (45 FR 20511-20512) a notice of intent to conduct administrative reviews of all outstanding dumping findings. As required by section 751 of the Tariff Act, the Department has conducted an administrative review of the finding on expanded metal of base metal from Japan. The substantive provisions of the 1921 Act apply to all unliquidated entries made prior to January 1, 1980.

Scope of the Review

Imports covered by this review are shipments of expanded metal of base metal manufactured in three types (standard, flattened and grating) and various thicknesses. Expanded metal of base metal is currently classifiable under item 652.8000 of the Tariff Schedules of the United States Annotated (TSUSA).

The Department knows of a total of 33 exporters (in a previous notice stated to be 34) to the United States of Japanese expanded metal of base metal. This review covers 4 of them (those not covered by the previous review published in the **Federal Register** on November 24, 1980 (45 FR 77501-2)) for all time periods up to December 31, 1979, during which shipments of expanded metal of base metal may have been made to the United States.

One company, Kanebo Kensetsu Kogyo Co., Ltd., which exported between 1975 and 1979 could not be located by the Ministry of International Trade and Industry (MITI). For this exporter we proceeded to use the best information available. The best information is the highest fair value rate for those firms investigated during the fair value investigation.

For Alton Trading Co. and Okaya & Co., Ltd., the best information available is the latest rate for the manufacturers of their exports. For Alton this is Kanebo Steel Co., Ltd. For Okaya & Co., Ltd. it is Nippon Steel Products Co., Ltd. Tomiyasu & Co., Ltd. failed to respond to the Department's questionnaire. For this firm the best evidence is the highest fair value rate.

Preliminary Results of the Review

As a result of our review we preliminarily determine that the following margins exist:

Japanese exporter	Time period	Margin (percent)
Alton Trading Co.	1-1-78/12-31-79	4.9
Kanebo Kensetsu Kogyo Co., Ltd.	1-1-75/12-31-79	4.9
Okaya & Co., Ltd.	1-1-77/12-31-78	
	1-1-79/12-31-79	0
		.33
Tomiyasu & Co., Ltd.	1-1-77/12/31-79	4.9

Interested parties may submit written comments on these preliminary results on or before April 3, 1981 and may request disclosure and/or a hearing on or before March 19, 1981. The Department will publish the final results of the administrative review including the results of its analysis of any such comments or hearing.

The Department shall determine, and the U.S. Customs Service shall assess, duties on all entries made with purchase dates or export dates as appropriate during the time periods involved. Individual differences between purchase price or exporter's sales price and foreign market value may vary from the percent stated above. The Department will issue appraisement instructions separately on each exporter directly to the Customs Service.

Further, as required by section 353.48(b) of the Commerce Regulations, a cash deposit based upon the most recent of the margins calculated above shall be required on all shipments entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results. Because the weighted-average margins for Okaya & Co., Lt., are *de minimis*, the Department shall not require cash deposits on their shipments. This requirement, and the waiver for Okaya & Co., Ltd., shall remain in effect until publication of the final results of the next administrative review.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and § 353.53 of the Commerce Regulations (19 CFR 353.53).

John D. Greenwald,

Deputy Assistant Secretary for Import Administration.

February 25, 1981.

[FR Doc. 81-6844 Filed 3-3-81; 8:45 am]

BILLING CODE 3510-25-M

Steel Bars, Reinforcing Bars, and Shapes From Australia; Preliminary Results of Administrative Review of Antidumping Finding and Tentative Determination To Revoke

AGENCY: U.S. Department of Commerce, International Trade Administration.

ACTION: Notice of Preliminary Results of Administrative Review of Antidumping Finding and of Tentative Determination to Revoke.

SUMMARY: This notice is to advise the public that, as a result of an administrative review of the antidumping finding on steel bars, reinforcing bars, and shapes manufactured by The Broken Hill Proprietary Co., Ltd., Melbourne, Australia, the Department of Commerce has tentatively determined to revoke the finding. There have been no shipments of steel bars, reinforcing bars, and shapes by Broken Hill during the period of review, January 1, 1975 through August 27, 1979, and there is no indication of any sales at less than fair value since that time. Interested parties are invited to comment on this decision.

EFFECTIVE DATE: March 4, 1981.

FOR FURTHER INFORMATION CONTACT: Robert J. Marenick, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202-377-2496).

SUPPLEMENTARY INFORMATION.

Procedural Background

On April 7, 1970, a dumping finding with respect to steel bars, reinforcing bars, and shapes manufactured by The Broken Hill Proprietary Co., Ltd., Melbourne, Australia, ("Broken Hill"), was published in the **Federal Register** as Treasury Decision 70-81 (35 FR 5610). A "Notice of Tentative Determination to Modify or Revoke Dumping Finding" with respect to this merchandise was published by the Department of the Treasury in the **Federal Register** on August 27, 1979 (44 FR 50129-30). Reasons for the tentative determination were given in the notice and interested parties were afforded an opportunity to present written or oral views. No comments were received. However, Treasury took no final action on the proposed revocation.

On January 1, 1980, the provisions of title I of the Trade Agreements Act of 1979 became effective. Title I replaced the provisions of the Antidumping Act of 1921 ("the 1921 Act") with a new title VII to the Tariff Act of 1930 ("the Tariff Act"). On January 2, 1980, the authority for administering the antidumping duty law was transferred from the Department of the Treasury to the Department of Commerce ("the Department"). The Department published in the **Federal Register** of March 28, 1980 (45 FR 20511-12) a notice of intent to conduct administrative reviews of all outstanding dumping findings. As required by section 751 of the Tariff Act, the Department has conducted an administrative review of the finding on steel bars, reinforcing bars, and shapes manufactured by Broken Hill.

Scope of the Review

Imports covered by this review are steel bars, reinforcing bars, and shapes currently classifiable under items 606.7900, 606.8310, 606.8330, 606.8350, 609.8035, and 609.8045 of the Tariff Schedules of the United States Annotated (TSUSA). The review is limited to merchandise manufactured by Broken Hill, the only known exporter to the U.S. of this merchandise. The review covers the period January 1, 1975 through August 27, 1979, the date that the "Tentative Determination to Modify or Revoke Dumping Finding" was published by the Treasury Department. The Treasury Department previously reviewed all earlier periods covered by the finding.

Preliminary Results of the Review

There is no evidence of any importations of this merchandise into the United States during the period of this review. There are no known unliquidated entries. There is no indication of any sales at less than fair value since that time.

As provided for in § 353.54(e) of the Commerce Regulations, Broken Hill has agreed in writing to an immediate suspension of liquidation and reinstatement of the finding if circumstances develop which indicate that the merchandise covered by the finding manufactured by them thereafter imported into the United States is being sold at less than fair value.

Tentative Determination

As a result of our review we tentatively determine to revoke the finding on steel bars, reinforcing bars, and shapes manufactured by Broken Hill. If this finding is revoked, it shall apply to unliquidated entries, if any, of this merchandise entered, or withdrawn from warehouse, for consumption on or after August 27, 1979. Interested parties may submit written comments within 30 days from the date of this notice and may request disclosure and/or a hearing on or before March 19, 1981. The Department will publish the final results

of the administrative review including the results of its analysis of any such comments or hearing.

This administrative review, tentative determination to revoke and notice are in accordance with section 751 (a)(1) and (c) of the Tariff Act (19 U.S.C. 1675(a)(1), (c)) and § 353.54(e) of the Commerce Regulations (19 CFR 353.54(e)).

John D. Greenwald,

Deputy Assistant Secretary for Import Administration.

February 27, 1981.

[FR Doc. 81-6843 Filed 3-3-81; 8:45 am]

BILLING CODE 3510-25-M

National Oceanic and Atmospheric Administration

Announcement of Receipt of Recommendation and Placement on the List of Recommended Areas and Initiation of Consultation on the Central Area of Nantucket Sound, Mass., as a National Marine Sanctuary

AGENCY: Office of Coastal Zone Management, OCZM, National Oceanic and Atmospheric Administration, NOAA, Department of Commerce.

ACTION: Notice.

SUMMARY: Pursuant to Guidelines implementing Title III of the Marine Protection, Research and Sanctuaries Act of 1972, as amended, (16 U.S.C. 1431–1434) NOAA announced receipt of the recommendation of the central area of Nantucket Sound as a national marine sanctuary. NOAA has reviewed this recommendation in accordance with the site evaluation criteria stated in the regulations (15 CFR 922.21(b)) and finds that it meets the requirements for placement on the List of Recommended Areas (LRA). Therefore, it is adding the recommended area to the LRA. The LRA is a list of areas that have at least some potential for being designated a marine sanctuary. However, placement on the LRA is a preliminary step only and does not imply that a designation will occur. Information and comments are requested on the feasibility of establishing the central area of Nantucket Sound as a national marine sanctuary.

After consultation with interested persons and State and local officials, NOAA will decide whether to declare the site an Active Candidate. If the site is declared an Active Candidate, NOAA will then prepare an issue paper that will discuss alternative national marine sanctuary arrangements for the central area of Nantucket Sound, including alternative boundaries and management regimes.

DATE: Information and comments are requested by March 30, 1981.

FOR FURTHER INFORMATION CONTACT: Dr. Richard J. Podgorny, (202) 634–4236.

ADDRESS: Dr. Nancy Foster, Deputy Director, Sanctuary Programs Office, Office of Coastal Zone Management, NOAA, 3300 Whitehaven Street NW., Washington, D.C. 20235.

SUPPLEMENTARY INFORMATION: Title III of the Marine Protection, Research and Sanctuaries Act of 1972 (the Act) authorizes the Secretary of Commerce, with Presidential approval, to designate ocean waters as national marine sanctuaries for the purpose of preserving or restoring their conservation, recreational, ecological or aesthetic values. On October 31, 1979, NOAA published an initial LRA containing those sites with at least some potential for sanctuary designation (44 FR 62552; October 31, 1979) as mandated by the General Marine Sanctuary Regulations (15 CFR Part 922).

On December 29, 1980, the Office of Coastal Zone Management received from Governor Edward J. King of the Commonwealth of Massachusetts a recommendation that the central area of Nantucket Sound be designated a national marine sanctuary. This area consists of approximately 163 square nautical miles located 3 miles offshore of Cape Cod, Martha's Vineyard and Nantucket Island, Massachusetts. The intent of this recommendation is to maintain the biological and recreational integrity of the Nantucket Sound area.

The central area of Nantucket Sound is being added to the LRA. This recommendation has been reviewed and found eligibile for inclusion in the LRA by meeting the following site evaluation criteria stated in § 922.21(b) of the marine sanctuary program regulations:

(1) *Important habitat on which any of the following depend for one or more life cycle activity, including breeding, feeding, rearing young, staging, resting, or migrating (922.21(b)(1)):*

(i) *Rare, endangered, or threatened species.* This central area of the Sound is used by the right whale, leatherback and ridley turtles, roseate terns, and shearwaters.

(iv) *Commercially or recreationally valuable marine species.* The central area of the Sound provides habitat for more than 79 species of finfish and shellfish, including black sea bass, northern searobin, scup, tauhog, bay scallop, quahog, cod, perch, and flounder.

(2) *A marine ecosystem of exceptional productivity indicated by an abundance and variety of marine species at various tropic levels in the food web (922.21(b)(2)).* In addition to the rare, endangered, and/or threatened species, and the commercially or recreationally valuable marine species mentioned above, more than 300 species of waterfowl and several other species of marine mammals and turtles use the central area of the Sound. Two unique oceanographic conditions in Nantucket Sound are the confluence of the Gulf Stream and Laborador Current and the continuous flood and ebb tide movement resulting in a constant mixing of the waters throughout the Sound area. The mixing of these two systems thus forms a richly diverse and productive ecosystem.

(3) *An area of exceptional recreational opportunity relating to its distinctive marine characteristics (922.21(b)(3)).* The area is an integral component of a regionally and nationally significant marine recreational area, accessible within one day's drive to one-third of the nation's population. Water quality in the area is of the highest class for coastal and marine waters.

(4) *Historic or cultural resources of widespread public interest (922.21(b)(4)).* Lying in the waters of this central area of the Sound are 28 identified shipwrecks exemplifying different types and styles of ship construction dating back to 1802. Archeologists project that many more shipwrecks could be present in the nominated area, some of which could date back to 1600's.

This recommendation is intended to provide a mechanism to protect the above resources cited by the Commonwealth as well as the biological and recreational integrity of the entire Nantucket Sound area. It is submitted in accordance with a settlement agreement in the case of *United States vs. Maine et al.* (Massachusetts) a dispute between the Commonwealth of Massachusetts and the United States over jurisdiction of the central portion of Nantucket Sound. The recommendation presents the Commonwealth of Massachusetts' concept for a national marine sanctuary. The Department of Commerce is not limited, however, to the acceptance or rejection of this particular approach and requests views on the most appropriate scope for a sanctuary in this area.

The entire LRA will not be republished at this time but will be updated in the **Federal Register** later this year. Nantucket Sound (MA) will be considered for Active Candidate status and possible future designation on the basis of further evaluation criteria, as

stated in the regulations. Placement of this site on the LRA or selection as an Active Candidate does not establish any regulatory controls; rather it is a means by which NOAA acquires additional information on the characteristics of the site and solicits comment on the feasibility and desirability of sanctuary designation. Regulatory controls can be established only after the designation of a marine sanctuary in accordance with the regulations. LRA listing and Active Candidate status are prerequisites to designation as a marine sanctuary but they do not imply that designation will occur.

The Act requires formal consultation with the Secretaries of State, Defense, the Interior, Transportation, Energy and the Administrator of the Evironmental Protection Agency and other interested agencies prior to designation. In addition, NOAA policy and regulations call for full consultation with interested persons and State and local officials. This request for information and comment on a Nantucket Sound National Marine Sanctuary nomination is the beginning of a series of consultations that are part of the process for evaluating marine sanctuary proposals.

After this consultation, if NOAA finds the area meets the criteria for Active Candidacy, it will prepare an issue paper that will discuss alternative marine sanctuary arrangements for the central area of Nantucket Sound, including alternative boundaries and management regimes. One or more public workshops could be scheduled in the Spring to serve as a forum for comments on the issue paper and on the desirability of a sanctuary as an appropriate protection mechanism for this area. The comments received in response to these consultations and workshops will provide guidance to NOAA on whether to prepare a Draft Environmental Impact Statement containing a proposed designation, regulations, and management plan and what issues and questions to be addressed in that document.

All interested persons or groups may submit information and/or comments concerning the feasibility of this site as a possible national marine sanctuary. Further notice will be published in the **Federal Register** if NOAA determines the recommended area to be an Active Candidate.

A copy of the recommendation is available for public review in Room 330, 2001 Wisconsin Avenue, N.W., Washington, D.C. 20007, between the hours of 8:00 a.m.–4:30 p.m., Monday through Friday.

Dated: February 25, 1981.

Donald W. Fowler,

Deputy Assistant Administrator for Coastal Zone Management.

[FR Doc. 81-6900 Filed 3-3-81; 8:45 am]

BILLING CODE 3510-08-M

Caribbean Fishery Management Council, Its Education and Information Subcommittee, Its Administrative Subcommittee, Its Scientific and Statistical Committee and Its Advisory Panel; Public Meetings

AGENCY: National Marine Fisheries Service, NOAA.

SUMMARY: The Caribbean Fishery Management Council (FMC), established by Section 302 of the Magnuson Fishery Conservation and Management Act (Pub. L. 94–265), has established Education and Information and Administrative Subcommittees, a Scientific and Statistical Committee (SSC) and an Advisory Panel (AP) to assist the Council in carrying out its responsibilities.

The Council will hold its 34th regular meeting to consider status reports on fishery management plans (FMPs) under development; draft FMP framework for Shallow-water Reef Fishes; draft plan for Coastal Migratory Pelagics; draft Caribbean Billfish FMP; progress on preparation of a color-slide narrated presentation on Council activities, and discuss administrative and other Council business.

The Council's Education and Information Subcommittee will meet to consider the color-slide narrated presentation on Council activities, as well as matters related to the Council's newsletter; the Council's Administrative Subcommittee will meet to consider matters related to the budget and the Council's administrative operations.

The Council's SSC and AP will also meet concurrently and/or jointly, if deemed convenient, to examine and provide recommendations to the Council on the proposed regulations to implement the Spiny Lobster FMP and the development of FMPs for Shallow-water Reef Fish, Coastal Migratory Pelagics, and Caribbean Billfish. These meetings are open to the public.

DATES: The Council meeting will convene on Wednesday, March 25, 1981, at approximately 9 a.m., and will adjourn on Thursday, March 26, 1981, at approximately 12 noon. The Council's Education and Information Subcommittee meeting will convene on Tuesday, March 24, 1981, at 9 a.m., and will adjourn at approximately 12 noon, while the Council's Administrative Subcommittee meeting will convene on the same day, from approximately 1:30 p.m., to approximately 5 p.m.

The Council's SSC and AP meeting will also convene on Tuesday, March 24, 1981, at approximately 9 a.m., and will adjourn at approximately 5 p.m.

ADDRESS: All meetings will take place at the Hotel Pierre, 105 de Diego Avenue, Santurce, Puerto Rico.

FOR FURTHER INFORMATION CONTACT: Caribbean Fishery Management Council, Suite 1108, Banco de Ponce Building, Hato Rey, Puerto Rico 00918, Telephone: (809) 753–4926.

Dated: February 27, 1981.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 81-6911 Filed 3-3-81; 8:45 am]

BILLING CODE 3510-22-M

COMMODITY FUTURES TRADING COMMISSION

Publication of and Request for Comment on Proposed Rules Having Major Economic Significance; Proposed New Rules and Rule Amendments Relating to the Guaranty Fund, Position Limits, Original Margin and Assessments of the Comex Clearing Association, Inc.

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of contract market rule proposals.

SUMMARY: The Comex Clearing Association, Inc. ("Association"), has proposed new rules and amendments to existing rules relating to the guaranty fund, position limits, original margin and assessments. The Commodity Futures Trading Commission ("Commission") has determined that the proposed new rules and amendments are of major economic significance and that, accordingly, publication of the proposed new rules and amendments is in the public interest, will assist the Commission in considering the views of interested persons, and is consistent with the purposes of the Commodity Exchange Act.

DATE: Comments must be received on or before May 4, 1981.

ADDRESS: Interested persons should submit their views and comments to Jane K. Stuckey, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C. 20581. Reference should be made to Comex Clearing Financial Protection Rules.

FOR FURTHER INFORMATION CONTACT:
Muriel A. Caplan, Esq., Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C. 20581; Telephone: (202) 254–8955.

SUPPLEMENTARY INFORMATION:
Commodity Futures Trading Commission, in accordance with section 5a(12) of the Commodity Exchange Act ("Act"), 7 U.S.C. § 7a(12) (Supp. III 1979), has determined that the Association's proposed amendments to bylaw sections 6.2(a), 6.2(e), 8.9, and 9.4 and to rules 32 and 82, and its proposed new rules 44, 80, 81 and 83 are of major economic significance. The proposals relate to the guaranty fund, position limits, original margin and assessments against members.

The Association proposes to increase the range of deposits to the guaranty fund required of clearing members and to classify members according to the amount of the clearing member's net capital or working capital. The Association also proposes to revise its rules concerning clearing member position limits. The proposed new rules would substantially reduce the net outright positions and net straddles which currently may be carried by clearing members and would base these new limits upon a clearing member's net capital or working capital. Moreover, the Association is proposing to clarify existing practices and is setting forth new rules pertaining to position limits for affiliated firms. In addition, the proposed new rules would require clearing members to deposit additional original margin when the settlement price of the spot month exceeds the normal limit for that commodity. The additional margin would be in amounts sufficient to margin the back month positions to the market, based on the settlement price of the spot month plus or minus the differential shown on the most recent day that a limit move did not occur. Payments would be limited to the equivalent of two limit moves for each position unless the Board, by resolution, requires more. In the event that net positions are increased as a result of ex-pit transactions, the clearing member would be required to deposit additional original margin in an amount to margin the increased positions fully. Finally, the Association proposes to compute assessments against clearing members according to a revised formula and, further, would limit the amount assessed against clearing members in the event of a default.

The Association's proposed amendments to bylaw sections 6.2(a), 6.2(e), 8.9, and 9.4 and to rules 32 and 82, and its proposed new rules 44, 80, 81 and 83 are printed below, showing deletions in brackets and additions in italics:

A. Relating to the Guaranty Fund

1. Amend the first two paragraphs of section 6.2(a) to read as follows:

(a) Each Clearing Member shall, before the Corporation becomes a party to a contract with him or it as provided in Sections 6.1 and 6.4, deposit with the Corporation such amount as may be required by the Board. [, provided however:] The amounts so deposited, collectively, together with such surplus as the Board may devote to the same purpose, shall constitute a fund to be known as the "Guaranty Fund of Comex Clearing Association, Inc."

The Board may classify Clearing Members for Guaranty Fund purposes based on the amount of the working capital or net capital, as the case may be, of such Clearing Members, and the Board may fix the amount of the Guaranty Fund deposit to be made by Clearing Members of each class and, from time to time, may change the amount of such deposit for any class, provided, however:

(i) that in no event shall the deposit of a Clearing Member be less than [$10,000] *$200,000* nor more than [$100,000] *$2,000,000*, and

(ii) that the amount of the Guaranty Fund deposit shall be the same for all Clearing Members *in the same class.*

2. Amend Section 6.2(e) to read as follows:

To the extent and in the manner prescribed by the Board pursuant to Rule, a Clearing Member may deliver to the Corporation in lieu of a cash deposit to the Guaranty Fund:

(i) certificates of deposit (issued by any institution selected by the Clearing Member which has been approved by the Board of Directors as a Guaranty Fund depository) for direct obligations of the United States, in bearer form. Securities covered by certificates of deposit shall be at the risk of the Clearing Member depositing the same, and

(ii) letters of credit, inform approved by the Board, issued in favor of the Corporation by an institution selected by the Clearing Member and which has been approved by the Board as an original margin depository.

(e) [Clearing Members may deliver to the Corporation certificates of deposit (issued by any institution selected by the depositor which has been approved by the Board of Directors as a Guaranty Fund depository) for direct obligations of the United States, in bearer form, which certificates of deposit shall be accepted by the Corporation in lieu of cash against such Clearing Member's contribution to the Guaranty Fund to the extent and at such percentage of the face value thereof as the Board of Directors may from time to time prescribe. Securities covered by certificates of deposit shall be at the risk of the Clearing Member depositing the same.]

3. Change the caption of Part VIII of the Rules to *Guaranty Fund.*

4. Adopt new Rules 80 and 81 to read as follows: Rule 80. *Classification of Clearing Members for Guaranty Fund Purposes.*

(a) Pursuant to Section 6.2(a) of the By-laws, Clearing Members shall be classified for Guaranty Fund purposes as follows:

Class	Net capital or working capital (in millions of dollars)	Amount of guaranty fund contribution
I	2 or less	$200,000.
II	More than 2 to 20	10% of net capital or working capital.
III	More than 20	$2,000,000.

(b) For the purposes of paragraph (a):

(i) The amount of each Clearing Member's contribution to the Guaranty Fund shall be determined once a year and shall be based upon the annual certified financial statement filed by such Clearing Member with the Corporation pursuant to Rule 21(a); and

(ii) The contribution to the Guaranty Fund by a Class II Clearing Member shall be based on its net capital or working capital rounded to the nearest $250,000.

Rule 81. *Form of Guaranty Fund Deposit.*

A Clearing Member's deposit to the Guaranty Fund shall consist of the following:

(a) Not less than $20,000 in cash; and

(b) Any balance in cash, direct obligations of the U.S. Government ("Governments") to the extent permitted by Rule 82 and/or a letter of credit permitted by Rule 83.

5. Renumber Rule 80 as Rule 82, and amend to read as follows:

(a) Only Governments, in bearer form, shall be eligible for deposit in the Guaranty Fund subject to the provisions of this Rule.

(b) A Government shall be valued at 100% of its face value, if the market value thereof is not less than 100% of such face value. If the market declines below such value and is not lower than 95, it shall be valued at 95. Thereafter, for each further decline in market value of 5 points or less, a similar reduction in valuation shall apply.

(For example, a Government having a market value of 93 shall be valued at 90).

(c) General requirements for deposit:

(i) A deposit of Governments shall be evidenced by a certificate of deposit (issued by any institution selected by the *Clearing Member* which has been approved by the Board as a Guaranty Fund depository) and shall be accepted, in lieu of cash, *to the extent permitted by Rule 81,* as a Clearing Member's contribution to the Guaranty Fund.

(ii) Any Clearing Member desiring to deposit Governments in lieu of cash or letters of credit may do so upon not less than three business days notice to the Corporation.

6. Adopt new Rule 83 to read as follows:

Rule 83. *Deposit of Letters of Credit in the Guaranty Fund.*

(a) A letter of credit in favor of the Corporation, in form and substance approved by the Board, issued by any institution selected by the Clearing Member, provided that such institution has been approved by the Board as an original margin depository, shall be accepted in the full principal amount thereof, in lieu of cash, to the extent permitted by Rule 81, as a Clearing Member's contribution to the Guaranty Fund, provided, however, that the aggregate amount of letters of credit which may be accepted at any time from any one original margin depository may be limited by the Board from time to time. Each such letter of credit shall be irrevocable, shall be available to be drawn upon by the Corporation by a clean sight draft and shall run for a period of not less than one year from the date of issue.

If a letter of credit has been renewed by the depositing Clearing Member prior to the 20th business day before the expiration date thereof, the Corporation shall have the right to draw on the issuer thereof and deposit the full amount of the letter of credit into the Guaranty Fund as provided in section 6.2 of the By-laws.

(b) If the Corporation is required to apply the Guaranty Fund to make good a deficit as provided in Section 9.4(a) of the By-laws, the Corporation, to the extent it deems necessary, may call on each Clearing Member who has deposited a letter of credit pursuant to Rule 82 to pay such Clearing Member's share thereof in cash, and if any Clearing Member does not make such cash payment in the time specified by the Corporation, the Corporation shall have the right to draw upon the issuer of such letter of credit and deposit the full amount of the letter of credit into the Guaranty Fund as provided in Section 6.2 of the By-laws.

(c) Any Clearing Member desiring to deposit a letter of credit in lieu of cash or Governments may do so on not less than three business days notice to the Corporation.

B. *Relating to Position Limits.*

1. Amend Section 8.9 to read as follows:

(a) Subject to the provisions of Sections 8.9(b) through 8.9(d), a Clearing Member shall not maintain contracts with the Corporation representing a net interest in excess of the number of contracts set forth below:

Net capital or working capital (millions of dollars)	*Net outright combined all commodities*	*Net straddles combined all commodities*	*Net outright and net straddles combined all commodities*
More than 50	*15,000*	*18,000*	*18,000*
40 to 50	*12,500*	*16,500*	*16,500*
30 to 40	*10,500*	*15,100*	*15,100*
20 to 30	*8,500*	*13,700*	*13,700*
15 to 20	*6,500*	*12,300*	*12,300*
10 to 15	*5,000*	*11,000*	*11,000*
7.5 to 10	*3,500*	*9,700*	*9,700*
5 to 7.5	*2,700*	*8,600*	*8,600*
4 to 5	*2,000*	*7,500*	*7,500*
3 to 4	*1,500*	*6,500*	*6,500*
2 to 3	*1,000*	*5,500*	*5,500*
1 to 2	*500*	*4,500*	*4,500*

A Clearing Member may carry positions in any one commodity of between 33⅓% and 66⅔% of the maximum position limits set forth above as determined by the Board from time to time, provided, however, that the Board shall have authority:

(i) to apply different percentages for different commodities as well as different percentages for net outright positions and net straddle positions, and

(ii) in the case of copper only, to permit a Clearing Member to carry net positions of up to 100% of such maximum position limits.

[Working capital of clearing member in millions of dollars	Position limits	
	Straddles number	Net number
More than 10	54,000	36,000
More than 9 to 10	54,000	34,000
More than 8 to 9	54,000	32,000
More than 7 to 8	43,000	31,000
More than 6 to 7	43,000	25,000
More than 5 to 6	32,000	20,000
More than 4 to 5	32,000	14,000
More than 3 to 4	22,000	9,000
More than 2 to 3	22,000	3,000
More than 1 to 2	14,000	1,500]

(b) A Clearing Member may maintain net positions one level above the one applicable to such Clearing Member based on its *net capital or* working capital upon payment of such additional original margin upon the excess position as the Board from time to time may determine. [provided, however, that notwithstanding the limits set forth in the foregoing schedule or in this subparagraph (b), in no event may a Clearing Member maintain positions in excess of the following limits except as permitted pursuant to subparagraph (d):

	[Net interest	Any 1 mo	Straddle interest	Net and straddle interest
Silver	12,000	6,000	18,000	18,000
Gold	12,000	6,000	18,000	18,000
Copper	12,000	6,000	18,000	18,000
Zinc	12,000	6,000	18,000	18,000]

(c)(*i*) If any two or more Clearing Members are affiliated firms, as herein defined, *their respective position limits shall be determined by the net capital or working capital of each and their aggregate net positions may not exceed those which could be maintained by the larger (or largest) of such affiliated firms based on its own net capital or working capital.* [The aggregate net position limits applicable to such firms may not be greater than the net position limits that could be maintained by a single firm. Subject to] *Notwithstanding* the preceding sentence [and to policies established by the Board], affiliated firms which have issued unconditional guarantees in form and substance satisfactory to the Board with respect to each other, may maintain position limits based on *their* [the] consolidated net capital *or working capital.*

(ii) The Board may adopt Rules with respect to the allocation of positions among affiliated firms.

For the purpose of this paragraph, the term "affiliated firms" includes but is not limited to (i) parent and subsidiary corporations (ii) corporations or partnerships owned or otherwise controlled by a common parent, (iii) firms having common partners, and (iv) corporations having common officers or directors.

(d) The Board shall have the right, for reasons it deems appropriate, to impose position limits on particular Clearing Members below the level otherwise permitted in this Section 8.9, and in connection therewith may direct such Clearing Members to reduce their then net open positions to such lower level. In addition, the Board, in extraordinary circumstances, may permit particular Clearing Members to carry positions in excess of the limits permitted by this Section 8.9 for such time *or* times as the Board deems appropriate.

C. Relating to Margin

Adopt a new Rule 44 to read as follows:

Rule 44: (a) For the purposes of this Rule 44, the following terms shall have the following meanings unless the context otherwise clearly requires:

(i) Commodity: A contract for future delivery of a commodity traded on or subject to the By-laws and Rules of the Exchange.

(ii) Settlement Price: The settlement price for a commodity established by the Exchange pursuant to Sections 905 or 1102 of the Exchange By-laws.

(iii) Spot Month: The nearest maturity month of a commodity.

(iv) Back Month: Any maturity of a commodity other than the spot month.

(v) Limit Move: A change in the settlement price of a commodity from the settlement price of such commodity on the preceding business day by an amount equal to the Exchange established daily price fluctuation limit for such commodity.

(vi) Contango: A price structure for different maturities of a commodity in which, in the absence of a limit move, the settlement prices of back months exceed the settlement price of the spot month.

(vii) Backwardation: A price structure for a commodity in which, in the absence of a limit move, the settlement price of the spot month exceeds the settlement prices of the back months.

(b) If on any day,

(i) the settlement price for the spot month of a commodity is higher or lower than such settlement price on the preceding business day by an amount greater than a limit move for such commodity, and

(ii) the settlement price of any back month of such commodity is equal to a limit move, the Corporation, subject to the provisions of this Rule 44, shall collect from each Clearing Member against whose net outright position such price movement has occurred, as additional original margin pursuant to By-law Section 8.4(b), an amount sufficient to margin such net outright position in each back month in which a limit move has occurred to the spot month settlement price plus or minus a differential, if any, to reflect the contango or backwardation shown by the settlement prices of such commodity on the most recent business day in which a limit move did not occur.

(c) Notwithstanding the provisions of paragraph (b) of this Rule 44,

(i) additional original margin collected on any one day pursuant to the provisions of Paragraph (b) of this Rule 44 from a Clearing Member shall not exceed an amount which, when added to variation margin with respect to such net outright position, is equal to such Clearing Member's net outright position in a commodity multiplied by two limit moves in that commodity unless (x) the Board by resolution expressly so requires, or (y) additional original margin is required from such Clearing Member in connection with an ex-pit transaction, and

(ii) if a backwardation exists for any commodity, the provisions of By-law Section 8.5 also shall be applicable.

2. Amend Rule 32 as follows:

(b) The Corporation shall process each such slip for the purpose of confirming the matching of it with the corresponding memorandum slip of the opposite Clearing Member with whom such contract was made. Each slip received from a Clearing Member, when so confirmed, shall be accepted by the Corporation on behalf of the opposite Clearing Member with whom such contract was made except as provided in paragraph (c). Such accepted memorandum slips on the following business day shall be delivered to the Clearing Member from whom they were received.

(c) The Corporation shall not accept contracts:

(i) Where the memorandum slips for such contracts do not match, except that such slips which match in all respects other than quantity shall be accepted by the Corporation for the lesser quantity shown, *and*

(ii) with respect to an ex-pit transaction entered into by a Clearing Member pursuant to Exchange Rule 504(a) (4), unless the report of such transaction is accompanied by original margin paid on behalf of each Clearing Member whose net outright position is increased as the result of such transaction in an amount sufficient to fully margin the resultant net outright position based on the applicable settlement price for the preceding business day.

Renumber present paragraphs (c) through (h) as (d) through (i), respectively.

D. Relating to Assessments

1. Delete By-law Section 9.4(b) and adopt new By-law Sections 9.4(b), (d), (e) and (f) to read as follows:

(b) Except as set forth in paragraphs (c), *(d), (e) and (f)* below, all such assessments shall be levied on a Clearing Member as follows:

A. For each commodity in which the loss occurred (i) divide the number of contracts in such commodity cleared for the account of such Clearing Member for the nine months preceding the default by (ii) an amount equal to (x) the total number of contracts in that commodity cleared by the Corporation during such nine month period minus (y) the number of contracts in that commodity cleared by the Corporation during such nine month period for the account of the defaulting Clearing Member and (iii) multiply the resultant fraction by the amount of such loss.

B. For each commodity in which the loss occurred (i) divide the aggregate net open interest in such commodity carried for the account of such Clearing Member for the nine months preceding the default by (ii) an amount equal to (x) the total aggregate net open interest in that commodity carried by the Corporation during such nine month period minus (y) the aggregate net open position in that commodity cleared by the Corporation during such nine month period for the account of the defaulting Clearing Member and (iii) multiply the resultant fraction by the amount of such loss.

[B. Add the total for each commodity computed pursuant to A.]

C. For each Clearing Member, add the amounts computed pursuant to A and B for each such commodity and divide the total by 2.

D. For each Clearing Member, add the amounts computed pursuant to C.

(c) If at any one time the contracts of all Clearing Members in any commodity shall be or shall have been closed, the assessment provided under this Section 9.4 shall be based only upon contracts for the specific commodity accepted for clearance after the date of such closing.

(d) An assessment on a Clearing Member pursuant to paragraph (b) shall not exceed the lesser of

(i) 25% of such Clearing Member's net capital or working capital, as the case may be, as at the closing of its fiscal quarter preceding the date of the default with respect to which such assessment is mode unless, for thirty or more business days (whether or not consecutive) during the nine month period preceding the default on which such assessment is based, such Clearing Member carried additional net positions in any commodity pursuant to By-law Section 8.9(b), in which event such assessment on such Clearing Member shall not exceed 25% of the midpoint of the net capital or working capital level needed to carry such additional net positions without relying on the provisions of Section 8.9(b); or

(ii) Ten Million ($10,000,000) dollars.

(e) A Clearing Member shall not be subject to the maximum assessment permitted by paragraph (d) above more than once in any consecutive ten

business day period. If, as the result of a second assessment within such ten day period, the total assessed against a Clearing Member, but for the preceding sentence of this paragraph (e), would exceed the maximum assessment specified in paragraph (d), such excess shall be reallocated pro rata among all other Clearing Members assessed whose total assessments during such period are less than the maximum specified in paragraph (d), but in no event shall such reallocation cause the assessment against any Clearing Member to exceed the maximum specified in said paragraph (d).

(f) Notwithstanding the provisions of paragraph (b), a Clearing Member which timely pays an assessment levied pursuant to this Section 9.4 and withdraws as Clearing Member within ten business days after the date such assessment is levied shall not be subject to futher assessments after the date of such withdrawal except as permitted by paragraph (e).

In light of its responsibilities, under sections 5a(12) and 15 of the Act[1], the commission invites comments from interested persons concerning the Association's proposed financial protection rules. Comments should be directed to whether the Association's proposed rules comply with the provisions of the Act and the Commission's regulations thereunder and should address specifically the manner in which these proposals would, or would not, further the public interest objectives and purposes of the Act. The Commission also is soliciting comments on whether the proposals would represent the least anticompetitive means for the Association to achieve its objectives, and, if not, what other means the Association could employ to achieve its desired results. To the extent possible, comments should be supported by appropriate ecomonic data and statistical or factual analysis which will demonstrate the effect of the Association's proposed rules on the business or financial operations of the commentator.

Interested persons should send written data, views or arguments on the amendments proposed by the Association to Ms. Jane K. Stuckey, Secretariat, Commodity Futures Trading Commission, 2033 K Street, N.W., Washington, D. C. 20581, by May 4, 1981.

Issued in Washington, D.C. on February 26, 1981.

Jane K. Stuckey,

Secretary of the Commission.

[FR Doc. 81-6817. Filed 3-3-81; 8:45 am]

BILLING CODE 6351-01-M

[1] Pursuant to section 5a(12) of the Act, 7 U.S.C. 7a(12) (Supp. III 1979), the Commission is authorized to approve only those contract market rules which are "not in violation of the provisions of this Act or the regulations of the Commission." Section 15 of the Act, 7 U.S.C. 19 (1976), directs the Commission "to take into consideration the public interest to be protected by the antitrust laws and endeavor to take the least anticompetitive means of achieving the objectives of this Act, as well as the policies and purposes of this Act, in * * * approving any bylaw, rule, or regulation of a contract market * * *."

CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 81-1]

A & B Wiper Supply, Inc., et al.: Publication of a Complaint

AGENCY: Consumer Product Safety Commission.

ACTION: Publication of a Complaint under the Consumer Product Safety Act.

SUMMARY: Under provisions of its Rules of Practice for Adjudicative Proceedings (16 CFR Part 1025), the Consumer Product Safety Commission must publish in the **Federal Register** complaints which it issues under the Consumer Product Safety Act. Published below is a Complaint in the matter of A & B Wiper Supply, Inc., and Albert Kanefsky and Joel Kanefsky, officers of the corporation, issued February 19, 1981.

Dated: February 25, 1981.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

In the Matter of A&B Wiper Supply, Inc., a corporation, and Albert Kanefsky, as an officer of the corporation, and Joel Kanefsky, as an officer of the corporation.

Complaint

Nature of the Proceeding

1. This is an adjudicative proceeding under the Rules of Practice in Adjudicative Proceedings before the Consumer Product Safety Commission (hereinafter, the "Commission"), 16 CFR Part 1025, for the assessment of civil penalties pursuant to section 20 of the Consumer Product Safety Act (hereinafter, the "CPSA"), 15 U.S.C. 2069, against respondents A&B Wiper Supply, Incorporated, Albert Kanefsky and Joel Kanefsky, for failing to comply with the reporting requirements of section 15(b) of the CPSA, 15 U.S.C. 2064(b).

Jurisdiction

2. The Commission has jurisdiction over the subject matter of this adjudicative proceeding pursuant to section 20 of the CPSA, 15 U.S.C. 2069, and 16 CFR 1115.2(d).

Respondents

3. Respondent A&B Wiper Supply, Incorporated (A&B) is a corporation organized and existing under the laws of the State of Pennsylvania with its principal corporate offices located at 116 Fountain Street, Philadelphia, Pennsylvania. The corporation is a "distributor" within the meaning of section 3(a)(5) of CPSA, 15 U.S.C. 2052(a)(5).

4. Respondent Albert Kanefsky is president of the respondent corporation. In this capacity he controls the acts, practices, and policies of the respondent corporation.

5. Respondent Joel Kanefsky is secretary and treasurer of the respondent corporation. In this capacity he participates in the acts, practices, and policies of the respondent corporation. In particular, he controls the day-to-day operations of the respondent corporation.

The Consumer Product

6. Sleepwear produced or distributed for sale is a consumer product within the meaning of section 3(a)(1) of the CPSA, 15 U.S.C. 2052(a)(1).

7. TRIS (2,3-dibromopropyl) phosphate, commonly known and hereinafter referred to as "TRIS", is a flame-retardant chemical. Prior to 1977, TRIS was commonly applied to children's wearing apparel made with acetate, tri-acetate blends, and 100% polyster fabrics to meet the flammability standards for children's sleepwear, 16 CFR parts 1615 and 1616, promulgated pursuant to section 4 of the Flammable Fabrics Act, as amended, 15 U.S.C. 1193.

8. The Commission considers TRIS to be toxic within the meaning of section 2(g) of the Federal Hazardous Substances Act (hereinafter, the FHSA), 15 U.S.C. 1267(g), in that it has the capacity to produce personal injury or illness to man through ingestion, inhalation, or absorption through the body surfaces. The Commission considers TRIS to be a hazardous substance as that term is defined in section 2(f)1(A)(i) of the FHSA, 15 U.S.C. 1261(f)1(A)(i), in that TRIS is toxic and may cause substantial personal injury or substantial illness by reason of its toxic, carcinogenic and mutagenic charteristics, during or as approximate result of any customary or reasonably foreseeable handling or use, including reasonably foreseeable ingestion by children. 42 18850 (April 8, 1977); 42 FR 28060 (June 1, 1977); 42 FR 61593 (December 6, 1977).

9. The Commission further considers any TRIS-treated children's wearing apparel, fabric, and related articles and products containing or treated with TRIS to be a banned hazardous substance within the meaning of section 2(q)(1)(A) of the FHSA, 15 U.S.C. 1261(q)(1)(A), in that they are articles intended for use by children which are hazardous substances or which bear or contain hazardous substances in such manner as to be susceptible of access to a child. 42 FR 18850 (April 8, 1977); 42 FR 78060 (June 1, 1977); 42 FR 61593 December 6, 1977).

10. Specifically, the Commission believes that when used in children's wearing apparel, TRIS can enter the bodies of infants and children by absorption through the skin and by ingestion. Such exposure may cause cancer or other substantial injury or illness to infants and children exposed to TRIS.

Facts

11. On or about December 7, 1979, The William Carter Company, a manufacturer of children's sleepwear and other apparel located in Needham, Massachusetts, agreed to sell TRIS-treated children's sleepwear to Vinyl Sales of Lawrence, Massachusetts. The terms of the agreement require Vinyl Sales to acknowledge that the children's sleepwear was treated with TRIS and to agree to sell the goods as industrial wiping rags.

12. Vinyl Sales received permission from the Commission staff to sell part of the TRIS-treated sleepwear to several industrial rag dealers, contingent on the purchaser acknowledging that the garments must be cut into wiping cloths and that they must cooperate with the monitoring activities of the Commission staff.

13. On or about August 18, 1980, respondents entered into a written agreement with Vinyl Sales whereby A&B agreed to purchase TRIS-treated children's sleepwear from Vinyl Sales. Respondents agreed to cut the TRIS-treated children's sleepwear and to sell them as industrial wiping rags. Respondents further agreed to provide the Commission with monthly reports on the status of the TRIS-treated children's sleepwear, including their final disposition.

14. From on or about July 20, 1980, until on or about December 17, 1980, respondents purchased from Vinyl Sales approximately 181,000 pounds of uncut TRIS-treated children's sleepwear (approximately 633,500 garments).

15. From on or about August 15, 1980, until on or about December 23, 1980, resondents sold to distributors and retailers aproximately 80,000 pounds (approximately 280,000 garments) of uncut TRIS-treated children's sleepwear purchased from Vinyl Sales.

16. Respondents did not cut the TRIS-treated children's sleepwear purchased from Vinyl Sales into industrial wiping rags prior to its sale to distributors and retailers.

17. Respondents distributed or caused to be distributed in commerce, as those terms as defined in section 3(a)(11) and (12), 15 U.S.C. 2052(a)(11) and (12), TRIS-treated children's sleepwear purchased from Vinyl Sales.

18. TRIS-treated children's sleepwear sold by respondents to distributors and retailers was resold to consumers.

Violations

19. Section 15(b) of the CPSA, 15 U.S.C. 2064(b), requires every manufacturer, distributor and retailer of a consumer product distributed in commerce to immediately inform the Commission upon obtaining information that such consumer product contains a defect would/could create a substantial product hazard, as that term is defined in section 15(a)(1) of the CPSA, 15 U.S.C. 2065(a)(1).

20. Every manufacturer, distributor, and retailer of TRIS-treated children's sleepwear, a product subject to regulation under the FHSA, is required to comply with the reporting requirements of section 15(b) of the CPSA, 15 U.S.C. 2064(b); 16 CFR 1115.2(d).

21. Respondents obtained information which reasonably supported the conclusion that TRIS-treated children's sleepwear as described in paragraphs 7–10 contained a product defect which could create a substantial product hazard within the meaning of section 15(a) and (b) of the Act, 15 U.S.C. 2064(a) and (b).

22. Respondents did not inform the Commission that the defective TRIS-treated children's sleepwear was being distributed in commerce, as required by section 15(b) of the CPSA, 15 U.S.C. 2064(b) and 16 CFR 1115.13.

23. Respondents knowing failure to furnish the information required by section 15(b) of the CPSA, 15 U.S.C. 2064(b) concerning the approximate 280,000 individual TRIS-treated children's sleepwear constitutes a separate violation and offense under section 19(a)(4) of the CPSA, 15 U.S.C. 2068(a)(4), with respect to each children's garment involved.

24. The knowing failure of respondents to furnish the information required by section 15(b) of the CPSA, 15 U.S.C. 2064(b), for a period of approximately 120 days constitutes a separate violation and offense under section 19(a)(3) of the CPSA, 15 U.S.C. 2068(a)(3), with respect to each day the information was withheld.

Relief Sought

Wherefore, the staff of the Consumer Product Safety Commission believes that the following relief is in the public interest and requests that the Commission:

1. Determine that a civil penalty should be assessed against the respondents or any of them;

2. Determine the amount of the civil penalty to be assessed against the respondents or any of them, not to exceed $2,000 for each violation up to a maximum of $500,000;

3. Impose a civil penalty against the respondents or any of them pursuant to section 20 of the CPSA, 15 U.S.C. 2069; and

4. Grant such other additional relief as the interest of justice may require together with costs and disbursements of this action.

Dated: February 19, 1981.

Catherine C. Cook,

Acting Associate Executive Director, Directorate for Compliance and Administrative Litigation, Consumer Product Safety Commission.

[FR Doc. 81-6823 Filed 3-3-81; 8:45 am]

BILLING CODE 6355-01-M

[CPSC Docket No. 81-2]

Crown-Tex Corporation: Publication of a Complaint

AGENCY: Consumer Product Safety Commission.

ACTION: Publication of a complaint under the Consumer Product Safety Act.

SUMMARY: Under provisions of its Rules of Practice for Adjudicative Proceedings (16 CFR Part 1025), the Consumer Product Safety Commission must publish in the **Federal Register** complaints which it issues under the Consumer Product Safety Act. Published below is a complaint in the matter of Crown-Tex Corporation, issued February 19, 1981.

Dated: February 25, 1981

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

In the Matter of Crown-Tex Corporation, a corporation, 350 Fifth Avenue, New York, New York 10001.

Complaint

Nature of the Proceeding

1. This is an Adjudicative Proceeding under the Consumer Product Safety Commission's Rules of Practice for Adjudicative Proceedings, 16 CFR Part 1025, for the assessment of a civil penalty against Crown-Tex Corporation, pursuant to Section 20 of the Consumer Product Safety Act, as amended (hereinafter, the "CPSA"), 15 U.S.C. 2051, 2069, for knowingly failing to furnish information required by a Special Order issued pursuant to Section 27(b) of the CPSA, 15 U.S.C. 2076(b).

Jurisdiction

2. The Commission has jurisdiction over the subject matter of this Adjudicative Proceeding pursuant to Sections 20 and 27 of the CPSA, 15 U.S.C. 2069 and 76.

Respondents

3. Crown-Tex Corporation is a corporation organized and existing under the laws of the State of New York, with its principal place of business located at 350 Fifth Avenue, New York, New York 10001. Crown-Tex Corporation is engaged in the manufacture and sale of ladies and children's sleepwear garments.

Special Order

4. On June 14, 1978, pursuant to Sections 5, 27(b)(1) and 30(d) of the CPSA, 15 U.S.C. 2054, 2076(b)(1), and 2079(d), and Section 11(a) of the FHSA, 15 U.S.C. 1270(a), the Commission issued a "Special Order for Submission of Information" to manufacturers of children's sleepwear, including Crown-Tex Corporation. In this Special Order, the manufacturers of children's wearing apparel are required to provide, *inter alia*, the following information concerning TRIS-treated products:

"9. State the number and exact location of all TRIS-treated products that are currently in inventory or otherwise under the firm's control, identifying each product and the quantity thereof by style or other identifiable classification.

"10. For every disposition (for example, destruction) of Tris-treated products which is to be made by the firm after receipt of this Special Order, notify the Associate Executive Director for Compliance and Enforcement at least 15 days before each such disposition is scheduled to occur, stating (1) the intended means of disposition, (2) the intended place of disposition, (3) the time scheduled for disposition, (4) a description as to style or other identifiable classification for each product and the quantity thereof, (5) the name, address and telephone number of the official within the firm who is responsible for accomplishing such disposition, (6) the name, address, and telephone number of any agent or independent contractor who will accomplish such disposition on behalf of the firm, and (7) identify and describe in complete detail each and every document and entry thereon maintained by or on behalf of the firm which relate to the disposition of the Tris-treated products described herein, or, in the alternative, submit copies of each such document.

* * * * *

"12. For any changes which occur in the firm's inventory of Tris-treated products after your initial submission of responses or for any other changes in the information furnished in the firm's initial submission of information, provide immediate supplemental responses to reflect all such changes as they occur, until otherwise notified by the Commission. State this information in the same form as your initial responses."

5. On July 11, 1978, Crown-Tex Corporation responded to this Special Orders as follows:

[Paragraph 9] 18,659 yards of uncut 100% polyester design #64094 purchased from M. Lowenstein & Sons—on premises of our contractor at: 305 Nash Road[,] New Bedford, Massachusetts 02746.

[Paragraph 10] No dispositions made after June 16, 1978, date of receipt of this Special Order.

* * * * *

[Paragraph 12] We shall so inform you if and when any change will occur.

Violation

6. On July 24, 1980, Crown-Tex Corporation sold the aforementioned 18,659 yards of cut 100% polyester Tris-treated fabric (hereinafter, the "Tris-treated fabric") to United Export Clothing Company, located at 124 Emmet Street, Newark, New Jersey 07114. On October 13, 1980, United Export Clothing Company sold the entire 18,659 yards of this fabric to Trans World Trading, Lama, Togo, an exporting agent, and shipped the fabric to Godka Enterprises, Accra, Ghana.

7. Crown-Tex Corporation failed to inform the Commission of its disposition of the Tris-treated fabric, as required by paragraph 10 of the Special Order, and failed to inform the Commission of the correlative change in its inventory of Tris-treated products as required by paragraph 12 of the Special Order.

8. The Commission discovered the aforementioned sale and transfer of the Tris-treated fabric during a compliance field program inspection of Crown-Tex Corporation conducted on December 4, 1980.

9. Crown-Tex Corporation knowingly failed to report to the Commission the information required by paragraphs 10 and 12 of the Special Order, in violation of Section 19(a)(3) of the CPSA, 15 U.S.C. 2068(a)(3), of the CPSA, from the date upon which it was required to so report (July 10, 1980), to the date the Commission discovered the sale and transfer by Crown-Tex Corporation of the Tris-treated fabric (December 4, 1980), a period of 148 days.

10. Pursuant to Section 20(a)(1) of the CPSA 15 U.S.C. 2069(a)(1), each day on which Crown-Tex Corporation knowingly failed to comply with paragraphs 10 and 12 of the Special Order in violation of Section 19(a)(3), 15 U.S.C. 2068(a)(3), constitutes a separate offense which subjects it to a civil penalty of $2,000 for each such violation and offense, except that the maximum civil penalty shall not exceed $500,000 for the said related series of violations.

Relief Sought

Wherefore, the staff of the Consumer Product Safety Commission believes that the following relief is in the public interest and requests that the Commission:

1. Determine that Crown-Tex Corporation knowingly failed to comply with paragraphs 10 and/or 12 of the Special Order, in violation of Section 19(a)(3) of the CPSA, 15 U.S.C. 2068(a)(3), for which a civil penalty is authorized pursuant to Section 20(a)(1) of the CPSA, 15 U.S.C. 2069(a)(1).

2. Assess a civil penalty pursuant to Section 20(a) of the CPSA, 15 U.S.C. 2969(a), against Crown-Tex Corporation in the sum of $2,000 for each day of any such violation not to exceed the maximum amount allowed under the statute.

3. Grant such other and further relief as the Commission deems necessary and proper.

Dated: February 19, 1981.

Catherine C. Cook,

Acting Associate Executive Director, Directorate for Compliance and Administrative Litigation, Consumer Product Safety Commission.

In the matter of Crown-Tex Corporation, a corporation, 350 Fifth Avenue, New York, New York 10001.

List and Summary of Documentary Evidence

Pursuant to § 1025.11(b)(3) of the Commission's Rules of Practice for Adjudicative Proceedings, 16 CFR 1025.11(b), the following is a list and summary of the documentary evidence supporting and accompanying the Complaint in this matter.

1. Tris-Treated Products, Special Order for Submission of Information (hereinafter, the "Special Order"), dated June 14, 1978, containing 12 questions relating to the identification, receipt, distribution, and inventory for Tris-treated products, with copy of Commission's Statement of Policy on Exportation of Tris-treated Children's Wearing Apparel, 43 FR 2711, June 14, 1978.

2. Letter of transmittal for the Special Order which is self-explanatory.

3. Mailgram from Crown-Tex Corporation to M. Lowenstein and Sons, dated April 26, 1977, requesting invoice number and date of shipment of Tris-treated children's wearing apparel.

4. Customer notification by Crown-Tex Corporation, dated May 4, 1977, advising customers that the Commission has determined that Tris-treated children's wearing apparel is toxic, and requesting the customers to return the garments to Crown-Tex Corporation for repurchase.

5. Letter of transmittal of Crown-Tex Corporation's response to the Special Order, dated July 11, 1978.

6. Crown-Tex Corporation's response to the Special Order, undated, which is self-explanatory.

7. Affidavit of Jerry David, Assistant Secretary of Crown-Tex Corporation, dated December 9, 1980, attesting to the sale of 18,659 yards of Tris-treated fabric to United Export Clothing Company on July 24, 1980.

8. Crown-Tex Corporation Invoice No. 58713, dated July 22, 1980, showing the sale of 18,659 yards of Tris-treated fabric to United Export Clothing Company.

9. Straight Bill of Lading, dated July 24, 1980, showing the shipment of 18,659 yards of Tris-treated fabric to United Export Clothing Company.

10. Affidiavit of Jack Pollock, President of United Export Clothing Company, dated December 19, 1980, attesting to receipt of 18, 659 yards of Tris-treated fabric from Crown-Tex Corporation, and subsequent sale and shipment of this fabric for export to Ghana.

11. United Export Clothing Company Invoice, dated October 13, 1980, including sale of 18,659 yards of Tris-treated fabric to Trans World Trading, Lome, Togo.

Earl A. Gershenow,

Trial Attorney, Division of Administrative Litigation, Consumer Products Safety Commission.

[FR Doc. 81-6822 Filed 3-3-81; 8:45 am]

BILLING CODE 6355-01-M

CONSUMER PRODUCE SAFETY COMMISSION

General Order on Consumer Products Containing Asbestos; Extension of Time for Submission of Information

AGENCY: Consumer Product Safety Commission.

ACTION: Extension of time for submission of information under general order.

SUMMARY: The Commission extends the time in which firms must submit under a general order certain information to it concerning the use of asbestos in selected consumer products from February 20, 1981 to March 20, 1981. The Commission has received a number of requests for extension of this time period. The Commission is granting a one month extension for the convenience of firms and because the extension will not unduly interfere with the Commission staff schedule for the tabulation and use of the date.

DATES: Firms shall furnish the required information on or before March 20, 1981. Firms are required to report any changes in the information (or new uses of asbestos in the consumer products) within 30 days of the change for a one year period following publication of the order in the **Federal Register.** The order expires December 22, 1981.

ADDRESS: Information required by this order should be sent to the Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207.

FOR FURTHER INFORMATION CONTACT: Carole Roth, Office of the General Counsel, Consumer Product Safety Commission, Washington, D.C. 20207, phone (202) 634–7770.

SUPPLEMENTARY INFORMATION: On December 22, 1980, the Commission issued a general order requiring manufacturers and importers of specified categories of consumer products to furnish the Commission with information concerning the use of asbestos in the products, the form in which asbestos is present, the purpose served by the asbestos, the marketing and use patterns of the products, information on substitutes for asbestos in the products, and information on any testing of the products for asbestos fiber emission. (See 45 FR 84384). The order required information to be submitted within 60 days, that is, on or before February 20, 1981.

The Commission has received a number of requests, oral and written, for varying extensions of the February 20, 1981 deadline. While many firms have submitted their responses to the order, the Commission has decided, for the convenience of firms who are unable to submit their responses by February 20, to extend the deadline until March 20, 1981. Rather than granting individual extensions of varying lengths to particular firms, the Commission believes it is more equitable to have the same extension period generally applicable to all firms subject to order who have not yet submitted their responses. The Commission has chosen a one month extension period since this amount of time is not expected to interfere with Commission staff schedules for tabulation and use of the data received under order. The Commission believes this additional month should allow all firms sufficient time to respond to the order and plans no further extensions of the deadline.

Accordingly, the time in which firms must submit information under the general order published in the **Federal Register** on December 22, 1980 is extended from February 20, 1981 to March 20, 1981. Information required by the order should be sent to the Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207.

Dated: February 27, 1981.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 81-6812 Filed 3-3-81; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF DEFENSE

Department of the Air Force

Intent To Prepare a Proposed Draft Environmental Impact Statement

The United States Air Force proposes to continue development of the east coast Over The Horizon Backscatter (OTH–B) radar system. The proposed action, which will be addressed in a Draft Environmental Impact Statement (DEIS), is the expansion of the existing 30° Experimental Radar System into a 60° coverage Full-Scale Engineering Development System with subsequent expansion into a 180° coverage Operational Radar System. This proposed DEIS supplements the Final

EIS of January 1975 which addressed the general deployment of the OTH–B system on the east coast.

This DEIS will address changes in the OTH–B program since 1975 and specifically analyze the environmental impact of locating an Operations Site and a Central Support Sites for both the Transmitter and Receiver Sites at Bangor International Airport (IAP), Maine. An alternative is to locate the Receiver Site support at Bucks Harbor Air Force Station (AFS), Maine, while the Transmitter Site support and Operations Site would still be at Bangor IAP. The alternative to continued development of OTH–B is to terminate the program at the experimental phase.

In exploring the proposed action and alternatives, the environmental analysis will consider such topics as changes in the level of high frequency energy emitted from the Transmitter Site near Moscow, Maine; changes in land requirements for the Transmitter and Receiver Sites (Receiver Site being located at Columbia Falls, Maine); and biophysical/socio-economic effects of locating the Operations Site at the proposed location.

Participation in the EIS process by interested Federal, state, and local agencies, as well as interested private organizations and parties is invited. The public will be involved to the maximum extent possible and is encouraged to participate in the planning process.

Headquarters Electronic Systems Division estimates the DEIS will be available for public review and comment by early May 1981.

Questions concerning the proposed action and DEIS can be directed to: Mr. R. Raffa, HQ ESD/OCU, Hanscom AFB, Maine 01731, Telephone (617) 861–3758.

Carol M. Rose,

Air Force Federal Register Liaison Officer.

[FR Doc. 81-6952 Filed 3-3-81; 8:45 am]

BILLING CODE 3910-01-M

DEPARTMENT OF EDUCATION

National Advisory Council on Ethnic Heritage Studies; Meeting

AGENCY: National Advisory Council on Ethnic Heritage Studies.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule and agenda of a forthcoming meeting of the National Advisory Council on Ethnic Heritage Studies. This notice also describes the functions of the Council. Notice of this meeting is required under Section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify the general public of their opportunity to attend.

DATE: March 25, 1981—9:00 a.m. to 4:30 p.m.; March 26, 1981—9:00 a.m. to 4:30 p.m.; March 27, 1981—9:00 a.m. to 1:00 p.m.

ADDRESS: Federal Office Building 6, Room 3000 (small conference room), 400 Maryland Avenue SW., Washington, D.C. 20202.

FOR FURTHER INFORMATION CONTACT: Mr. Lawrence E. Koziarz, Director, Ethnic Heritage Studies Program, 1128 Donohoe Building, (202) 245–3471.

SUPPLEMENTARY INFORMATION: The National Advisory Council on Ethnic Heritage Studies is established under Section 956 of the Elementary and Secondary Education Act of 1965 as added by the Education Amendments of 1972 (Pub. L. 92–319) and amended by the Eucation Amendments of 1978 (Pub. L. 95–561). The Council is established to advise the Secretary and the Assistant Secretary for Education Research and Improvement on the implementation of Part E of Title IX of the Elementary and Secondary Education Act of 1965 in order to provide assistance designed to afford students the opportunity to learn about their own cultural heritage and the contributions of the other ethnic groups of the Nation.

The Council shall advise concerning matters of general policy, arising from the administration of programs authorized by Part E of Title IX, of the Elementary and Secondary Education Act of 1965, and shall perform specific functions as follows: (a) make recommendations to the Secretary and the Assistant Secretary regarding the collection of data to facilitate program planning and evaluation; e.g., recommend a survey of needs to determine or modify program priorities, or suggest national or regional reviews of intercultural curriculum and personnel development; (b) suggest innovations to meet program needs or otherwise improve ethnic heritage studies; (c) suggest promising areas of inquiry to give direction to research; e.g., recommend ethnographic studies as required for substantial intercultural curriculum materials development; (d) provide such administrative and legislative proposals as may be appropriate; and (e) not later than June 30 of each year, submit to Congress, a report of its activities, findings, and recommendations.

The proposed agenda includes:

March 25, 1981

Council Business
Review and Analysis of Legislation
Dialogue with ED Administrators and Congressional Staff Regarding Legislation

March 26, 1981

Review and Analysis of the Process Used to Evaluate Projects
Review of Previous Annual Reports
Development of Ideas for 1980 Annual Report

March 27, 1981

Committee Meetings
Reports by Committees
Agenda for June Meeting

Records are kept of all Council proceedings, and are available for public inspection at the Office of the National Advisory Council on Ethnic Heritage Studies, 1128 Donohoe Bldg., 400 6th Street SW., Washington, D.C. 20202.

Signed in Washington, D.C. on February 25, 1981.

Dick W. Hays,

Acting Assistant Secretary.

[FR Doc. 81-6840 Filed 3-3-81; 8:45 am]

BILLING CODE 4000-01-M

Regional Education Programs for Deaf and Other Handicapped Persons

AGENCY: Department of Education.

ACTION: Extension of Closing Data for Transmittal of Application for Awards During Fiscal Year 1981.

Notice is given that the January 30, 1981, deadline for transmittal of applications for the Regional Education Programs for Deaf and Other Handicapped Persons is extended to April 17, 1978. This notice was originally published in the **Federal Register** on October 7, 1980 (45 FR 66564).

The October Notice also indicated that the funding of awards would range from $50,000 to $125,000 per year. Because the total amount available was not assured, application packets were held from mailing on the announced date. Interim review of program goals indicated the desirability of lowering the range of funding per project to be awarded, as noted below.

Authority for this program is contained in Section 625 of the Education of the handicapped Act (20 U.S.C. 1424a).

This program issues awards to institutions of higher education, including junior and community colleges, vocational and technical institutions, and other appropriate nonprofit educational agencies.

The purpose of this program is to develop and operate specifically designed or modified programs of vocational, technical, postsecondary, or adult education for deaf or other handicapped persons.

Closing Date for Transmittal of Application

Under § 75.109(b) of the Education Department General Administrative Regulations (34 CFR 75.109(b)), an applicant may make changes to its application on or before the closing date. An applicant who submitted an application in response to the original closing date of January 30, 1981 may amend its application on or before April 17, 1981.

Application Delivered by Mail

An application sent by mail must be addressed to the Department of Education, Application Control Center, Attention: 84.078, Washington, D.C. 20202.

An application must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the Secretary of Education.

If an application is sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing: (1) a private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a date postmark. Before relying on this method, an applicant should check with its local post office.

An applicant is encouraged to use registered or at least first class mail. Each late applicant will be notified that its application will not be considered.

Applications Delivered by Hand

An application that is hand delivered must be taken to the Department of Education, Application Control Center, Room 5673, Regional Office Building 3, 7th and D Streets, S.W., Washington, D.C.

The Application Control Center will accept a hand delivered application between 8:00 a.m. and 4:30 p.m. (Washington, D.C. time), daily except Saturdays, Sundays and Federal holidays.

An application that is hand delivered will not be accepted after 4:30 p.m. on the closing date.

Available Funds

Approximately $1,600,000 is available for support of new demonstration projects in 1981. We expect that 20 to 30 grants will be awarded, with funding ranging from $25,000 to $50,000 per project per year. An applicant for a new grant may propose a project period of from 12 to 36 months. Applicants are encouraged to apply for 12 month projects.

However, these estimates do not bind the Department of Education to a specific number of grants or to the amount of any grant unless that amount is otherwise specified by statute or regulations.

Application Forms

Application forms and information may be obtained by writing to the Regional Education Programs, Program Development Branch, Office of Special Education, Department of Education, (Donohoe Building, Room 3121), 400 Maryland Avenue, S.W., Washington, D.C. 20202.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the information packages. The Secretary strongly urges that the narrative portion of the application not exceed fifty (50) pages in length. The Secretary further urges that applicants not submit information that is not requested.

Applicable Regulations

Regulations applicable to this program include the following:

(a) Regulations governing the Regional Education Programs (34 CFR Part 338 (formerly 45 CFR Part 121k)); Note: Final amendments to the selection criteria for Regional Education Programs (34 CFR Section 338.18) were published in the **Federal Register** on January 19, 1981 (46 FR 5381–5382).

(b) The Education Department General Administrative Regulations (EDGAR) (34 CFR Parts 75 and 77 (formerly 45 CFR Parts 100a and 100c)).

FURTHER INFORMATION: For further information contact the Regional Education Programs, Program Development Branch, Office of Special Education, Department of Education, (Donohoe Building Room 3121), 400 Maryland Avenue, S.W., Washington, D.C. 20202.Telephone: (202) 245–9722.

(20 U.S.C. 1424a)

(Catalog of Federal Domestic Assistance number 84.078 Regional Education for Deaf and Other Handicapped Persons Projects)

Dated: February 26, 1981.

T. H. Bell,

Secretary of Education.

[FR Doc. 81-6632 Filed 3-3-81; 8:45 am]

BILLING CODE 4000-01-M

Undergraduate International Studies Program; Application Notice for Noncompeting Continuation Projects for Fiscal Year 1981

Applications are invited for noncompeting continuation projects under the Undergraduate International Studies Program.

Prior to the enactment of the Education Amendments of 1980, Pub. L. 96–375, this program was carried out under section 601(a) of the National Defense Education Act of 1958, as amended, 20 U.S.C. 511(a). Section 604 of the Higher Education Act of 1965, as amended, 20 U.S.C. 1124, now authorizes the Secretary to make grants to strengthen and improve undergraduate instruction in international studies and foreign languages.

The Undergraduate International Studies Program issues awards to individual institutions of higher education and combinations of institutions of higher education.

The purpose of the awards is to assist these institutions to initiate or strengthen international or global components in their instructional programs.

Closing Date for Transmittal of Applications

To be assured of consideration for funding, an application for a noncompeting continuation award should be mailed or hand delivered by April 3, 1981.

If the application is late, the Department of Education may lack sufficient time to review it with other noncompeting continuation applications and may decline to accept it.

Applications Delivered by Mail

An application sent by mail should be addressed to the U.S. Department of Education, Application Control Center, Attention: 84.016 (Undergraduate International Studies Program), Washington, D.C. 20202.

An applicant should show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the Secretary of Education.

If an application is sent through the U.S. Postal Service, the Secretary does

not accept either of the following as proof of mailing: (1) a private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

An applicant is encouraged to use registered or at least first class mail.

Applications Delivered by Hand

An application that is hand delivered should be taken to the U.S. Department of Education, Application Control Center, Room 5673, Regional Office Building 3, 7th and D Streets, S.W., Washington, D.C. 20202.

The Application Control Center will accept a hand delivered application between 8:00 a.m. and 4:30 p.m. (Washington, D.C. time) daily, except Saturdays, Sundays, and Federal holidays.

Available Funds

It is estimated that approximately $516,000 will be available for continuation grants in FY 1981, and that approximately twelve continuation grants will be awarded.

These estimates do not bind the U.S. Department of Education except as may be required by the applicable statute and regulations.

Application Forms

Application forms and program information packages are available.

They may be obtained by writing to the Office of International Studies, U.S. Department of Education, (Room 3671, Regional Office Building 3), 400 Maryland Avenue, S.W., Washington, D.C. 20202.

Applications must be prepared and submitted in accordance with the regulations, instructions and forms included in the program information package. The Secretary urges that applicants not submit information that is not requested.

Applicable Regulations

Regulations applicable to these continuation applications include the following:

(a) Regulations governing the Graduate and Undergraduate International Studies Program (34 CFR Parts 655 and 658, formerly codified at 45 CFR Part 146); and

(b) Education Department General Administrative Regulations (EDGAR) (34 CFR Parts 75 and 77). These parts were previously codified as 45 CFR Part 100a and 45 CFR Part 100c respectively.

Further Information

For further information, contact Mrs. Susanna Easton, Office of International Education, U.S. Department of Education, (Room 3671, Regional Office Building 3), 400 Maryland Avenue, S.W., Washington, D.C. 20202. Telephone (202) 245-9588.

(20 U.S.C. 1124)

(Catalog of Federal Domestic Assistance Number 84.016—Foreign Language and Area Studies International Studies Programs)

Dated: February 25, 1981.

T. H. Bell,

Secretary of Education.

[FR Doc. 81-6831 Filed 3-3-81; 8:45 am]

BILLING CODE 4000-01-M

Undergraduate International Studies and Foreign Language Program; Application Notice for New Projects for Fiscal Year 1981

Applications are invited for new projects under the Undergraduate International Studies and Foreign Language Program.

Authority for these programs is contained in Section 604 of the Higher Education Act of 1965, as amended. (20 U.S.C. 1124)

The Undergraduate International Studies and Foreign Language Program issues awards to institutions of higher education and public and non-profit private agencies and organizations, including professional and scholarly associations. The purpose of the awards is to:

(a) assist institutions of higher education to plan, develop, and carry out a comprehensive program to strengthen and improve undergraduate instruction in international studies and foreign languages, and

(b) assist associations and organizations to develop projects that will make an especially significant contribution to strengthening and improving undergraduate instruction in international studies and foreign languages.

Closing Date for Transmittal of Applications

An application for a grant must be mailed or hand-delivered by April 20, 1981.

Applications Delivered by Mail

An application sent by mail must be addressed to the U.S. Department of Education, Application Control Center, Attention: 84.016 (Undergraduate International Studies Program), Washington, D.C. 20202.

An applicant must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing accceptable to the Secretary of Education.

If an application is sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing: (1) a private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

An applicant is encouraged to use registered or at least first class mail.

Each late applicant will be notified that its application will not be considered.

Applications Delivered by Hand

An application that is hand delivered should be taken to the U.S. Department of Education, Application Control Center, Room 5673, Regional Office Building 3, 7th and D Streets, S.W., Washington, D.C. 20202.

The Application Control Center will accept a hand delivered application between 8:00 a.m. and 4:30 p.m. (Washington, D.C. time) daily, except Saturdays, Sundays, and Federal holidays.

An application that is hand-delivered will not be accepted after 4:30 p.m. on the closing date.

Program Information

Specific information about this program is contained in the program regulations (34 CFR Parts 655 and 658) that were published in the **Federal Register** on December 31, 1980, 45 FR 86874-86876 and 86879-86881.

Available Funds

It is estimated that approximately $1,484,000 will be available for new projects in FY 1981, and that approximately 33 new grants will be awarded. It is estimated that awards to a single institution will average around $45,000 and that consortia may receive grants of up to $80,000.

These estimates do not bind the U.S. Department of Education except as may be required by the applicable statute and regulations.

Application Forms

Application forms and program information packages are available.

They may be obtained by writing to the Undergraduate International Studies Program, Office of International Studies, U.S. Department of Education, (Room 3671, Regional Office Building 3), 400 Maryland Avenue, S.W., Washington, D.C. 20202.

Applications must be prepared and submitted in accordance with the regulations, instructions and forms included in the program information package. The Secretary urges that applicants not submit information that is not requested.

Applicable Regulations

Regulations applicable to this program include the following:

(a) Regulations governing the Undergraduate International Studies and Foreign Language Program (34 CFR Parts 655 and 658, that were published in the **Federal Register** on December 31, 1980, 45 FR 86874–86876 and 86879–86881, and

(b) Education Department General Administrative Regulations (EDGAR) (34 CFR Parts 75 and 77). These parts were previously codified as 45 CFR Part 100a and 45 CFR Part 100c respectively.

Further Information

For further information, contact Mrs. Susanna Easton, Office of International Education, U.S. Department of Education, (Room 3671, Regional Office Building 3), 400 Maryland Avenue, S.W., Washington, D.C. 20202. Telephone (202) 245–9588.

(20 U.S.C. 1124)

(Catalog of Federal Domestic Assistance Number 84.016-Undergraduate International Studies program)

Dated: February 26, 1981.

T. H. Bell,

Secretary of Education.

[FR Doc. 81-6830 Filed 3-3-81; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

National Petroleum Council; Resource Applications; Open Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770), notice is hereby given of the following advisory committee meeting:

Name: National Petroleum Council

Date and time: Thursday, April 16, 1981—9:00 a.m.

Place: The Madison Hotel, Executive Chambers I, II, and III, 15th and M Streets NW., Washington, D.C.

Contact: Georgia Hildreth, Director, Advisory Committee Management, Department of Energy, 1000 Independence Avenue SW., Forrestal Building, Room 8G087, Washington, D.C. 20585, Telephone: 202–252–5187

Purpose of committee: To provide advice, information, and recommendations to the Secretary of Energy on matters relating to oil and gas or the oil and gas industries.

Tentative Agenda

- Call to Order by C. H. Murphy, Jr., Chairman, National Petroleum Council
- Remarks by the Honorable James B. Edwards, Secretary of Energy
- Reports of the Committees of the National Petroleum Council:

a.Committee on Emergency Preparedness

b.Committee on Arctic Oil and Gas Resources (Progress Report)

c.Committee on Environmental Conservation (Progress Report)

- Consideration of Administrative Matters
- Discussion of any other business properly brought before the National Petroleum Council
- Public Comment (10 minute rule)

Public participation: The meeting is open to the public. The Chairperson of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Committee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact the Advisory Committee Management Office at the address or telephone number listed above. Requests must be received at least 5 days prior to the meeting and reasonable provision will be made to include the presentation on the agenda.

Transcripts: Available for public review and copying at the Public Reading Room, Room 1E190, Forrestal Building, 1000 Independence Avenue SW., Washington, D.C., between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Executive summary: Available approximately 30 days following the meeting from the Advisory Committee Management Office.

Issued at Washington, D.C. on February 26, 1981.

Georgia Hildreth,

Director, Advisory Committee Management.

[FR Doc. 81-6841 Filed 3-3-81; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration

Summit Transportation Company; Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of and Opportunity for comment on Consent Order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces that it has executed a Consent Order and provides an opportunity for public comment on the Consent Order and potential claims against the refunds deposited in an escrow account pursuant to the Consent Order.

DATES: Effective date: January 6, 1981. Comments by: April 3, 1981.

ADDRESS: Send comments to: Larry G. Harris, Supervisory Auditor, Program Operations Division, Office of Enforcement, Economic Regulatory Administration, 2000 M Street, N.W., Room 5002, Washington, D.C. 20461 (202–653–3517).

FOR FURTHER INFORMATION CONTACT: Larry G. Harris, Supervisory Auditor, Program Operations Division, Office of Enforcement, Economic Regulatory Administration, 2000 M Street, N.W., Room 5002, Washington, D.C. 20461 (202–653–3517).

SUPPLEMENTARY INFORMATION: On January 6, 1981, the Office of Enforcement of the ERA executed a Consent Order with Summit Transportation Company, formerly Summit Gas Company of Houston, Texas. Under 10 CFR 205.199J(b), a Consent Order which involves a sum of $500,000 or more, excluding interest and civil penalties, becomes effective upon its execution only if the DOE expressly finds it to be in the public interest to do so.

This Consent Order is an integral part of the disposition of certain criminal and civil disputes in regard to Summit as directed in an Agreement Letter dated January 15, 1981 filed with the United States District Court for the Southern District of Texas, Houston Division (Criminal No. H–79–152–S). Accordingly, in order to resolve both criminal and civil matters as agreed, the DOE made this Consent Order effective immediately upon execution by both Summit and the DOE in furtherance of the public interest.

I. The Consent Order

Summit, with its home office located in Houston, Texas, was a firm engaged in the resale of crude oil, and was subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR, Parts 210, 212 and other applicable law during the period covered by this Consent Order, January 1, 1973 through December 31, 1978, ("settlement period"). To resolve certain civil actions which could be brought by the Office of Enforcement of the ERA as a result of its audit of Summit, the Office of

Enforcement, ERA, and Summit entered into a Consent Order, the significant terms of which are as follows:

1. The DOE claims that, in a number of instances during the settlement period, Summit (a) purchased uncertified crude oil from Coral Petroleum, Inc. and resold that crude oil with "upper tier"certifications and (b) purchased crude oil certified as "old oil" from firms other than Coral Petroleum, Inc. and resold that crude oil with "upper tier" certifications in violation of 10 C.F.R. §§ 205.202, 210.62(c), 212.10, 212.93, 212.131, and other applicable provisions of law.

2. Summit agrees to refund, on or before January 19, 1981, the sum of seventeen million dollars ($17,000,000.00), including interest and excluding civil penalties, in full settlement of all civil liability with respect to actions which might be brought by the Office of Enforcement, ERA, arising out of the transactions described above during the settlement period. These funds will remain in a suitable account pending the determination of their proper disposition.

3. Summit agrees to pay on or before January 19, 1981, the sum of three million dollars ($3,000,000.00) as a civil penalty in regard to the above-described transactions during the settlement period.

4. Summit agrees to recognize the authority of and to comply with the reporting requirements in Public Laws 94–163, 94–385, 93–275, 93–159, as amended, and other applicable law by filing applicable DOE reports which may become due form Summit regarding its activities occurring after the execution of this Consent Order.

5. Summit, without admitting to any of the allegations contained in the Consent Order, maintains that it has entered into this Consent Order to resolve fully and finally any and all existing and potential civil disputes arising between it and the DOE as a result of the transactions during the settlement period and to avoid the expense of litigation and the disruption of its business.

6. The provisions of 10 CFR 205.199J (including the publication of this Notice) are applicable to the Consent Order.

II. Disposition of Refunded Overcharges

The DOE intends to distribute the refund amounts in a just and equitable manner in accordance with applicable laws and regulations. Accordingly, distribution of such refunded overcharges requires that only those "persons" (as defined at 10 CFR 205.2) who actually suffered a loss as a result of the transactions described in the Consent Order receive appropriate refunds. Because of the petroleum industry's complex marketing system, it is likely that overcharges have been either passed through as higher prices to subsequent purchasers or offset through devices such as the Domestic Crude Oil Allocation (Entitlements) Program, 10 CFR 211.67. In fact, the adverse effects of the overcharges may have become so diffused that it is a practical impossiblity to identify specific, adversely affected persons, in which case disposition of the refunds will be made in the general public interest by an appropriate means such as payment to the Treasury of the United States pursuant to 10 CFR 205.199I(a).

III. Submission of Written Comments and Notices of Claim

A. Potential claimants: Interested persons who believe that they have a claim to all or a portion of the refund amount should provide written notification of the claim to the ERA at this time. Proof of claims is not now required. Written notification to the ERA at this time is requested primarily for the purpose of identifying potential claims to the refund amount.

After potential claims are identified, procedures for the making of prooof of claims may be established. Failure by a person to provide this Notice may result in the DOE irrevocably disbursing the funds to other claimants or in the general public interest.

B. Comments: The ERA invites interested persons to comment on the terms, conditions, or procedural aspects of this Consent Order. Send your comments or written notification of a claim to Larry G. Harris, Supervisory Auditor, Program Operations Division, Office of Enforcement, Economic Regulatory Administration, 2000 M Street, N.W., Room 5002, Washington, D.C. 20461. You may obtain a free copy of this Consent Order by writing to the same address or by calling Larry G. Harris.

Identify your comments or written notification of a claim on the outside of your envelope and on the documents you submit with the designation, "Notice of Claim to Summit Consent order" or "Comments on Summit Consent order." We will consider all comments and notices of claim we receive by 4:30 p.m., local time on April 3, 1981.

You should identify any information or data which, in your opinion, is confidential and submit it in accordance with the procedures in 10 CFR 205.9(f).

Issued in Washington, D.C. on the 25th day of February 1981.

Robert D. Gerring,

Director, Program Operations Division, Office of Enforcement, Economic Regulatory Administration.

[FR Doc. 81-6837 Filed 3-3-81; 8:45 am]

BILLING CODE 6450-01-M

Office of Energy Research

Solar Photovoltaic Energy Advisory Committee of the Energy Research Advisory Board; Open Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770), notice is hereby given of the following meeting:

NAME: Solar Photovoltaic Energy Advisory Committee of the Energy Research Advisory Board.

DATE AND TIME: Monday, March 23, 1981—10:00 a.m.—4:00 p.m. Tuesday, March 24, 1981—9:00 a.m.—4:00 p.m.

PLACE: MIT Lincoln Laboratory, 244 Wood Street, Building A, Room 254, Lexington, MA 02173.

CONTACT: Georgia Hildreth, Director, Advisory Committee Management, Department of Energy, Forrestal Building—Room 8G087, 1000 Independence Avenue, S.W., Washington, D.C. 20585, Telephone: 202–252–5187.

PURPOSE OF THE COMMITTEE: To advise the Secretary on the scope and pace of research and development with respect to solar photovoltaic energy systems; the need for and timing of solar photovoltaic energy systems demonstration projects; the need for change in any research, development, or demonstration program established under this Act; and the economic, technological, and environmental consequences of the use of solar photovoltaic energy systems.

TENTATIVE AGENDA:

Briefing and discussion of Lincoln Lab PV programs.
Development of components for residential systems.
Residential experiment station activities.
Field applications experiences.
Discussion and preparation of draft report.
Public Comment (10 minute rule).

PUBLIC PARTICIPATION: The meeting is open to the public. Written statements may be filed with the Committee either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact the Advisory Committee Management Office at the address or telephone number listed above. Requests must be received at least 5

days prior to the meeting and reasonable provision will be made to include the presentation on the agenda. The Chairperson of the Committee is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

TRANSCRIPTS: Available for public review and copying at the Public Reading Room, Room 1E190, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C., between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

EXECUTIVE SUMMARY: Available approximately 30 days following the meeting from the Advisory Committee Management Office.

Issued at Washington, D.C. on February 26, 1981.

Georgia Hildreth

Director, Advisory Committee Management.

[FR Doc. 81-6828 Filed 3-3-81; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[WH-FRL 1768-2]

Change in the Development of the 1990 Construction Grants Strategy; Postponement of Public Workshops

AGENCY: Environmental Protection Agency.

ACTION: Postponement of Public Workshops.

SUMMARY: In the January 23, 1981, issue of the **Federal Register** (46 FR-1732), the Environmental Protection Agency announced national workshops on its 1990 Construction Grants Strategy March 10, 12, 17, 20 in Boston, San Francisco, New York, Chicago, Atlanta and Washington, D.C.

In light of President Reagan's budget proposals of February 18, 1981, and in order to give the new Administration an opportunity to establish its policy for the municipal wastewater treatment construction grants program these workshops are postponed. However, public hearings on program porposals will be scheduled at later date.

Comments on the Preliminary Draft will be accepted until March 31, 1981. A responsiveness summary to these comments and the text of EPA's proposals will appear in the **Federal Register** later this year.

ADDRESSES: Send written comment to Ms. Merna Hurd, Associate Assistant Administrator for Water and Waste Management, WH-556, Environmental Protection Agency, Washington, D.C. 20460, by March 31, 1981.

FOR FURTHER INFORMATION CONTACT: Francine Zucker, Office of Water Program Operations, WH-554, Environmental Protection Agency, Washington, D.C. 20460, (202) 755-6026.

James N. Smith,

Acting Assistant Administrator for Water and Waste Management.

[FR Doc. 81-6857 Filed 3-3-81; 8:45]

BILLING CODE 6560-29-M

[RH-FRL 1768-3]

Proposed Federal Radiation Protection Guidance for Occupational Exposures; Schedule of Public Hearings

AGENCY: U.S. Environmental Protection Agency.

ACTION: Schedule of public hearings on proposed recommendations for radiation protection of workers.

SUMMARY: In the **Federal Register** of January 23, 1981 (46 FR 7836), EPA published proposed new guidance for Federal agencies on the protection of workers exposed to ionizing radiation and announced that the Agency would join with the Nuclear Regulatory Commission and the Occupational Safety and Health Administration in holding public hearings on this proposed guidance. That notice contains instructions for those who wish to appear at these hearings. We announce here the dates and addresses of these hearings. We also give a corrected room location for the EPA Central Docket in Washington, D.C.

Dates and Locations

Following is the schedule for public hearings to be held in April and May 1981:

a. General Services Administration Auditorium, 18th and F Streets NW., Washington, D.C. 20405
Monday, April 20—10 AM-4:30 PM
Tuesday, April 21—9:30 AM-4:30 PM and 8-10 PM
Wednesday, April 22—9:30 AM-4:30 PM and 8-10 PM
Thursday, April 23—9:30 AM-4:30 PM (as required)

b. Dunfey's Houston Hotel, 7000 Southwest Freeway, Houston, Texas 77074
Friday, May 1—9 AM-4:30 PM
Saturday, May 2—9 AM-4:30 PM (as required)

c. Pick Congress Hotel, 520 South Michigan Avenue, Chicago, Illinois 60605
Tuesday, May 5—9 AM—4:30 PM and 8-10 PM
Wednesday, May 6—9 AM-4:30 PM (as required)

d. Hyatt Regency Hotel, #5 Embarcadero Center, San Francisco, California 94111
Friday, May 8—9 AM-4:30 PM
Saturday, May 9—9 AM-4:30 PM (as required)

FOR FURTHER INFORMATION CONTACT: Mr. Luis F. Garcia, U.S. Environmental Protection Agency (ANR-460), Washington, D.C. 20460 (Telephone: 703-557-8224), or any of the following EPA regional offices:

Houston, Texas—Telephone 713-226-5762 (Bernadine Wilturner);
Chicago, Illinois—Telephone 312-353-2654 (Pete Tedeschi);
San Francisco, California—Telephone 415-556-4606 (David L. Duncan).

Correction

The current location of the EPA Central Docket Section, 401 M Street, S.W., Washington, D.C. 20460, is "West Tower, Gallery One," not "Room 2903 B, Mall," as stated on page 7836 (Addresses) and page 7844 (The Public Hearing Record) of our **Federal Register** notice of January 23, 1981 (46 FR 7836).

Dated: February 26, 1981.

Edward F. Tuerk,

Acting Assistant Administrator for Air, Noise, and Radiation.

[FR Doc. 81-6853 Filed 3-3-81; 8:45 am]

BILLING CODE 6560-28-M

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket Nos. 81-105 and 81-106; File Nos. 22671-CD-P-1-80 and 20562-CD-P-1-81]

Airsignal International, Inc., and Lawrence Paging and Mobile Phone; Applications for Construction Permits; Hearing Designation Order

In the matter of applications of Airsignal International, Inc., for construction permit for new two-way station on 454.325 MHz in the Domestic Public Land Mobile Radio Service at Kansas City, Kansas (CC Docket No. 81-105, File No. 22671-CD-P-1-80) and Daisy J. Thompson, Ward A. Thompson, Donna M. Thompson, and Ward H. Thompson d.b.a. Lawrence Paging and Mobile Phone, for construction permit to add new location for two-way station KIF660 on 454.325 MHz in the Domestic Public Land Mobile Radio Service near Lawrence, Kansas (CC Docket No. 81-106, File No. 20562-CD-P-1-81).

Memorandum Opinion and Order

Adopted: February 20, 1981.
Released: February 27, 1981.

By the Common Carrier Bureau:

1. Presently before the Mobile Services Division, pursuant to delegated authority, are the captioned applications of Airsignal International, Inc. (Airsignal), and Daisy J. Thompson, Ward A. Thompson, Donna M. Thompson and Ward H. Thompson d.b.a. Lawrence Paging and Mobile Phone (Lawrence). These applications are electrically mutually exclusive;[1] therefore, a comparative hearing will be held to determine which applicant would better serve the public interest. We find the applicants to be otherwise qualified.

2. Accordingly, it is ordered, pursuant to Section 309 of the Communications Act of 1934, as amended, that the applications of Airsignal International, Inc., File No. 22671-CD-P-1-80, and Daisy J. Thompson, Ward A. Thompson, Donna M. Thompson and Ward H. Thompson d.b.a. Lawrence Paging and Mobile Phone, Inc., File No. 20562-CD-P-1-81, are designated for hearing in a consolidated proceeding upon the following issues:

(a) To determine on a comparative basis, the nature and extent of service proposed by each applicant, including the rates, charges, maintenance, personnel, practices, classifications, regulations, and facilities pertaining thereto;

(b) To determine on a comparative basis, the areas and populations that each applicant will serve within the prospective 39 dBu contours, based upon the standards set forth in § 22.504(a) of the Commission's Rules,[2] and to determine and compare the need for the proposed services in said areas; and

(c) To determine, in light of the evidence adduced pursuant to the foregoing issues, what disposition of the referenced applications would best serve the public interest, convenience and necessity.

3. It is further ordered, that the hearing shall be held at a time and place and before an Administration Law Judge to be specified in a subsequent Order.

4. It is further ordered, that the Chief, Common Carrier Bureau, is made a party to the proceeding.

5. It is further ordered, that the applicants may avail themselves of an opportunity to be heard by filing with the Commission pursuant to § 1.221(c) of the Rules within 20 days of the release date hereof, a written notice stating an intention to appear on the date for the hearing and present evidence on the issues specified in this Memorandum Opinion and Order.

6. The Secretary shall cause a copy of this Order to be published in the **Federal Register.**

Roberta Cook,

Deputy Chief, Mobile Services Division.

[FR Doc. 81-6801 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

[1] We note that while Airsignal is applying to construct a new facility, Lawrence is seeking to add an additional location for its existing station, KIF660. A grant of either application would preclude a grant of the other.

[2] Section 22.504(a) of the Commission's Rules and Regulations describes a field strength contour of 39 decibels above one microvolt per meter as the limits of the reliable service area for base stations engaged in two-way communications service on frequencies in the 450 MHz band. Propagation data set forth in Section 22.504(b) are the proper bases for establishing the location of service contours F(50,50) for the facilities involved in this proceeding.

[BC Docket No. 81-97 and 81-98; File Nos. BPH-790503 AB and BPH-790924 AG]

Blue Mountain Broadcasting Co., et al.; Applications for Construction Permit; Hearing Designation Order

In the matter of applications of Blue Mountain Broadcasting Co., Ontario, Oregon, Req: 93.1 MHz, channel 226, 50 kW (H&V), 2,687 feet (BC Docket No. 81-97 and Filed No. BPH-790503AB), Lloyd B. Roach, Jacqueline L. Roach, Carey Orr Cook and Janice B. Cook, d.b.a. Roach-Cook Co., Ontario, Oregon, Req: 93.1 MHz, channel 226, 100 kW (H&V), 547 feet (BC Docket No. 81-98 and File No. BPH-790924AG) and Treasure Valley Communications Company, New Plymouth, Oregon, Req: 93.1 MHz, channel 226, 50 kW (H&V), 260 feet (BC Docket No. 81-99 and File No. BPH-790924AH) for construction permit for a new FM station.

Adopted: February 13, 1981.

Released: March 3, 1981.

By the Commission:

1. The Commission, has under consideration: (i) the above-captioned mutually exclusive applications of Blue Mountain Broadcasting Co., (Blue Mountain) and Roach-Cook Co. (Roach-Cook) for a new FM broadcast station at Ontario, Oregon, and Treasure Valley Communications Company (Treasure Valley) for a new FM broadcast station at New Plymouth, Idaho; (ii) petitions to deny filed by KBOI, Inc. (KBOI), licensee of Station KBOI-FM, Boise, Idaho, Capps Broadcasting Group (Capps), licensee of Station KSRV(AM), Ontario, Oregon, and Roach-Cook; and (iii) pleadings responsive thereto.[1]

2. The KBOI and Capps petitions to deny contend that the Blue Mountain proposal will not provide a 3.16 mV/m or better signal over Ontario as required by Section 73.315 of the Commission's Rules, but would place a city grade signal over all of Boise, resulting in the *de facto* reallocation of Channel 226C. Although Blue Mountain's proposed community of license is Ontario, its proposed site is only 10.7 miles from Boise and 47 miles from the City center of Ontario. A city grade signal would be put over all of Boise, but such a premium signal would not even reach the nearest city limit of Ontario (the 1970 U.S. Census populations of Ontario and Boise are 6,523 & 87,500, respectively). The furthest distance the 3.16 mV/m predicted contour would extend from the proposed site is slightly less than 44 miles, over 3 miles from the Ontario city limits in contravention of Section 73.315. Blue Mountain submitted an amendment on August 13, 1979, whereby it attempted to show that tests had been conducted which demonstrated a 3.16 mV/m predicted contour would be placed over Ontario. However, the measurements are unacceptable because the method does not conform to the requirements of Section 73.314 of the Rules. Both of the competing applicants are able to provide a 3.16 mV/m signal over Ontario. Accordingly, a substantial and material question of fact exists as to whether a waiver of Section 73.315 of the Rules is justified and whether Blue Mountain's proposal constitutes a *de facto* reallocation of Channel 226C from Ontario. In these circumstances, an evidentiary hearing is required, and appropriate issues will be specified.

3. The Roach-Cook petition to deny the Treasure Valley application is basically a petition to specify issues. However, the petition also contends that Treasure Valley's proposal constitutes a *de facto* reallocation of Channel 226C from Ontario, Oregon to New Plymouth, Idaho. Roach-Cook's allegation that Treasure Valley's application constitutes a *de facto* reallocation of Channel 226C from Ontario to New Plymouth, Idaho, will be denied since New Plymouth is only 10 miles from Ontario and may be specified as the community of license pursuant to Section 73.203(b) of the Rules. In accordance with the Commission's *Report and Order in Revised Procedures for the Processing of Contested Broadcast Applicants*, 72 FCC 2d 202, 45 RR 2d 1220 (1979), the other matters sought to be raised by Roach-Cook will not be considered herein. Accordingly, the opportunity to raised the matters contained in Roach-Cook's petition will be afforded post-designation pursuant to Section 1.229 of the Rules.

[1] Treasure Valley's September 25, 1980, petition for leave to amend to relocate its transmitter site 241 feet from the site previously specified will be granted and the amendment accepted.

4. The respective proposals, although for different communities, would serve substantial areas in common. Consequently, in addition to determining pursuant to Section 307(b) of the Communications Act, as amended, which of the proposal would best provided a fair, efficient and equitable distribution of radio service, a contingent comparative issue will also be specified.

5. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

6. Accordingly, it is ordered, that, pursuant to Section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine whether the proposal of Blue Mountain Broadcasting Co. is in compliance with § 73.315 of the Commission's Rules concerning coverage of the community of license with a signal of 3.16 mV/m or better, and, if not whether circumstances exist which warrant a waiver of that Section.

2. To determine whether the proposal of Blue Mountain Broadcasting Co. constitutes a *de facto* reallocation of Channel 226C from Ontario, Oregon to Boise, Idaho.

3. To determine the areas and populations which would receive primary aural service (1 mV/M or greater in the case of FM) from the respective proposals and the availability of other primary service to such areas and populations.

3. To determine, in the light of Section 307(b) of the Communications Act of 1934, as amended, which of the proposals would best provide a fair, efficient and equitable distribution of radio service.

4. To determine, in the event it is concluded that a choice between the applications should not be based solely on considerations relating to Section 307(b), which of the proposals would, on a comparative basis, best serve the public interest.

5. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the applications, if any, should be granted.

7. It is further ordered, that the petition to deny filed by KBOI, Inc. and Capps Broadcasting Group are granted to the extent indicated herein, and DENIED in all other respects, and that KBOI, Inc. and Capps Broadcasting Group are made parties to the proceeding.

8. It is further ordered, that the petition to deny filed by Roach-Cook is denied to the extent indicated herein.

9. It is further ordered, that the petition for leave to amend filed by Treasure Valley is granted and the amendment is accepted.

10. It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein shall, pursuant to § 1.221(c) of the Commission's Rules, in person or by attorney, within 20 days of the mailing of this Order, file with the Commission in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and to present evidence on the issues specified in this Order.

11. It is further ordered, that the applicants herein shall, pursuant to Section 311(a)(2) of the Communications Act of 1934, as amended, and § 73.3594(g) of the Commission's Rules, give notice of the hearing (either individually or, if feasible and consistent with the Rules, jointly) within the time and in the manner prescribed in such Rule and shall advise the Commission of the publication of such notice as required by § 73.3594(g) of the Rules.

Federal Communications Commission.

Larry D. Eads,

Acting Chief, Broadcast Facilities Division, Broadcast Bureau.

[FR Doc. 81-6883 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

[BC Docket Nos. 81-94, 81-95, and 81-96; File Nos. BPH-790813AE, BPH-790829AB, and BPH-800317AF]

Carroll-Harrison Broadcasting, Inc., et al., Applications for Construction Permit; Hearing Designation Order

In the matter of applications of Carroll-Harrison Broadcasting, Inc., Cadiz, Ohio, Req: 106.3 MHz, Channel 292A, 3.0 kW (H&V), 300 feet (BC Docket No. 81-94 and File No. BPH-790813AE), Harrison County Broadcasting, Inc., Cadiz, Ohio, Req: 106.3 MHz, Channel 292A, 3.0 kW (H&V), 300 feet (BC Docket No. 81-95 and File No. BPH-790829AB) and Cadiz Broadcasting, Inc., Cadiz, Ohio, Req: 106.3 MHz, Channel 292A, 3.0 kW (H&V), 300 feet (BC Docket No. 81-96 and File No. BPH-800317AF) for a construction permit for a new FM station.

Adopted: February 13, 1981.

Released: February 26, 1981.

1. The Commission, by the Chief, Broadcast Bureau, acting pursuant to delegated authority, has under consideration the above-captioned mutually exclusive applications filed by Carroll-Harrison Broadcasting, Inc., Harrison County Broadcasting, Inc., and Cadiz Broadcasting, Inc.

2. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

3. Accordingly, it is ordered, that, pursuant to Section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine which of the proposals would, on a comparative basis, better serve the public interest.

2. To determine, in the light of the evidence adduced pursuant to the foregoing issue, which of the applications should be granted.

4. It is further ordered, that to avail themselves of the opportunity to be heard, the applicants herein shall, pursuant to Section 1.221(c) of the Commission's Rules, in person or by attorney, within 20 days of the mailing of this Order, file with the Commission in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and to present evidence on the issues specified in this Order.

5. It is further ordered, that the applicants herein shall, pursuant to Section 311(a)(2) of the Communications Act of 1934, as amended, and § 73.3594 of the Commission's Rules, give notice of the hearing (either individually or, if feasible and consistent with the Rules, jointly) within the time and in the manner prescribed in such Rule, and shall advise the Commission of the publication of such notice as required by § 73.3594(g) of the Rules.

Federal Communications Commission.

Larry D. Eads,

Acting Chief, Broadcast Facilities Division.

[FR Doc. 81-6894 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

[BC Dockets 81-63 and 81-64; File Nos. BP-79075AD and BP-800609AA]

Deerfield Broadcasting Co., Inc., and Woodstock Broadcasting Co.; Applications for Construction Permit; Hearing Designation Order

In the matter of applications of Deerfield Broadcasting Co., Inc., Woodstock, Virginia, Req: 940 kHz, 250 W, Day (BC Docket 81-63 and File No. BP-790705AD) and Earl Judy, Jr. and Peter W. Lechman d.b.a. Woodstock Broadcasting Company, Woodstock, Virginia, Req: 940 kHz, 250 W, Day (BC Docket 81-64 and File No. BP-800609AA) for construction permit.

Adopted: January 29, 1981.

Released: February 18, 1981.

1. The Commission, by the Chief, Broadcast Bureau, acting pursuant to delegated authority, has under consideration the above-captioned mutually exclusive applications filed by Deerfield Broadcasting Co., Inc. (Deerfield) and Earl Judy, Jr. and Peter W. Lechman d.b.a. Woodstock Broadcasting Company (WBC).

2. *Deerfield Broadcasting Co., Inc.* In response to Section II, Question 21 of FCC Form 301, this applicant has indicated that its principals are unrelated. However, other Commission files show that Luther F. Dean, Deerfield's vice-president, is the father of Robert L. Dean, its president. This discrepancy must be corrected by amendment.

3. Analysis of the financial portion of Deerfield's application reveals that it will require $47,228 to construct the proposed facility and operate for three months, itemized as follows:

Equipment	$13,828
Other application and construction costs	18,400
Operating costs	14,900
Total	47,228

The applicant proposes to finance this with $5,000 existing capital and a $45,000 loan from Vincent D. O'Connell, one of its principals. Additionally, it states that the proceeds from the anticipated sale of commonly owned WABH, Churchville, Virginia, will be available in the amount of about $80,000, after payment of debts. The existing capital has been shown to be available. However, the balance sheet submitted by Mr. O'Connell is undated. Further, applicant's statements with respect to sale of WABH do not provide sufficient assurance that the funds indicated will be available. Therefore, no funds beyond the $5,000 existing capital have been shown, and a limited financial issue must be specified.

4. Deerfield's local notice failed to describe the antenna it proposes to erect, as required by Section 73.3580(f)(5) of the Commission's Rules. To remedy this defect, the applicant must republish a corrected notice.

5. *Woodstock Broadcasting Company.* This applicant published its local notice only two times in *The Shenandoah Valley Herald*, a weekly newspaper, though Section 73.3580(c)(1)(ii) requires publication three weeks. It must therefore publish its notice one additional time to satisfy the local notice requirement.

6. *Other matters.* Data submitted by the applicants indicate that there would be a significant difference in the areas and populations which would receive service from the proposals. Consequently, for the purpose of comparison, the areas and populations which would receive primary service, together with the availability of other primary aural services in such areas, will be considered under the standard comparative issue for the purpose of determining whether a comparative preference should accrue to either of the applicants.

7. Except as indicated by the issue specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding.

8. Accordingly, it is ordered, that pursuant to Section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine with respect to Deerfield Broadcasting Co., Inc.:

a. The source and availability of funds over and above the $5,000 indicated; and

b. Whether, in light of the evidence adduced pursuant to (a), above, the applicant is financially qualified.

2. To determine which of the proposals would, on a comparative basis, better serve the public interest.

3. To determine in light of the evidence adduced pusuant to the foregoing issues, which of the applications should be granted.

9. It is further ordered, that Deerfield Broadcasting Co., Inc. shall file the amendment specified in paragraph 2, above, within 30 days after this Order is published in the **Federal Register.**

10. It is further ordered, that Deerfield Broadcasting Co., Inc. and Woodstock Broadcasting Company shall republish local notice of their applications as specified in paragraphs 4 and 5, above, and shall file statements of publication with the presiding Administrative Law Judge within 40 days after this Order is published in the **Federal Register.**

11. It is further ordered, that to avail themselves of the opportunity to be heard, the applicants herein shall, pursuant to § 1.221(c) of the Commission's Rules, in person or by attorney, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and to present evidence on the issues specified in this Order.

12. It is further ordered, that the applicants herein shall, pursuant to Section 311(a)(2) of the Communications Act of 1934, as amended, and § 73.3594 of the Commission's Rules, give notice of the hearing (either individually or jointly) within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 73.3594(g) of the Rules.

Federal Communications Commission.

Larry D. Eads,

Acting Chief, Broadcast Facilities Division.

[FR Doc. 81-6815 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

[BC Docket Nos. 81-103 and 81-104; File Nos. BPCT-800606KG and BPCT-800314KE]

Greater Wichita Telecasting, Inc., and Columbia-Kansas TV, Ltd.; Applications for Construction Permit; Hearing Designation Order

In the matter of applications of Greater Wichita Telecasting, Inc., Wichita, Kansas (BC Docket No. 81-103 and File No. BPCT-800606KG) and Columbia-Kansas TV, Ltd. Limited Partnership, Wichita, Kansas (BC Docket No. 81-104 and File No. BPCT-800314KE) for construction permit.

Adopted: February 19, 1981.

Released: February 26, 1981.

By the Chief, Broadcast Bureau:

1. The Commission, by the Chief, Broadcast Bureau, acting pursuant to delegated authority, has before it the above-captioned mutually exclusive applications for authority to construct a new commercial television broadcast station on Channel 24, Wichita, Kansas.

2. *Greater Wichita Telecasing, Inc. (GWT).* No determination has been reached that the antenna structure proposed by GWT would not constitute a hazard to air navigation. Accordingly, an issue regarding this matter will be specified.

3. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

4. Accordingly, it is ordered, That, pursuant to Section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine with respect to Greater Wichita Telecasting, Inc.:

(a) Whether there is a reasonable possibility that the tower height and location proposed by applicant would constitute a hazard to air navigation.

(b) Whether, in light of the evidence adduced pursuant to the foregoing issue, applicant is qualified to be a Commission licensee.

2. To determine which of the proposals would, on a comparative basis, better serve the public interest.

3. To determine, in light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

5. It is further ordered, that the Federal Aviation Administration is made a party to the proceeding.

6. It is further ordered, that, to avail themselves of the opportunity to be heard, the applicants herein shall, pursuant to § 1.221(c) of the Commission's Rules, in person or by attorney, within 20 days of the mailing of this Order, file with the Commission in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and to present evidence on the issues specified in this Order.

7. It is further ordered, that the applicants herein shall, pursuant to Section 311(a)(2) of the Communications Act of 1934, as amended, and § 73.3594 of the Commission's Rules, give notice of the hearing (either individually or, if feasible and consistent with the Rules, jointly) within the time and in the manner prescribed in such Rule, and shall advise the Commission of the publication of such notice as required by § 73.3594(g) of the Rules.

Federal Communications Commission.

Larry D. Eads,

Acting Chief, Broadcast Facilities Division, Broadcast Bureau.

[FR Doc. 81-6896 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

[BC Docket No. 81-50, etc. and File Nos. BPCT-781211LC, etc.)

Highland Communications, Inc., et al.; Applications for Construction Permit; Hearing Designation Order

In the matter of applications of Highland Communications, Inc., Medford, Oregon (BC Docket No. 81-50, File No. BPCT-781211LC), Christian Broadcasting Corp., Medford, Oregon (BC Docket No. 81-51, File No. BPCT-790227KE), Sunshine Television, Inc., Medford, Oregon, (BC Docket No. 81-52, File No. BPCT-790815KF) and Medford Channel 12 Limited Partnership (Wylie H. Whisonant, Jr., Cornelous W. Jenkins and Channel 12 Associates, Inc., General Partners), Medford, Oregon (BC Docket No. 81-53, File No. BPCT-790815KG) for construction permit for a new television station.

Adopted: January 29, 1981.

Released: February 13, 1981.

By the Chief, Broadcast Bureau:

1. The Commission, by the Chief, Broadcast Bureau, acting pursuant to delegated authority, has before it for consideration: (a) the above-captioned mutually exculsive applications filed by Highland Communications, Inc., (Highland), Christian Broadcasting Corp. (Christian), Sunshine Television, Inc., (Sunshine) and Medford Channel 12 Limited Partnership (Med-12) for a new commercial television station to operate on Channel 12, Medford, Oregon; (b) a "Request for Stay," filed August 15, 1979 by Oregon Broadcasting Company (OBC); (c) a "Petition to Deny" filed August 15, 1979 by OBC; (d) Opposition to Petition to Deny and Request for Stay filed August 28, 1979 by Christian; (e) Opposition to Petition to Deny and Request for Stay filed August 22, 1979 by Highland; (f) Comments on petition to Deny and Request for Stay, filed September 13, 1979 by Sunshine.

2. In both the Request for Stay and the Petition to Deny filed by Oregon Broadcasting Co., (OBC) licensee of television station KOBI, Channel 5, Medford, Oregon, OBC alleges that, pending the outcome of its application for review of a previous ruling which assigned VHF television Channel 12 to Medford, Oregon, *Report and Order* (Docket No. 21109) 43 FR 1503 (January 10, 1978) any proceessing of the above-captioned applications would be premature and not in the public interest. However, on November 10, 1980, the Commission affirmed the assignment of Channel 12 to Medford, Oegon, and denied OBC's application for review. In view of the Commission's action affirming the Channel 12 assignment, the Request for Stay, considered as a Motion for Deferred Processing, and the Petition to Deny will be dismissed as moot.

Sunshine Television, Inc.

3. Analysis of the financial data submitted by Sunshine reveals that $2,256,790 will be required to construct and operate the proposed station for three months, itemized as follows:

Equipment payments	$1,814,800
Building	50,000
Other items:	
Legal	100,000
Engineering	5,000
Installation	75,000
Miscellaneous	20,000
Operating costs (for 3 months)	191,990
Total	2,256,790

Sunshine plans to finance construction and operation of the proposed facility with the following funds:

Existing Capital	$20,000
New Capital (stock subscriptions)	215,000
Stockholder Loans	765,000
Bank Loan	1,800,000
Total	2,800,000

4. Section III, Page 3, Item 4(b) of FCC Form 301 requires each person who has agreed to furnish funds, purchase stock, extend credit or guarantee loans to submit a balance sheet or a detailed financial statement indicating financial ability to comply with terms of the agreement. Letters of assurance from various local banks purportedly summarizing the financial condition of each stockholder, are insufficient to allow us to determine whether each stockholder is financially capable of meeting the terms of the subscription and loan commitments to the corporation. In most instances there has been no showing of current and liquid assets sufficient in amount to meet current liabilities. Thus, the Commission is unable to determine the net liquid assets of the stockholders. Therefore, a question arises as to the ability of the stockholders to comply with the terms of the subscription and loan agreements.

The First National Bank of Oregon loan commitment is contingent upon the following conditions:

(1) The execution of a personal guaranty by each stockholder in the amount of $1,800,000.

(2) Stockholders' capital injection of $250,000 in the form of the initial stock issue.

(3) Loans to Sunshine, from stockholders, in the amount of $750,000 to be subordinated to the Bank debt prior to the disbursement of any funds to the corporation.

However, there is no documentation evidencing each stockholder's willingness to guarantee the above-mentioned loan, or to subordinate his loan to the bank loan. Inasmuch as Sunshine has not submitted a balance sheet or financial statement pursuant to Section III, Page 2, Paragraph 2 of FCC Form 301, we are unable to determine whether the applicant has the net liquid assets to meet the terms of the bank loan. Accordingly, limited financial issues will be specified against Sunshine.

Medford Channel 12 Limited Partnership

5. The financial data submitted by Med-12 reveals that approximately $2,831,800 will be required to construct and operate the proposed station for three months, estimated as

Equipment	$1,830,400
Land and Buildings	401,000
Legal, engineering installation and miscellaneous	214,400
Estimated operating costs (3 mos)	386,000
Total	2,831,800

To meet these expenditures, Med-12 relies upon approximately $3,918,000, itemized as follows:

Existing Capital	$35,000
Anticipated Ltd. Partnership Contribution	2,935,000
Net Deferred Credit from Equipment Supplier	948,000

Analysis of the financial data presented in paragraph 5 leads to the following conclusions:

(a) The applicant proposes to acquire equipment from an unidentified supplier on a deferred credit basis. However, Med-12 has not submitted a letter from its proposed supplier setting forth the terms upon which the equipment will be made available. Therefore, a question arises as to the terms of the equipment agreement and whether the applicant has the necessary funds.

(b) The applicant intends to rely on approximately $2.9 million in partnership contributions. However, the partners have not submitted current balance sheets (dated within 90 days of the filing of the application). In addition, the applicant has not submitted a copy of the financial agreement pursuant to Section III, Page 3, Paragraph 4, Form 301. Therefore, a further question arises as to the availability of the partnership contributions as a source of funds. Accordingly, a limited financial issue will be specified against Med-12.

6. Except as indicated by the issues specified below, the Commission finds Highland Communications, Inc., Christian Broadcasting Corp., Sunshine Television, Inc., and Medford Channel 12 Limited Partnership, legally, financially, technically and otherwise qualified. Since these applications are mutually exclusive, the Commission is unable to make the statutory finding that grant of the applications will serve the public interest, convenience and necessity. The applications must, therefore, be designated for hearing in a consolidated proceeding on the issues set out below.

7. Accordingly, it is ordered, that pursuant to Section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications are designated for hearing in a consolidated proceeding, to be held before an Administrative Law Judge at a time and place to be specified in a subsequent order, upon the following issues:

(1) To determine with respect to Sunshine:

(a) Whether the applicant has $2,256,790 available to construct and operate the proposed station for three months.

(b) Whether, in light of the evidence adduced pursuant to (a) above, applicant is financially qualified to construct and operate as proposed.

(2) To determine with respect to Med-12:

(a) Whether the applicant has $2,831,800 available to construct and operate the proposed station for three months.

(b) Whether, in light of the evidence adduced pursuant to (a) above, applicant is financially qualified to construct and operate as proposed.

(3) To determine, on a comparative basis, which of the applications would best serve the public interest.

(4) To determine, in light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

8. It is further ordered, that the Request for Stay, considered as a Motion For Deferred Processing and the Petition to Deny filed by, Oregon Broadcasting Company are dismissed as moot.

9. It is further ordered, that to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's Rules, in person or by attorney, within twenty (20) days of the mailing of this Order, shall file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for hearing and to present evidence on the issues specified in this Order.

10. It is further ordered, that the applicants herein shall, pursuant to Section 311(a)(2) of the Communications Act of 1934 as amended, and § 73.3594 of the Commission's Rules, give notice of the hearing within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 73.3594(g) of the Rules.

Federal Communications Commission.

Larry Eads,

Acting Chief, Broadcast Facilities Division, Broadcast Bureau.

[FR Doc. 81-6987 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

Radio Technical Commission for Marine Services; Meetings

In accordance with Pub. L. 92-463, "Federal Advisory Committee Act," the schedule of future Radio Technical Commission for Marine Services (RTCM) meetings is as follows:

Special Committee No. 76, "Maritime Advisory Committee in Preparation for the 1982 Mobile Services World Administrative Radio Conference (1982 Mobile Services WARC)," Notice of 8th Meeting, Wednesday, March 18, 1981, 9:30 a.m., 1st Floor Auditorium, Comsat Building, 940 L'Enfant Plaza, S.W., Washington, D.C.

Agenda

1. Call to Order; Chairman's Report.
2. Administrative matters.
3. Discussion of Proposals and review of work program.
4. Establishment of future meeting schedule.

Charles Dorian, Chairman, SC-76, Comsat Corporation, Washington, D.C., Phone: (202) 554-6756

Executive Committee Meeting, Notice of March Meeting, Thursday, March 19, 1981, 9:30 a.m., Conference Room 6332-34, Nassif (DOT) Building, 400 Seventh Street, S.W., at D Street, Washington, D.C.

Agenda

1. Administrative Matters.
2. Special Committee Reports.
3. Nominating Committee Reports.

The RTCM has acted as a coordinator for maritime telecommunications since its establishment in 1947. All RTCM meetings are open to the public. Written statements are preferred, but by previous arrangement, oral presentations will be permitted within time and space limitations.

Those desiring additional information concerning the above meeting(s) may contact either the designated chairman or the RTCM Secretariat (202) 632-6490).

Federal Communications Commission.
Wiliam J. Tricarico,
Secretary.
[FR Doc. 81-6838 Filed 3-3-81; 8:45 am]
BILLING CODE 6712-01-M

[Report No. A-24]

TV Broadcast Applications Accepted for Filing and Notification of Cut-Off Date

Cut-off Date: April 13, 1981.

Notice is hereby given that the applications listed in the attached appendix are accepted for filing. They will be considered to be ready and available for processing after April 13, 1981. An application, in order to be considered with any application appearing on the attached list or with any other application on file by the close of business on April 13, 1981, which involves a conflict necessitating a hearing with any application on this list, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C. no later than the close of business on April 13, 1981.

Petitions to deny any application on this list must be on file with the Commission not later than the close of business on April 13, 1981.

Applications for new stations may not be filed against any application on the attached list which is designated by an asterisk (*).

Federal Communications Commission.
William J. Tricarico,
Secretary.

Report No. A-24

BPCT-801224KF	New	Meridian, Mississippi, TV-3, Inc., Channel 30, ERP: Vis. 8.55 kW; HAAT: 234 feet.
BPCT-801224KH	New	Tucson, Arizona, Valle Verde Broadcasting Corp., Channel 40, ERP: Vis. 1549 kW; HAAT: 2,032 feet.
*BMPCT-801231KE	(WTTO(TV)	Birmingham, Alabama, Chapman Radio and Television Corporation, Channel 21, Change city of license from Homewood, Alabama; change site; increase ERP Vis. to 1042 kW; increase HAAT to 1,343 feet.
BPET-810121KM	New	Reno, Nevada, Channel 5 Public Broadcasting, Inc., Channel 5, ERP: Vis. 5.02 kW; HAAt: 465 feet.

[FR Doc. 81-6906 Filed 3-3-81; 8:45 am]
BILLING CODE 6712-01-M

[BC Docket Nos. 81-92 and 81-93; File Nos. BPH-10639 and BPH-790924AA]

Vacation Media, Inc., and Judith G. Hayes; Applications for Construction Permits; Hearing Designation Order

In the matter of applications of Vacation Media, Inc., Gatlinburg, Tennessee, Req: 105.5 MHz, Channel 288, .225 kW (H&V), 911 feet (BC Docket No. 81-92, File No. BPH-10639) and Judith G. Hayes, Pigeon Forge, Tennessee, Req: 105.5 MHz, Channel 288, 3 kW (H&V), 64.13 feet ((BC Docket No. 81-93, File No. BPH-790924AA) for a construction permit for a new FM station.

Adopted: February 11, 1981.

Released: March 2 1981.

By the Chief, Broadcast Bureau:

1. The Commission, by the Chief, Broadcast Bureau, acting pursuant to delegated authority, has under consideration (i) the above captioned mutually exclusive applications filed by Vacation Media, Inc. (Vacation Media) and Judith G. Hayes (Hayes) and (ii) a petition to deny the application of Vacation Media filed by Hayes.

2. Hayes filed a petition to deny Vacation Media's application claiming that it was in contravention of § 73.207 of the Commission's Rules in that it specified a transmitter site which was short-spaced by 2.3 miles with WAGI-FM in Gaffney, South Carolina. Hayes requested that the Commission either deny Vacation Media's application or require that it be amended. On July 18, 1980 Vacation Media filed a minor amendment to its application specifiying a change in transmitter site which eliminated any short-spacing problems. Since Vacation Media's amendment has rendered Hayes' petition moot, the petition to deny is denied.

3. Hayes has not provided us with a current FAA clearance. Accordingly, an appropriate issue will be specified.

4. The respective proposals, although for different communities, would serve substantial areas in common. Consequently, in addition to determining, pursuant to Section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient, and equitable distribution of radio service, a contingent comparative issue will also be specified.

5. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

6. Accordingly, it is ordered, that, pursuant to Section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine whether there is a reasonable possibility that the tower height and location proposed by Hayes would constitute a hazard to air navigation.

2. To determine the areas and populations which would receive primary aural service (1 mV/m or greater in the case of FM) from the proposed operations of Vacation Media, Inc. and Judith G. Hayes and the availability of other primary service to such areas and population.

3. To determine, in light of Section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient and equitable distribution of radio service.

4. To determine, in the event it is concluded that a choice between the applications should not be based solely on considerations relating to Section 307(b), which of the proposals would, on a comparative basis, better serve the public interest.

5. To determine, in light of the evidence adduced pursuant to the foregoing issues, which, of either, of the applications should be granted.

7. It is further ordered, that the Federal Aviation Administration is made a party to the proceeding.

8. It is further ordered, that, the petition to deny filed by Judith G. Hayes is denied.

9. It is further ordered, that, to avail themselves of the opportunity to be heard, the applicants herein shall, pursuant to § 1.221(c) of the Commission's Rules, in person or by attorney, within 20 days of the mailing of this Order, file with the Commission in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and to present evidence on the issues specified in this Order.

10. It is further order, that the applicants herein shall pursuant to Section 311(a)(2) of the Communications Act of 1934, as amended, and § 73.3594(g) of the Commission's rules, give notice of the hearing (either individually or, if feasible and consistent with the Rules, jointly) within the time and in the manner prescribed in such Rule, and shall advise the Commission of the publication of such notice as required by § 73.3594(g) of the Rules.

Federal Communications Commission.

Larry D. Eads,

Acting Chief, Broadcast Facilities Division, Broadcast Bureau.

[FR Doc. 81-6898 Filed 3-3-81; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL MARITIME COMMISSION

Application for Approval of Amendment to Atlantic and Gulf American-Flag Berth Operators Agreement; Availability of Finding of No Significant Impact

Upon completion of an environmental assessment, the Federal Maritime Commission's Office of Energy and Environmental Impact has determined that the Commission's decision on Agreement No. 9355-8 will not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321 *et seq.*, and that preparation of an environmental impact statement is not required. The agreement modifies the basic Atlantic and Gulf American-Flag Berth Operators Agreement (No. 9355) by adding the Pacific American-Flag Berth Operators as carriers, providing for intermodal service, and modifying the scope to adjust for ongoing intermodal shipment of certain household goods carried on through U.S. Government bills of lading.

This Finding of No Significant Impact (FONSI) will become final within 20 days unless a petition for review is filed pursuant to 46 CFR 547.6(b).

The FONSI and related environmental assessment are available for inspection on request from the Office of the Secretary, Room 11101, Federal Maritime Commission, Washington, D.C. 20573, telephone (202) 523-5725.

Francis C. Hurney,

Secretary.

[FR Doc. 81-6824 Filed 3-3-81; 8:45 am]

BILLING CODE 6730-01-M

[Docket No. 81-16]

Exemption of Certain Agency Agreements Involving Solicitation and Booking of Cargo and Signing Contracts of Affreightment and Bills of Lading; Availability of Finding of No Significant Impact

In Docket No. 81-16 the Commission proposes to amend 46 CFR Part 520 to exempt from section 15 approval certain agency agreements dealing with the solicitation and booking of cargo and signing contracts of affreightment and bills of lading. This exemption does not apply to agency agreements between common carriers competing in the same trade or agents representing different carriers in the same trade.

Upon completion of an environmental assessment on this action, the Federal Maritime Commission's Office of Energy and Environmental Impact has determined that the Commission's decision on this docket will not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321 *et seq.*, and that preparation of an environmental impact statement is not required.

This Finding of No Significant Impact (FONSI) will become final within 20 days unless a petition for review is filed pursuant to 46 CFR 547.6(b).

The FONSI and related environmental assessment are available for inspection on request from the Office of the Secretary, Room 11101, Federal Maritime Commission, Washington, D.C. 20573, telephone (202) 523-5725.

Francis C. Hurney,

Secretary.

[FR Doc. 81-6825 Filed 3-3-81; 8:45 am]

BILLING CODE 6730-01-M

[Docket No. 81-20]

Proctor & Schwartz, Inc. v. Mitsui O.S.K. Line, Ltd., Filing of Complaint and Assignment

Notice is given that a complaint filed by Proctor & Schwartz, Inc. against Mitsui O.S.K. Lines, Ltd. was served February 23, 1981. Complainant alleges that respondent has subjected it to payment of rates for ocean transportation in violation of sections 18 Bc(sic) of the Shipping Act, 1916.

This proceeding has been assigned to Administrative Law Judge Charles E. Morgan. Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 CFR 502.61. The hearing shall include oral testimony and cross-examination in the discretion of the presiding officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record.

Francis C. Hurney,

Secretary.

[FR Doc. 81-6826 Filed 3-3-81; 8:45 am]

BILLING CODE 6730-01-M

[Agreement No. T-3950]

Lease Between the Jackson County Port Authority and Ryan-Walsh Stevedore Co.; Availability of Finding of No Significant Impact

Upon completion of an assessment, the Federal Maritime Commission's Office of Energy and Environmental Impact has determined that the Commission's decision on Agreement No. T-3950 will not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321 *et seq.*, and the preparation of an environmental impact statement is not required. This agreement between the Jackson County Port Authority and Ryan-Walsh Stevedore Co. provides for the lease of facilities located at the Port of Pascagoula, in the Port's East Harbor (Bayou Casotte), known as Terminals G and H.

This Finding of No Significant Impact (FONSI) will become final within 20 days unless a petition for review is filed pursuant to 46 CFR 547.6(b).

The FONSI and related environmental assessment are available for inspection on request from the Office of the Secretary, Room 11101, Federal Maritime Commission, Washington, D.C. 20573, telephone (202) 523-5725.

Francis C. Hurney,

Secretary.

[FR Doc. 81-6829 Filed 3-3-81; 8:45 am]

BILLING CODE 6730-01-M

[Docket No. 81-10]

Sea-Land Service, Inc., Trailer Marine Transport Corp., and Gulf Caribbean Marine Lines, Inc., Proposed General Rate Increases in the Puerto Rico and Virgin Islands Trades; Order Amending Order of Investigation

On December 5, 1980, Puerto Rico Maritime Shipping Authority (PRMSA) filed Supplement No. 11 to its Tariff

FMC–F No. 7, proposing a general increase in rates, effective February 3, 1981, in its service between Atlantic and Gulf ports and ports in Puerto Rico. This tariff filing was rejected by the Commission because of PRMSA's failure to comply with the requirements of Rule 67 of the Commision's Rules of Practice and Procedure (46 CFR 502.67). The Commission thereafter granted PRMSA permission to refile its rate increases with modified financial and operating data, on thirty days' notice, and shortened the time for the filing of protests.

On January 28, 1981, PRMSA filed Supplement No. 13 to Tariff FMC–F No. 7, to become effective February 27, 1981. Supplement No. 13 proposes the same rate increases as did Supplement No. 11 and applies to all ocean freight rates, minimum charges on truckload shipments, extra size charges, minimum bill of lading charges, per trailer rates or maximum charges per trailer, truckload minimum charges for cargo in 20-foot containers and minimum charges for exclusive use of trailers.

Protests to the proposed rate increases were filed by the Government of the Virgin Islands, the Puerto Rico Manufacturers Association and the Drug and Toilet Preparation Traffic Conference Inc. Letters opposing the rate increases were also received from Beech-Nut Foods Corporation, Continental Foods, Inc. S.A., Heinz U.S.A., Kellogg Company, Cafe Savers, inc., Gene & Brenda Martin (The Reef, Teague Bay), National Can Corporation, Southwire Company, Tufflite Plastics, Inc., and Trio Hnos., Inc. PRMSA filed a Reply to the Protests.

These Protests and Reply raise basically the same issues as those already being investigated in this proceeding with respect to other carriers in the U.S.-Puerto Rico/Virgin Islands trades. Accordingly, because of this similarity of issues, particularly the rate parity considerations prevailing in this trade, PRMSA's proposed rate increases will be permitted to go into effect as scheduled but will be included in this investigation, and PRMSA will be made a respondent in the proceeding. All issues set forth in the Commission's Order instituting this proceeding will be fully applicable to PRMSA's proposed rate increases. In addition, because of the peculiar capital structure of PRMSA, the fixed charge coverage ratio standard of reasonableness stated in 46 CFR 512.6(d)(3) will also be considered in determining the reasonableness of PRMSA's proposed rate increases.

Therefore, it is ordered, That PRMSA's Supplement No. 13 to Tariff FMC–F No. 7 be included in the tariff matter listed in Appendix A to the Order of Investigation issued in this proceeding on January 29, 1981; and

It is further Ordered, That PRMSA be named a Respondent in this proceeding; and

It is further ordered, That all issues stated in the said Order of Investigation be considered in determining the reasonableness of PRMSA's proposed rate increases and that in addition consideration be given to the fixed charge coverage ratio standard of reasonableness as set forth in 46 CFR 512.6(d)(3) in making such determination; and

Finally, it is ordered, That the title of this proceeding be amended to include "Puerto Rico Maritime Shipping Authority."

By the Commission.

Francis C. Hurney,

Secretary.

[FR Doc. 81-6868 Filed 3-3-81; 8:45 am]

BILLING CODE 6730-01-M

GENERAL SERVICES ADMINISTATION

GSA Bulletin FPR 50 Federal Procurement

February 23, 1981.

To: Heads of Federal agencies.

Subject: List of basic agreements available for use by executive agencies.

1. *Purpose.* This bulletin lists the current basic agreements of executive agencies available for use in the acquisition of research and development contracts from educational institutions and nonprofit organizations in Fiscal Year 1981.

2. *Expiration date.* The information contained in this bulletin is of a continuing nature and will remain in effect until canceled.

3. *Background.* a. This bulletin, and predecessor bulletins, represent the implementation of recommendation B–11 of the Commission on Government Procurement which provides as follows: "Encourage the use of master agreements of the grant and contract types, which when executed should be used on a work order basis by all agencies and for all types of performers."

b. Section 1–3.410–2(e) of the FPR provides for the publication of FPR bulletins listing the basic agreements of executive agencies on a fiscal year basis as reported by those agencies. This is the fifth listing of these agreements.

4. *Guidance.* Attachment A contains a current list of institutions and organizations that have entered into basic agreements with executive agencies. Each institution is listed alphabetically together with a code number that identifies the agency concerned. Attachment B lists agency contact points that may be used to obtain copies of and information concerning the current applicability of the various basic agreements.

5. *Cancellation.* This bulletin cancels GSA Bulletin FPR 41, dated February 4, 1980.

Gerald McBride,

Assistant Administrator for Acquisition Policy.

Attachment A—Basic Agreements With Educational Institutions and Nonprofit Organizations, Fiscal Year 1981

Note.—The buying office should verify the current applicability of each basic agreement number and date listed below. To obtain a copy of or information concerning a particular basic agreement, identify the contractor and its code number and locate the contract point in Attachment B.

Contractor; Basic Agreement No.; Date; and Code

Akron, University of, Akron, Ohio; N00014–79–H–0142; January 1, 1979—1

Alabama, University of, Huntsville, Alabama; N00014–79H–0167; January 1, 1979—1

Alabama, University of, University, Alabama; N00014–79H–0130; January 1, 1979—1

Alaska, University of, Fairbanks, Alaska; N00014–79H–0002; January 1, 1979—1

* American Institute of Biological Sciences, Arlington, Virginia; N00014–79H–0003; January 1, 1979—1

American University, Washington, DC; N00014–79H–0073; January 1, 1979—1

Arizona Board of Regents, Arizona State University, Tempe, Arizona; N00014–79H–0093; January 1, 1979—1

Arizona Board of Regents, University of Arizona, Tuscon, Arizona; N00014–79H–0030; January 1, 1979—1

Arkansas, University of, Board of Trustees, Fayetteville, Arkansas; N00014–79H–0151; January 1, 1979—1

Auburn University, Auburn, Alabama; N00014–79H–0141; January 1, 1979—1

Beth Israel Medical Center, New York, New York; N00014–79H–0085; January 1, 1979—1

Boston College, Trustees of, Chestnut Hill, Massachusetts; N00014–79H–0117; January 1, 1979—1

Boston University, Boston, Massachusetts; N00014–79H–0137; January 1, 1979—1

Brandeis University, Waltham, Massachusetts; N00014–79H–0182; January 1, 1979—1

Bringham Young University, Provo, Utah; N00014–79H–0174; January 1, 1979—1

Brown University, Providence, Rhode Island; N00014–79H–0042; January 1, 1979—1

California Institute of Technology, Pasadena, California; N00014–79H–0005; January 1, 1979—1

* Nonprofit Organization.

California Institute of Technology, Pasadena, California; 14-08-0001-16850; April 15, 1978—4
California State University, Northridge, Foundation, Northridge California; N00014-79H-0095; January 1, 1979—1
California State University, Long Beach Foundation, Long Beach, California; N00014-79H-0084; January 1, 1979—1
California State University, Los Angeles Foundation, Los Angeles, California; N00014-79H-0001; January 1, 1979—1
California, The Regents of the University of, Berkeley, California; N00014-79H-0004; January 1, 1979—1
Carnegie-Mellon University, Pittsburgh, Pennsylvania; N00014-79H-0063; January 1, 1979—1
Case Western Reserve University, Cleveland, Ohio; N00014-79H-0034; January 1, 1979—1
Catholic University of America, Washington, DC; N00014-79H-0074; January 1, 1979—1
*Charles Stark Draper Laboratory, Cambridge, Massachusetts; N00014-79H-0007; January 1, 1979—1
Chicago, University of, Chicago, Illinois; N00014-79H-0035; January 1, 1979—1
Children's Hospital Medical Center, Boston, Massachusetts; N00014-79H-0132; January 1, 1979—1
Cincinnati, University of, Cincinnati, Ohio; N00014-79H-0147; January 1, 1979—1
Clarkson College of Technology, Potsdam, New York; N00014-79H-0043; January 1, 1979—1
Clemson University, Clemson, South Carolina; N00014-79H-0116; January 1, 1979—1
Colorado School of Mines, Golden, Colorado; N00014-79H-0180; January 1, 1979—1
Colorado State University, Fort Collins, Colorado; N00014-79H-0036; January 1, 1979—1
Colorado, The Regents of the University of, Boulder, Colorado; N00014-79-H-0118; January 1, 1979—1
Colorado, University of Boulder, Colorado; 14-08-0001-17647; October 1, 1978—4
Columbia University, New York; New York; 14-08-0001-16851; July 14, 1978—4
Columbia University, The Trustees of, New York, New York; N00014-79-H-0006; January 1, 1979—1
Connecticut Health Center, University of Farmington, Connecticut; N00014-79-H-0150; January 1, 1979—1
Connecticut, University of, Stoors, Connecticut; N0014-79-H-0066; January 1, 1979—1
Cornell University, Ithaca, New York; N00014-79-H-0044; January 1, 1979—1
Cornell University, Ithaca, New York; 14-08-0001-18209; July 1, 1980—4
Dartmouth College, Hanover, New Hampshire; N00014-79-H-0121; January 1, 1979—1
Dayton, University of, Dayton, Ohio; N00014-79-H-0157; January 1, 1979—1
Delaware, University of, Newark, Delaware; N00014-79-H-0103; January 1, 1979—1
Denver, University of (Colorado Seminary), Denver, Colorado; N00014-79-H-0125; January 1, 1979—1
Drexel University, Philadelphia, Pennsylvania; N00014-79-H-0045; January 1, 1979—1
Duke University, Durham, North Carolina; N00014-79-H-0071; January 1, 1979—1
Emmanuel College, the Trustees of Boston, Massachusetts; N00014-79-H-0153; January 1, 1979—1
Emory University, Atlanta, Georgia; N00014-79-H-0081; January 1, 1979—1
*Environmental Research Institute of Michigan, Ann Arbor, Michigan; N00014-79-H-0172; January 1, 1979—1
Florida A&M University, Tallahassee, Florida; N00014-79-H-0170; January 1, 1979—1
Florida Institute of Technology; Melbourne, Florida; N00014-79-H-0171; January 1, 1979—1
Florida State University, Tallahassee, Florida; N00014-79-H-0082; January 1, 1979—1
Florida, University of, Gainesville, Florida; N00014-79-H-0080; January 1, 1979—1
*Franklin Institute Research Laboratories, Philadelphia, Pennsylvania; N00014-79-H-0184; January 1, 1979—1
George Washington University, Washington, DC; N00014-79-H-0075; January 1, 1979—1
Georgetown University, Washington, DC; N00014-79-H-0076; January 1, 1979—1
Georgia State University, Atlanta, Georgia; N00014-79-H-0079; January 1, 1979—1
Georgia Tech Research Institute, Atlanta, Georgia; N00014-79-H-0108; January 1, 1979—1
Georgia, University of, Athens, Georgia; N00014-79-H-0152; January 1, 1979—1
Hahnemann Medical College, Philadelphia, Pennsylvania; N00014-79-H-0046; January 1, 1979—1
Harvard College, President and Fellows of, Cambridge, Massachusetts; N00014-79-H-0028; January 1, 1979—1
Hawaii University of, Honolulu, Hawaii; N00014-79-H-0008; January 1, 1979—1
Houston, University of, Houston, Texas; N00014-79-H-0068; January 1, 1979—1
Howard University, Washington, DC; N00014-79-H-0077; January 1, 1979—1
Idaho, University of, Moscow, Idaho; N00014-79-H-0164; January 1, 1979—1
Illinois, Board of Trustees of the University of, Urbana, Illinois; N00014-79-H-0009; January 1, 1979—1
Indiana University Foundation, Bloomington, Indiana; N00014-79-H-0089; January 1, 1979—1
Iowa State University of Science and Technology, Ames, Iowa; N00014-79-H-0173; January 1, 1979—1
Iowa, University of, Iowa City, Iowa; N00014-79-H-0037; January 1, 1979—1
John Carroll University, Cleveland, Ohio; N00014-79-H-0094; January 1, 1979—1
John Hopkins University, Baltimore, Maryland; N00014-79-H-0061; January 1, 1979—1
Kansas State University, Manhattan, Kansas; N00014-79-H-0120; January 1, 1979—1
Kansas, University of, Lawrance, Kansas; N00014-79-H-0065; January 1, 1979—1
Kentucky Research Foundation, University of, Lexington, Kentucky; N00014-79-H-0146; January 1, 1979—1
Lehigh University, Bethlehem, Pennsylvania; N00014-79-H-0047; January 1, 1979—1
Leland Stanford Junior University, The Board of Trustees of, Stanford, California; N00014-79-H-0029; January 1, 1979—1
Louisiana State University and Agriculture and Mechanical College, Board of Supervisors of the, Baton Rouge, Louisiana; N00014-79-H-0072; January 1, 1979—1
Louisville Foundation, University of, Louisville, Kentucky, N00014-79-H-0148; January 1, 1979—1
Loyola University, Chicago, Illinois; N00014-79-H-0175; January 1, 1979—1
Maryland, University of, College Park, Maryland; N00014-79-H-0096; January 1, 1979—1
Massachusetts General Hospital, Boston, Massachusetts; N00014-79-H-0133; January 1, 1979—1
Massachusetts Institute of Technology, Cambridge, Massachusetts; N00014-79-H-0049; January 1, 1979—1
Massachusetts Institute of Technology, Cambridge, Massachusetts; 14-08-0001-16852; July 14, 1978—4
Massachusetts, University of, Amherst, Massachusetts; N00014-79-H-0048; January 1, 1979—1
Miami, University of, Coral Gables, Florida; N00014-79-H-0010; January 1, 1979—1
Michigan State University, East Lansing, Michigan; N00014-79-H-0087; January 1, 1979—1
Michigan Technological University, Houghton, Michigan; N00014-79-H-0140; January 1, 1979—1
Michigan, The Regents of the University of, Ann Arbor, Michigan; N00014-79-H-0011; January 1, 1979—1
Minnesota, the Regents of the University of, Minneapolis, Minnesota; N00014-79-H-0012; January 1, 1979—1
Missouri University Hall, The Curators of Columbia, Missouri; N00014-79-H-0070; January 1, 1979—1
Montana State University, Bozeman, Montana; N00014-79-H-0159; January 1, 1979—1
Montana, University of, Missoula, Montana; N00014-79-H-0162; January 1, 1979—1
*National Academy of Sciences, Washington, DC; N00014-79-H-0013; January 1, 1979—1
*National Academy of Sciences, Washington, DC; DOT-OS-90007; January 1, 1979—3
Nevada System, University of Desert Research Institute, Reno, Nevada; N00014-79-H-0119; January 1, 1979—1
New Hampshire, University of Durham, New Hampshire; N00014-79-H-0050; January 1, 1979—1
New Mexico Institute of Mining and Technology, Socorro, New Mexico; N00014-79-H-0031; January 1, 1979—1
New Mexico State University Physical Science Lab., Las Cruces, New Mexico; N00014-79-H-0032; January 1, 1979—1
New Mexico University, Regents of University Hill, Albuquerque, New Mexico; N00014-79-H-0136; January 1, 1979—1
New York City University, Research Foundation on behalf of City College, New York, New York; N00014-79-H-0056; January 1, 1979—1
New York State University, Research Foundation of, Albany, New York; N00014-79-H-0057; January 1, 1979—1
New York University, New York, New York; N00014-79-H-0014; January 1, 1979—1

New York University, Medical Center, New York, New York; N00014-79-H-0102; January 1, 1979—1
North Carolina at Chapel Hill, University of, Chapel Hill, North Carolina; N00014-79-H-0101; January 1, 1979—1
North Carolina at Charlotte, University of, Charlotte, North Carolina; N00014-79-H-0144; January 1, 1979—1
North Carolina at Wilmington, University of, Wilmington, North Carolina; N00014-79-H-0131; January 1, 1979—1
North Carolina State University at Raleigh, Raleigh, North Carolina; N00014-79-H-0097; January 1, 1979—1
North Dakota, University of, Grand Forks, North Dakota; N00014-79-H-0114; January 1, 1979—1
Northeastern University, Boston, Massachusetts; N00014-79-H-0051; January 1, 1979—1
Northwestern University, Evanston, Illinois; N00014-79-H-0038; January 1, 1979—1
Notre Dame Du Lac, University of, Notre Dame, Indiana; N00014-79-H-0143; January 1, 1979—1
Nova University, Fort Lauderdale, Florida; N00014-79-H-0067; January 1, 1979—1
Oakland University, Rochester, Michigan; N00014-79-H-0139; January 1, 1979—1
Ohio State University Research Foundation, Columbus, Ohio; N00014-79-H-0039; January 1, 1979—1
Ohio University Research Institute, Athens, Ohio; N00014-79-H-0017; January 1, 1979—1
Oklahoma State University of Agriculture and Applied Science, Stillwater, Oklahoma; N00014-79-H-0166; January 1, 1979—1
Oklahoma, University of, Norman, Oklahoma; N00014-79-H-0138; January 1, 1979—1
Old Dominion University Research Foundation, Norfolk, Virginia; N00014-79-H-0127; January 1, 1979—1
Oregon Graduate Center for Study and Research, Beaverton, Oregon; N00014-79-H-0165; January 1, 1979—1
Oregon State University, The State of Oregon, Acting by and through the State Department of Higher Education on Behalf of, Corvallis, Oregon; N00014-79-H-0015; January 1, 1979—1
Oregon, University of, The State of Oregon, Acting by and through the State Board of Higher Education on Behalf of, Eugene, Oregon; N00014-79-H-0163; January 1, 1979—1
Pennsylvania State University, University Park, Pennsylvania; N00014-79-H-0052; January 1, 1979—1
Pennsylvania, The Trustees of the University of, Philadelphia, Pennsylvania; N00014-79-H-0016; January 1, 1979—1
Pittsburgh, University of, Pittsburgh, Pennsylvania; N00014-79-H-0053; January 1, 1979—1
Polytechnic Institute of New York, Brooklyn, New York; N00014-79-H-0054; January 1, 1979—1
Princeton University, The Trustees of, Princeton, New Jersey; N00014-79-H-0018; January 1, 1979—1
Purdue Research Foundation, West Lafayette, Indiana; N00014-79-H-0019; January 1, 1979—1
Regis College, Weston, Massachusetts; N00014-79-H-0181; January 1, 1979—1
Rensselaer Polytechnic Institute, Troy, New York; N00014-79-H-0055; January 1, 1979—1
Rhode Island, University of, Kingston, Rhode Island; N00014-79-H-0058; January 1, 1979—1
*Riverside Research Institute, New York, New York; N00014-80-H-0001; January 1, 1980—1
Rochester, University of, Rochester, New York; N00014-79-H-0145; January 1, 1979—1
Rutgers, the State University, New Brunswick, New Jersey; N00014-79-H-0064; January 1, 1979—1
Saint Louis University, St. Louis, Missouri; N00014-79-H-0158; January 1, 1979—1
San Diego State University Foundation, San Diego, California; N00014-79-H-0021; January 1, 1979—1
San Jose State University Foundation, San Jose, California; N00014-79-H-0040; January 1, 1979—1
Seattle University, Seattle, Washington; N00014-79-H-0078; January 1, 1979—1
*Smithsonian Institution, Washington, DC; N00014-79-H-0123; January 1, 1979—1
South Dakota School of Mines and Technology, Rapid City, South Dakota; N00014-79-0088; January 1, 1979—1
South Florida, University of, Tampa, Florida; N00014-79-H-0069; January 1, 1979—1
Southeastern Center for Electrical Engineering Education (SCEEE), Orlando, Florida; N00014-80-H-0002; May 1, 1980—1
Southern California, University of, Los Angeles, California; N00014-79-H-0022; January 1, 1979—1
Southern California, University of, Los Angeles, California; 14-08-0001-16854; April 15, 1978—4
Southern Methodist University Research Administration, Dallas, Texas; N00014-79-H-0115; January 1, 1979—1
*Stanford Research Institute International, Menlo Park, California; N00014-79-H-0168; January 1, 1979—1
Stevens Institute of Technology, The Trustees of, Hoboken, New Jersey; N00014-79-H-0059; January 1, 1979—1
Syracuse University, Syracuse, New York; N00014-79-H-0154; January 1, 1979—1
Tennessee, University of, Knoxville, Tennessee; N00014-79-H-0098; January 1, 1979—1
Texas A&M Research Foundation, College Station, Texas; N00014-79-H-0024; January 1, 1979—1
Texas Christian University, Fort Worth, Texas; N00014-79-H-0169; January 1, 1979—1
Texas System, University of, Austin, Texas; N00014-79-H-0023; January 1, 1979—1
Texas Technological University, Lubbock, Texas; N00014-79-H-0135; January 1, 1979—1
Tufts University, Medford, Massachusetts; N00014-79-H-0155; January 1, 1979—1
Tulane University, New Orleans, Louisiana; N00014-79-H-0107; January 1, 1979—1
Tuskegee Institute, Tuskegee, Alabama; N00014-79-H-0149; January 1, 1979—1
Union College, Schenectady, New York; N00014-79-H-0126; January 1, 1979—1
Utah State University, Logan, Utah; N00014-79-H-0160; January 1, 1979—1
Utah, University of, Salt Lake City, Utah; N00014-79-H-0033; January 1, 1979—1
Vermont, University of, Burlington, Vermont; N00014-79-H-0134; January 1, 1979—1
Virginia Commonwealth University, Richmond, Virginia; N00014-79-H-0104; January 1, 1979—1
Virginia Polytechnic Institute and State University, Blacksburg, Virginia; N00014-79-H-0099; January 1, 1979—1
Virginia State College, Petersburg, Virginia; N00014-79-H-0129; January 1, 1979—1
Virginia, The Rector and Visitors of the University of, Charlottesville, Virginia; N00014-79-H-0025; January 1, 1979—1
Wake Forest University (Bowman Gray School of Medicine), Winston-Salem, North Carolina; N00014-79-H-0083; January 1, 1979—1
Washington State University, Pullman, Washington; N00014-79-H-0091; January 1, 1979—1
Washington, The Board of Regents of the University of, Seattle, Washington; N00014-79-H-0026; January 1, 1979—1
Washington University, St. Louis, Missouri; N00014-79-H-0124; January 1, 1979—1
Washington, University of, Seattle, Washington; 14-08-0001-17794; April 15, 1978—4
Wayne State University, Detroit, Michigan; N00014-79-H-0105; January 1, 1979—1
Wentworth Institute of Technology, Inc., Boston, Massachusetts; N00014-79-H-0156; January 1, 1979—1
West Virginia Board of Regents on behalf of West Virginia University, Morgantown, West Virginia; N00014-79-H-0100; January 1, 1979—1
William and Mary, College of, Williamsburg, Virginia; N00014-79-H-0110; January 1, 1979—1
William Marsh Rice University, Houston, Texas; N00014-79-H-0062; January 1, 1979—1
Wisconsin System, Board of Regents of the University of, Madison, Wisconsin; N00014-79-H-0041; January 1, 1979—1
*Woods Hole Oceanographic Institution, Woods Hole, Massachusetts; N00014-79-H-0183; January 1, 1979—1
Worcester Polytechnic Institute, Worcester, Massachusetts; N00014-79-H-0128; January 1, 1979—1
Wyoming, University of, Laramie, Wyoming; N00014-79-H-0122; January 1, 1979—1
Yale University, New Haven, Connecticut; N00014-79-H-0027; January 1, 1979—1
Yeshiva University, New York, New York; N00014-79-H-0060; January 1, 1979—1

Attachment B—Contact Points for Information on the Basic Agreements With Educational Institutions and Nonprofit Organizations, Fiscal Year 1981

Contact Points and Code

Mr. Ken Popham, Office of Naval Research (Code 611), 800 North Quincy Street, Arlington, VA 22217, (202) 696-4605—1

* Nonprofit Organization

Mr. Herbert Wolff, Supervisory Grants & Contract Specialist, Division of Grants and Contracts, National Science Foundation, Washington, DC 20550, (202) 357–9630—2
Mr. Bill Irish, Procurement Analyst, Office of the Secretary, Department of Transportation, Washington, DC 20590, (202) 426–4237—3
Mr. Colonel C. Armstrong, Acting Chief, Division of Procurement and Grants, Office of Administrative and Management Policy, Department of Interior, Washington, DC 20240, (202) 343–6431—4

[FR Doc. 81-6858 Filed 3-3-81; 8:45 am]
BILLING CODE 6820-61-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

Medicare Program; Supplemental Health Insurance Panel; Meeting

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

ACTION: Notice.

SUMMARY: This notice announces a meeting of the Supplemental Health Insurance Panel and sets forth the tentative agenda for that meeting. Interested members of the public may attend.

DATE: March 17, 1981, 8:00 a.m. to 10:00 a.m.

ADDRESS: Hyatt Regency Columbus, 350 N. High Street, Columbus, Ohio 43215.

FOR FURTHER INFORMATION CONTACT: Robert A. Silva, Director, Medigap Operations Staff, Bureau of Program Operations, Health Care Financing Administration, Department of Health and Human Services, Room 555 East High Rise, 6401 Security Boulevard, Baltimore, Maryland 21235, 301–594–9412.

SUPPLEMENTARY INFORMATION: The Supplemental Health Insurance Panel consists of the Secretary of HHS and four State Commissioners or Superintendents of Insurance. The Panel is provided for under section 1882 of the Social Security Act (42 U.S.C. 1395ss). The Panel reviews State programs for regulating private health insurance policies (commonly called Medigap policies) to determine whether or not those programs meet or exceed standards specified in Federal statute. The Act also provides, in part, for a program of certification, by the Secretary, of Medigap policies. HCFA administers this program; however, it will be in effect only in those States that the Panel determines have not established their own regulatory programs for Medigap policies according the standards contained in the Federal statute.

The tentative agenda for the meeting of the Panel on March 17, 1981 includes the following:

1. Analysis and interpretation of portions of the "National Association of Insurance Commissioners (NAIC) Model Regulation to Implement the Individual Accident and Sickness Insurance Minimum Standards Act", adopted by the NAIC on June 6, 1979, as it applies to Medigap policies. The NAIC Model Regulation was incorporated by reference into Federal Medigap legislation (section 1882(g) of the Act).
2. The format and procedures that the Panel might use in its review of State insurance statutes and regulations that pertain to Medigap policies.
3. Plans for future meetings of the Panel and discussion of how to inform interested parties of the time, place, and agenda of those meetings.

(Sec. 1882 of the Social Security Act (42 U.S.C. 1395ss))

(Catalog of Federal Domestic Assistance Program No. 13.773, Medicare—Hospital Insurance Program; No. 13.774, Medicare—Supplemental Medical Insurance Program)

Dated: February 26, 1981.

Paul Willging,

Acting Administrator, Health Care Financing Administration.

[FR Doc. 81-6859 Filed 3-3-81; 8:45 am]
BILLING CODE 4110-35-M

Public Health Service

National Center for Health Care Technology; Evaluation of Medical Technology

The National Center for Health Care Technology (Center) announces that it is conducting an evaluation of what is known of the safety and clinical effectiveness of the tinnitus masker in treatment of tinnitus aurium.

Based on this evaluation, a recommendation will be formulated to assist the Health Care Financing Administration (HCFA) in establishing Medicare coverage policy. Any person or group wishing to provide the Center with information relevant to this evaluation should do so in writing no later than June 2, 1981. To enable the Center's staff to give appropriate consideration to any literature references or analyses of clincial data, a written summary no longer than 10 pages should be attached to any such material submitted.

Written material should be submitted to:

Division of Medical and Scientific Evaluation, National Center for Health Care Technology, Room 17A29, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

FOR FURTHER INFORMATION CONTACT: Dennis J. Cotter, Health Science Analyst, at the above address or by telephone (301) 443–4990.

Dated: February 25, 1981.

Wayne C. Richey, Jr.,

Acting Executive Secretary, Office of Health Research, Statistics, and Technology.

[FR Doc. 81-6820 Filed 3-3-81; 8:45 am]
BILLING CODE 4110-85-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Realty Action—Exchange Public Lands in Garfield and Lewis and Clark Counties, Montana; Correction

February 23, 1981

In F.R. Doc. 81–3026 appearing on pages 9216 and 9217 in the issue for Wednesday, January 28, 1981, we omitted a 40-acre tract in the land description. Make the following changes:

1. On page 9217, column 2, lines 22 and 23 should read

"T. 14 N., R. 4 W.,
Sec. 4, Lot 4 and SE¼SE¼."

2. On page 9217, column 2, line 30 should read "12,349.89 acres".

Roland F. Lee,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 81-6816 Filed 3-3-81; 8:45 am]
BILLING CODE 4310-84-M

[U-6047-A]

Utah; Partial Termination of Segregation by Classification for Multiple Use Management

Pursuant to the authority delegated to me by Bureau Order No. 701, dated July 23, 1964 (29 FR 10528), it is ordered as follows:

1. I hereby terminate the segregative effect as specified in Paragraph 4 of the Multiple Use Classification Order of June 8, 1970 (FR Doc. 70-7442 filed June 15, 1970), published in the Federal Register June 16, 1970, No. 116, FR page 9865, insofar as it affects the lands described below:

Salt Lake Meridian, Utah

T. 39 S., R. 12 W.,
Sec. 7, lots 11, 16, 17, and 18.
T. 40 S., R. 18 W.,
Sec. 29, E½SE¼.
The areas described aggregate 242.40 acres.

2. Paragraph 4 of the Classification Order of June 16, 1970, segregated the lands from appropriation under the mining laws (30 U.S.C., Ch. 2). This segregative effect will terminate on the above lands March 2, 1981 as provided by the regulations in 43 CFR 2461.5(c)(2).

3. The lands remain segregated from appropriation under the agricultural land laws (43 U.S.C., Chapter 9; 25 U.S.C., Sec. 334). They shall remain open to all other applicable forms of appropriation.

Dated: February 17, 1981.

Dean Stepanek,

Acting State Director.

[FR Doc. 81-6814 Filed 3-3-81; 8:45 am]

BILLING CODE 4310-84-M

INTERNATIONAL COMMUNICATION AGENCY

United States Advisory Commission on Public Diplomacy; Meeting

The U.S. Advisory Commission on Public Diplomacy will meet in open session on March 20, 1981, in Room 600—1750 Pennsylvania Avenue, NW., Washington, D.C. from 9:30 AM to 3 PM. The agenda will include a presentation of ICA's budget situation, and a discussion with Board for International Broadcasting representatives. Because space is limited, please call Elizabeth Fahl, (202) 724-9244, if you are interested in attending the meeting.

Jane S. Grymes,

Management Analyst, Management Analysis/Regulations Staff, Associate Directorate for Management, International Communication Agency.

[FR Doc. 81-6890 Filed 3-3-81; 8:45 am]

BILLING CODE 8230-01-M

INTERSTATE COMMERCE COMMISSION

[Docket No. AB-1 (Sub-92)]

Chicago and North Western Transportation Co., Abandonment Between Minerva Junction and Zearing, IA; Findings

Notice is hereby given that pursuant to 49 U.S.C. 10903, an administratively final decision was issued by the Commission, Review Board Number 5 on February 18, 1981, stating that the public convenience and necessity permit the Chicago and North Western Transportation Company to abandon 19.1 miles of railroad between Minerva Junction and Zearing, IA. The abandonment is subject to employee protective conditions in *Oregon Short Line R. Co.—Abandonment-Goshen*, 360 I.C.C. 91 (1979).

A certificate of abandonment will be issued conditionally to the Chicago and North Western Transportation Company on April 3, 1981, unless the Commission further finds that:

(1) A financially responsible person, including a government entity, has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued. The offer must be filed with the Commission and served concurrently on the applicant, with copies to Ms. Ellen Hanson, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than *10 days* from the publication of this Notice; and

(2) It is likely that the proferred assistance would:

(a) Cover the difference between the revenues attributable to the rail line and the avoidable cost of providing rail freight service on the line, together with a reasonable return on the value of the line, or

(b) Cover the acquisition cost of all or any portion of the rail line.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed. An offeror may request the Commission to set conditions and amount of compensation within 30 days after an offer is made. If no agreement is reached within 30 days of an offer, and no request made for the Commission to set conditions or amount of compensation, a certificate of abandonment will be issued no later than 50 days after Notice is published.

When the Commission is notified that an assistance or acquisition and operating agreement is executed, it will postpone the issuance of a certificate for the period of time the agreement (including any extensions or modifications) is in effect. Information and procedures about financial assistance for continued rail service or the acquisition of the involved rail line are contained in 49 U.S.C. 10905 (as amended by the Staggers Rail Act of 1980, Pub. L. 96-448, effective October 1, 1980). All interested persons are advised to follow the instructions contained in the statute as well as the instructions contained in the above-referenced decision.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-6948 Filed 3-3-81; 8:45 am]

BILLING CODE 7035-01

[Permanent Authority Decisions Volume No. OP3-176]

Motor Carriers; Decision-Notice

Decided: February 19, 1981.

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.gs., 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 aplicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board No. 1, Members Carleton, Joyce and Jones.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications

for motor contract carrier authority are those where service is for a named shipper "under contract".

MC 2605 (Sub-19), filed January 30, 1981. Applicant: COMMERCIAL TRANSPORTATION, INC., 2300 E. Adams St., Philadelphia, PA 19124. Representative: Daniel O. Hands, Suite 200, 205 W. Touhy Ave., Park Ridge, IL 60068. Transporting *food and related products*, between Baltimore, MD, on one hand, and, on the other, points in NJ, PA, WV, VA, and DC.

MC 10345 (Sub-103F), filed December 10, 1981, previously noticed in FR on January 6, 1981. Applicant: C & J COMMERCIAL DRIVEAWAY, INC., 2400 W. St. Joseph St., Lansing, MI 48901. Representative: Joseph Gracia, Suite 211–3221 W. Big Beaver Rd., Troy, MI 48084. Transporting *motor vehicles*, between points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of General Motors Corporation or its dealers.

Note.—This republication corrects the reference to "the facilities of General Motors Corporation or its dealers," instead of "facilities used by General Motors Corporation."

MC 13134 (Sub-101), filed February 5, 1981. Applicant: GRANT TRUCKING, INC., P.O. Box 256, Ohio St. Rt. No. 93 North, Oak Hill, OH 45656. Representative: James M. Burtch, 100 East Broad St., Columbus, OH 43215. Transporting *machinery*, between points in Fayette County, PA, on the one hand, and, on the other, points in the U.S.

MC 30605 (Sub-171), filed January 28, 1981. Applicant: SANTA FE TRAIL TRANSPORTATION COMPANY, 433 East Waterman, Wichita, KS 67201. Representative: Richard K. Knowlton, 224 South Michigan Ave., Chicago, IL 60604. Transporting *general commodities* (except classes A and B explosives), between points in the U.S. under continuing contract(s) with The Atchison, Topeka and Santa Fe Railway Company, of Topeka, KS.

MC 46054 (Sub-82), filed January 28, 1981. Applicant: BROWN EXPRESS, INC., 428 South Main, San Antonio, TX 78285. Representative: Mert Starnes, A Professional Corporation, P.O. Box 2207, Austin, TX 78768. Over regular routes, transporting *general commodities* (except classes A and B explosives), between Victoria and Long Mott, TX: over TX Hwy 185, serving all intermediate points and serving all other points in Calhoun County, TX, as off-route points in connection with its regular-route authority.

MC 77874 (Sub-1), filed January 22, 1981. Applicant: ALVIN D. FREY, INC., 966 York St., Hanover, PA 17331. Representative: Norman T. Petow, 43 N. Duke St., York, PA 17401. Transporting *such commodities* as are dealt in or used by grocery and food business houses, between points in York County, PA, on the one hand, and, on the other, points in AL, DE, FL, GA, CT, IL, IN, KY, ME, MI, NC, NH, NJ, NY, MA, MD, SC, OH, RI, TN, VA, VT, WV, and DC.

MC 97684 (Sub-3), filed January 30, 1981. Applicant: THE FILM TRANSIT COMPANY, a Corporation, 9921 York-Alpha Dr., North Royalton, OH 44133. Representative: James Duvall, P.O. Box 97, 220 W. Bridge St., Dublin, OH 43017. Transporting *general commodities* (except classes A and B explosives), between points in Cuyahoga and Franklin Counties, OH, on the one hand, and, on the other, points in OH.

MC 110364 (Sub-7), filed January 29, 1981. Applicant: OHIO CARRIER CORPORATION, P.O. Box 429, Dover, OH 44622. Representative: James M. Burtch 100 E. Broad St., Columbus, OH 43215. Transporting: *metal products*, between points in Tuscarawas County, OH, on the one hand, and, on the other, those points in the U.S. in and east of MN, IA, MO, AR, and LA.

MC 112304 (Sub-252), filed January 28, 1981. Applicant: ACE DORAN HAULING & RIGGING CO., a Corporation, 1601 Blue Rock St., Cincinnati, OH 45223. Representative: John G. Banner (same address as applicant). Transporting: *general commodities* (except classes A and B explosives), between the facilities of A. P. Green Refractories Co., in the U.S., on the one hand, and, on the other, points in the U.S.

MC 114274 (Sub-74), filed February 5, 1981. Applicant: VITALIS TRUCK LINES, INC., 137 N.E. 48th St. Place, Des Moines, IA 50306. Representative: William H. Towle, 180 North La Salle St., Chicago, IL 60601.Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Swift Independent Packing Company, and Swift & Company, both of Chicago, IL.

MC 114284 (Sub-101), filed January 30, 1981. Applicant: FOX-SMYTHE TRANSPORTATION CO., a Corporation, P. O. Box 82407, Oklahoma City, OK 73148. Representative: William B. Baker, 641 Harrison St., P.O. Box 1979, Topeka, KS 66601.Transporting: *confectioneries and confectionery products*, between points in AZ, AR, CA, IL, KS, LA, MO, NM, OK, and TX.

MC 134954 (Sub-7), filed January 29, 1981. Applicant: INTERNATIONAL PRODUCTS CORP., 402 North Sixth St., P.O. Box 1158, Chickasha, OK 73018. Representative: R. H. Lawson, 2753 Northwest 22nd St., Oklahoma City, OK 73017.Transporting: *fertilizer*, between Pasadena, TX, and Atlas, MO, on the one hand, and, on the other, points in the U.S.

MC 135154 (Sub-10), filed January 28, 1981. Applicant: BADGER LINES, INC., 3109 West Lisbon Ave., Milwaukee, WI 52308. Representative: Wayne W. Wilson, 150 East Gilman St., Madison, WI 53703. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of beverages and beverage products, between points in the U.S.

MC 139934 (Sub-6), filed January 29, 1981. Applicant: ALL SOUTHERN TRUCKING, INC., P.O. Box 2698, Tampa, FL 33601. Representative: Robert R. Solomon (same address as applicant). Transporting (1) *Commodities which because of their size or weight require the use of special handling or equipment*, (2) *machinery*, (3) *metal products*, and (4) *concrete forming systems*, between points in AL, FL, and GA.

MC 142364 (Sub-47), filed January 30, 1981. Applicant: KENNETH SAGELY, d.b.a. KENNETH SAGELY TRUCKING COMPANY, P.O. Box 368, Van Buren, AR 72956. Representative: Don Garrison, P.O. Box 1065, Fayetteville, AR 72701. Transporting *such commodities* as are dealt in or used by department, hardware, drug, and grocery stores, and food business houses, between Atlanta, GA, Alsip, IL, Clifton and Morristown, NJ, and Houston, TX, on the one hand, and, on the other points in the U.S.

MC 142364 (Sub-48), filed January 30, 1981. Applicant: KENNETH SAGELY, d.b.a. KENNETH SAGELY TRUCKING COMPANY, P.O. Box 368, Van Buren, AR 72956. Representative: Don Garrison, P.O. Box 1065, Fayetteville, AR 72701. Transporting *paper and paper products, plastic products, and furniture*, between the facilities of Scott Paper Company, at points in AL, AR, GA, IL, IN, KS, LA, MO, OH, OK, TN, TX, and WI, on the one hand, and, on the other, points in AL, AR, GA, IL, IN, KS, LA, MO, OH, OK, TN, TX, and WI.

MC 142364 (Sub-49), filed January 30, 1981. Applicant: KENNETH SAGELY, d.b.a. KENNETH SAGELY TRUCKING COMPANY, P.O. Box 368, Van Buren, AR 72956. Representative: Don Garrison, P.O. Box 1065, Fayetteville, AR 72701. Transporting *such commodities* as are dealt in or used by variety and grocery stores, between the facilities of Wal-Mart Stores, Inc., in the U.S., on the one

hand, and, on the other, points in the U.S.

MC 151725 (Sub-1), filed January 30, 1981. Applicant: LEAF TRANSPORTATION, INC., 1155 North Cicero Ave., Chicago, IL 60651. Representative: Jack H. Blanshan, 205 West Touhy Ave., Suite 200, Park Ridge, IL 60068. Transporting *general commodities* (except classes A and B explosives), between points in the U.S. under continuing contract(s) with Leaf Confectionery, Inc., of Chicago, IL.

MC 151945 (Sub-1), filed January 29, 1981. Applicant: EXPEDITED TRUCK SERVICE, Div. of Roberts Truck Rentals, Inc., 106 South Clinton St., Fort Wayne, IN 46802. Representative: Christopher H. Jones (same address as applicant). Transporting *automotive and truck parts*, between points in the U.S. under continuing contract(s) with International Harvester Co., of Chicago, IL.

MC 153844, filed January 28, 1981. Applicant: NASHVILLE-EXPRESS TRAVEL, INC., Suite 506, Oaks Tower, 1100 Kermit Drive, Nashville, TN 37217. Representative: Maxwell A. Howell, 1100 Investment Bldg., 1511 K St., N. W., Washington, DC 20005. As a *broker*, at Nashville, TN, in arranging for the transportation of *passengers and their baggage*, in special and charter operations, between points in the U.S.

[FR Doc. 81-6627 Filed 3-3-81; 8:45 am]

BILLING CODE 7035-01-M

[Permanent Authority Decisions Volume No. OPY3-004]

Motor Carriers; Decision-Notice

Decided: February 23, 1981.

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 requirement which must be satisfied before the authority will be issued. Once this compliance is met, the authority be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board No. 1, Members Carleton, Joyce and Jones.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

MC 1515 (Sub-297), filed February 9, 1981. Applicant: GREYHOUND LINES, INC., Greyhound Tower, Phoenix, AZ 85077. Representative: L. J. Celmins (same address as applicant), (602) 248-2942. Over regular routes, transporting *passengers and their baggage and express and newspapers*, in the same vehicle with passengers, between Phoenix, AZ and Holbrook, AZ: from Phoenix over AZ Hwy 87 to Payson, then over AZ Hwy 260 to junction AZ Hwy 377, then over AZ Hwy 377 to junction AZ Hwy 77, then over AZ Hwy 77 to Holbrook, and return over the same route, serving Mesa, AZ as an intermediate point.

MC 85934 (Sub-129), filed February 9, 1981. Applicant: MICHIGAN TRANSPORTATION COMPANY, a corporation, 3601 Wyoming Ave., P.O. Box 248, Dearborn, MI 48120. Representative: Martin J. Leavitt, 22375 Haggerty Rd., P.O. Box 400, Northville, MI 48167, (313) 349-3980. Transporting *metal articles*, between points in MI, on the one hand, and, on the other, points in IL, IN, OH, KY, PA, NY, WV, MD, NJ, MA, VT, RI, CT, and NH.

MC 116915 (Sub-141), filed February 9, 1981. Applicant: ECK MILLER TRANSPORTATION CORP., Rt. No. 1, Box 248, Rockport, IN 47635. Representative: Fred F. Bradley, P.O. Box 773, Frankfort, KY 40602, (502) 227-2254. Transporting *pulp, paper, and related products*, between points in Chatham and DeKalb Counties, GA, Lafayette County, LA, Morgan County, AL, Hamblen County, TN, Cuyahoga County, OH, and Spartanburg County, SC, on the one hand, and, on the other, points in the U.S.

MC 145044 (Sub-6), filed February 9, 1981. Applicant: FOREDECK TRANSPORTATION CO., INC., P.O. Box 142, Oak Ridge, NJ 07438. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934, (201) 435-7140. Transporting *general commodities* (except classes A and B explosives), between the facilities used by Airwick Industries, Inc., in the U.S., on the one hand, and, on the other, points in the U.S.

MC 146075 (Sub-6), filed February 9, 1981. Applicant: TEXAS INTERMOUNTAIN TRANSPORTATION, INC., 6161 West 29th Place, Wheatridge, CO 80214. Representative: Delbert Ewing (same address as applicant), (303) 429-4065. Transporting *sewage treatment systems*, between points in CO and TX.

MC 149235 (Sub-4), filed February 9, 1981. Applicant: C. MAXWELL TRUCKING CO., INC., 9108 Reeds Dr., Overland Park, KS 66207. Representative: Alex M. Lewandowski, 1221 Baltimore Ave., Suite 600, Kansas City, MO 64105, (816) 221-1464. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under a

continuing contract(s) with Gordon Corporation, of Kansas City, MO.

MC 153314 (Sub-3), filed February 10, 1981. Applicant: M & D TRANSPORTATION, INC., 6538 North 57th Ave., Box 775, Glendale, AZ 85301. Representative: Michael S. Varda, 121 South Pinckney St., Madison, WI 53703, (608) 255–8891. Transporting (1) *pulp, paper and related products,* (a) between points in AZ and CA, on the one hand, and, on the other, points in the U.S., and (b) between points in Wood and Portage Counties, WI, and Little River County, AR, on the one hand, and, on the other, points in AZ, CA, ID, MT, NV, OR, UT, and WA; and (2) *pulp, paper and related products; printed matter;* and *chemicals and related products,* between points in Craighead County, AR, Waukesha County, WI, and Maricopa County, AZ, on the one hand, and, on the other, those points in the U.S. in and west of MI, WI, IL, MO, AR, and LA.

MC 153314 (Sub-4), filed February 10, 1981. Applicant: M & D TRANSPORTATION, INC., 6538 North 57th Ave., Box 775, Glendale, AZ 85301. Representative: Michael S. Varda, 121 South Pinckney St., Madison, WI 53703. Transporting *furniture and fixtures, rubber and plastic products, metal products,* and *building materials,* between points in Maricopa County, AZ, Walker, Whitfield, Murray, Catoosa, Gordon and Chattooga Counties, GA, Washoe County, NV, and Los Angeles, Orange, and Alameda Counties, CA, on the one hand, and, on the other, points in the U.S.

MC 153395 (Sub-1), filed February 9, 1981. Applicant: CHAR-LINE CORPORATION, 816 East Funston, Wichita, KS 67211. Representative: Lester C. Arvin, 814 Century Plaza Building, Wichita, KS 67202, (316) 265–2634. Transporting *rubber and plastic articles,* between points in Sedgwick and Butler Counties, KS, on the one hand, and, on the other, points in AR, CO, KS, MO, NE, OK, and TX.

[FR Doc. 81-6730 Filed 3-3-81; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. OP3-180]

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Decided: February 24, 1981.

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 completion 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 1, Members Carleton, Joyce and Jones.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

MC 2934 (Sub-100), filed February 3, 1981. Applicant: AERO MAYFLOWER TRANSIT CO., INC., 9998 North Michigan Road, Carmel, IN 46032. Representative: James L. Beattey, 300 E. Fall Creek Parkway, Indianapolis, IN 46205. Transporting *furniture and fixtures, and such commodities* as are dealt in by department stores, between points in the U.S. in and east of MN, IA, NE, KS, OK, and TX.

MC 7555 (Sub-80), filed February 6, 1981. Applicant: TEXTILE MOTOR FREIGHT, INC., P.O. Box 70, Ellerbe, NC 28338. Representative: Terrence D. Jones, 2033 K Street, N.W., Washington, DC 20006. Transporting (1) *food and related products* and (2) *chemicals and related products,* between those points in the U.S. in and east of MN, IA, MO, AR, and LA.

MC 40915 (Sub-54), filed February 6, 1981. Applicant: BOAT TRANSIT, INC., P.O. Box 1403, Newport Beach, CA. Representative: John T. Wirth, 717–17th St., Suite 2600, Denver, CO 80202. Transporting *such commodities* as are dealt in and used by manufacturers and distributors of fiberglass and fiberglass products, between points in the U.S.

Note.—Issuance of a certificate in this proceeding is subject to prior or coincidental cancellation, at applicant's written request, of certificate MC 40915 (Sub-53F).

MC 53965 (Sub-186), filed February 6, 1981. Applicant: GRAVES TRUCK LINE, INC., P.O. Box 1387, Salina, KS 67401. Representative: Bruce A. Bullock, One Woodward Avenue, Detroit, MI 48226. Transporting *food and related products,* between points in the U.S., under continuing contract(s) with Swift Independent Packing Company, of Chicago, IL.

MC 55794 (Sub-3), filed February 5, 1981. Applicant: OTTO NELSON & SONS, INC., P.O. Box 159, Kenosha, WI 53141. Representative: William C. Dineen, 710 North Plankinton Ave., Milwaukee, WI 53203. Transporting *household goods,* between points in Kenosha and Walworth Counties, WI, and Lake and McHenry Counties, IL, on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, KA, OK and TX.

MC 94265 (Sub-373), filed January 26, 1981. Applicant: BONNEY MOTOR EXPRESS, INC., P.O. Box 305, Windsor, VA 23487. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. Transporting *food and related products,* between points in IN, on the one hand, and, on the other, points in GA, MD, NC, PA, SC and DC.

MC 98964 (Sub-21), filed January 22, 1981. Applicant: PBI FREIGHT SERVICE, P.O. Box 37, Orem, UT 84057. Representative: Rick J. Hall, P.O. Box

2465, Salt Lake City, UT 84110. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Trans-West Shipper's Association, of Salt Lake City, UT.

MC 105045 (Sub-158), filed January 6, 1981. Applicant: R. L. JEFFRIES TUCKING CO., INC., 1020 Pennsylvania Street, Evansville, IN 47701. Representative: Paul F. Sullivan, 711 Washington Building, Washington, DC 20005. Transporting *machinery, metal products, and those commodities* which because of their size or weight require the use of special handling or equipment, between points in AL, FL, GA, LA, TN, KY, WI and WV, on the one hand, and, on the other, points in the U.S.

MC 106644 (Sub-358), filed February 5, 1981. Applicant: SUPERIOR TRUCKING COMPANY, INC., P.O. Box 916, Atlanta, GA 30301. Representative: Louis C. Parker, III (same address as applicant). Transporting (1) *those commodities* which because of their size or weight require the use of special handling or equipment, and (2) *self-propelled articles*, between points in TX, on the one hand, and, on the other, points in OK.

MC 114084 (Sub-21), filed February 5, 1981. Applicant: S. & S. TRUCKING CO. 120 South Oakland Avenue, Statesville, NC 28677. Representative: James M. Sample, Jr. (same address as applicant). Transporting *furniture and fixtures*, between the facilities of S & H Furniture, Inc., a division of Sperry & Hutchinson Company, in VA, NC and TN, on the one hand, and, on the other, points in the U.S.

MC 119654 (Sub-96), filed February 5, 1981. Applicant: HI-WAY DISPATCH, INC., 1401 West 26th Street, P.O. Box 509, Marion, IN 46952. Representative: Norman R. Garvin, 1301 Merchants Plaza, East Tower, Indianapolis, IN 46204. Transporting *chemicals*, between points in IL, IN, KY, MI, MO, OH, PA, and WI.

MC 124964 (Sub-70), filed February 6, 1981. Applicant: J. M. BOOTH TRUCKING, INC., P.O. Box 265, Tavares, Fl 32778. Representative: E. Stephen Heisley, 666 Eleventh Street, NW, No. 805, Washington, DC 20001. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Anderson Clayton Foods, a division of Anderson Clayton and Company, of Dallas, TX.

MC 125335 (Sub-114), filed February 3, 1981. Applicant: GOODWAY TRANSPORT, INC., P.O. Box 2283, York, PA 17405. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. Transporting *food and related products, and citrus byproducts*, between points in FL on the one hand, and, on the other, points in the U.S.

MC 133735 (Sub-15), filed February 6, 1981. Applicant: AUDUBON-BROOKHISER TRANSPORT, INC., P.O. Box 186, Wever, IA 52658. Representative: Richard D. Howe, 600 Hubbell Building, Des Moines, IA 50309. Transporting *food and related products*, between points in Ottawa County, MI, on the one hand, and, on the other, points in Muscatine County, IA.

MC 135074 (Sub-1), filed February 4, 1981. Applicant: SECURITY STORAGE CO., INC., P.O. Box 2005, Goldsboro, NC 27530. Representative: M. Wendell Thornton (same address as applicant). 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 141094 (Sub-3), filed February 3, 1981. Applicant: ACME TRUCKING, INC., 1298 Thurston Dr., Columbus, OH 43227. Representative: Paul F. Beery, 275 E. State St., Columbus, OH 43215. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Franklin Chemical Industries, Inc., Franklin Distribution Company, of Columbus, OH.

MC 142555 (Sub-1), filed January 27, 1981. Applicant: EMERSON DELIVERY, INC., P.O. Box 652, Cedar Rapids, IA 52406. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. Transporting (1) *printed matter*, between points in the U.S., under continuing contract(s) with Stamats Communications, Inc., and Fisher Printers, Inc., both of Cedar Rapids, IA; and (2) *machinery*, between points in the U.S., under continuing contract(s) with FMC Corporation, of Cedar Rapids, IA, and American Motors Sales Corporation of Milwaukee, WI.

MC 148035 (Sub-11), filed February 3, 1981. Applicant: QUANDT TRANSPORT SERVICE, INC., 2606 North 11th Street, Omaha, NE 68110. Representative: Arlyn L. Westergren, Suite 201, 9202 West Dodge Rd., Omaha, NE 68114. Transporting *chemical and related products, petroleum, natural gas and their products*, between points in Atchison County, MO, on the one hand, and, on the other, points in IA, KS and NE.

MC 149425 (Sub-2), filed February 6, 1981. Applicant: WESLEY J. HEMENWAY d.b.a. W. J. HEMENWAY TRUCKING, Box 401, Big Falls, MN 56627. Representative: Val M. Higgins, 1600 TCF Tower, Minneapolis, MN 35402. Transporting *lumber and wood products*, (1) between points in Koochiching County, NN, on the one hand, and, on the other, points in WI, and (2) between points in Chippewa County, WI, on the one hand, and, on the other, points in MN.

MC 150705 (Sub-6), filed February 6, 1981. Applicant: SAWYER TRANSPORT, INC., Sawyer Center, Route 1, Chesteron, IN 46304. Representative: Sterling W. Hygema (same address as applicant). Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Edward Hines Lumber Co., of Chicago, IL.

MC 150724 (Sub-4), filed February 2, 1981. Applicant: DONALD SANTISI TRUCKING CO.,a corporation, 340 Victoria Rd., Youngtown, OH 44515. Representative: Andrew Jay Burkholder, 275 East State St., Columbus, OH 43215. Transporting *farm products, and food and related products*, between the facilities of or used by Kal Kan Foods, Inc., in the U.S., on the one hand, and, on the other, points in the U.S.

MC 147915 (Sub-1), filed February 6, 1981. Applicant: RUSSO MOTOR EXPRESS, INC., Keim Blvd. and Bridge Plaza, Commerce Square, Burlington, NJ 08016. Representative: Robert R. Harris, 1730 M Street, N.W., Suite 501, Washington, DC 20036. Transporting *general commodities* (except classes A and B explosives) (1) between points in Camden and Burlington Counties, NJ, on the one hand, and, on the other, points in CA, FL, GA, ME, NH, NC, OH, TX and VT; and (2) between points in bucks County, PA, on the one hand, and, on the other, points in CA, CT, DE, FL, GA, ME, SC, MO, MD, MA, NH, NJ, NY, NC, OH, PA, RI, TX, VT, VA, IL, WV, and DC.

MC 150865 (Sub-2), filed February 6, 1981. Applicant: ATLANTIC & WESTERN TRANSPORTATION CO., INC., 3934 Thurman Road, Forest Park, GA 30051. Representative: Ronald J. Turner (same address as applicant). Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Taracorp, Inc., of Atlanta, GA.

MC 151925 (Sub-1), filed February 6, 1981. Applicant: KEN VAN LEUVEN & SON, INC., 10798 Seneca Dr., Boise, ID

83709. Representative: Timothy R. Stivers, P.O. Box 1576, Boise, ID 83701. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Chandler, Corporation, and Building Specialties Wholesale Co., Inc., both of Boise, ID.

MC 152814 (Sub-1), filed January 28, 1981. Applicant: GOOD TRANSPORT, INC., 1118 East 223rd Street, Carson, CA 90745. Representative: Mitchell Aaronson, 1880 Century Park East, Suite 1400, Los Angeles, CA 90067. Transporting *general commodities* (except classes A and B explosives) between points in the U.S. and under continuing contract(s) with Puget Sound Shippers Association, of Seattle, WA.

MC 152994 (Sub-1), filed January 21, 1981. Applicant: D. JORGENSEN TRUCKING, INC., P.O. Box C, Irrigon, OR 97844. Representative: Donald E. Jorgensen (same address as applicant). Transporting *food and related products*, (1) between points in Jefferson, Morrow and Umatilla Counties, OR, and Walla Walla County, WA, on the one hand and, on the other, points in WA and CA.

MC 153975 (Sub-1), filed January 19, 1981. Applicant: AEC, LTD., 724 York Road, Towson, MD 21204. Representative: John C. Bradley, Suite 1301, 1600 Wilson Boulevard, Arlington, VA 22209. Transporting *passengers and their baggage*, in special and charter operations, beginning and ending at Atlantic City, NJ, and extending to points in MD, VA, PA and DC.

MC 154055, filed February 4, 1981. Applicant: CUSTOM CONTRACT CARRIER, INC., Middletown Ave., Northford, CT 06472. Representative: Richard H. Streeter, 1729 H Street, NW, Washington, DC 20006. Transporting *general commodities* (except classes A and B explosives) between points in ME, NH, VT, MA, RI, CT, NY, NJ, PA, OH, IN, IL, VA, WV, DE, MD, KY, MO and DC.

The person or persons who appear to be engaged in common control of applicant and another regulated carrier must either file an application for approval of common control under 49 U.S.C. 11343–11344, or submit an affidavit to the Secretary's office indicating why such approval is unnecessary. In order to expedite issuance of any authority please submit a copy of the affidavit or proof of filing the application for common control to Team 3, Room 2158.

[FR Doc. 81-6819 Filed 3-3-81; 8:45 am]

BILLING CODE 7035-01-M

Volume No. OP4-052]

Motor Carriers; permanent Authority Decisions-Notice

Decided: February 2, 1981.

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** on July 3, 1980, at 45 FR 45539.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). Applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service and to comply with the appropriate statutes and Commission regulations. 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 applicants 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.gs., 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 Codes, 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 verfied statements filed within 45 days of publication of this decision-notice (or, if the application later becomes unpposed) 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 effective. Within 60 days after publication and 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 Chandler, Eaton, Liberman.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreing commerce over irregular routes, unless noted otherwise. Applications for motor contract carrie authority are those where service is for named shipper "under contract".

MC 97977 (Sub-8), filed February 5, 1981. Applicant: CARTAGE SERVICE, INC., 2437 E. 14th ST., Los Angeles, CA 90012. Representative: Bobbie F. Albanese, 13215 E. Penn St., Suite 310, Whitter, CA 90602. 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), for the U.S. Government, between points in the U.S.

[FR Doc. 81-6822 Filed 3-3-81; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. OP1-48]

Motor Carriers; Permanent Authority Decisions, Decision-Notice

Decided: February 20, 1981.

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 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 applications 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.

By the Commission, Review Board No. 2, Members Chandler, Eaton and Liberman.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

MC 115180 (Sub-103), filed February 9, 1981. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 265 West 14th St., New York, NY 10011. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. 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 134221 (Sub-4), filed February 9, 1981. Applicant: C.B.L. TRUCKING & LEASING, INC., P.O. Box 8, Delanco, NJ 08075. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. 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.

[FR Doc. 81-6823 Filed 3-3-81; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. OP1-417]

Motor Carriers; Permanent Authority Decisions, Decision-Notice

Decided: February 25, 1981.

The following applications, filed on or after March 1, 1979, are governed by Special Rule 247 of the Commission's *Rules of Practice* (49 CFR 1100.247). These rules provide, among other things, that a petition for intervention, either in support of or in opposition to the granting of an application, must be filed with the Commission within 30 days after the date notice of the application is published in the Federal Register. Protests (such as were allowed to filings prior to March 1, 1979) *will be rejected.* A petition for intervention without leave must comply with Rule 247(k) which requires petitioner to demonstrate that it (1) holds operating authority permitting performance of any of the service which the applicant seeks authority to perform, (2) has the necessary equipment and facilities for performing that service, and (3) has performed service within the scope of the application either (a) for those supporting the application, or, (b) where the service is not limited to the facilities of particular shippers, from and to, or between, any of the involved points.

Persons unable to intervene under Rule 247(k) may file a petition for leave to intervene under Rule 247(l) setting forth the specific grounds upon which it is made, including a detailed statement of petitioner's interest, the particular facts, matters, and things relied upon, including the extent, if any, to which petitioner (a) has solicited the traffic or business of those supporting the application, or, (b) where the identity of those supporting the application is not included in the published application notice, has solicited traffic or business identical to any part of that sought by applicant within the affected marketplace. The Commission will also consider (a) the nature and extent of the property, financial, or other interest of the petitioner, (b) the effect of the decision which may be rendered upon petitioner's interest, (c) the availability of other means by which the petitioner's interest might be protected, (d) the extend to which petitioner's interest will be represented by other parties, (e) the extent to which petitioner's participation may reasonably be expected to assist in the development of a sound record, and (f) the extent to which participation by the petitioner would broaden the issues or delay the proceeding.

Petitions not in reasonable compliance with the requirements of the rule may be rejected. An orginal and one copy of the petition to intervene shall be filed with the Commission indicating the specific rule under which the petition to intervene is being filed, and a copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named.

Section 247(f) provides in part, that an applicant which does not intend to timely prosecute its application shall promptly request that it be dismissed, and that failure to prosecute an application under the procedures of the Commission will result in its dismissal.

If an applicant has introduced rates as an issue it is noted. Upon request, an applicant must provide a copy of the tentative rate schedule to any protestant.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administrative acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplying grants of operating authority.

Findings:

With the exception of those applications involving duly noted problems (e.gs., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each common carrier applicant has demonstrated that its proposed service is required by the present and future public convenience and necessity, and that each contract carrier applicant qualifies as a contract carrier and its proposed contract carrier service will be consistent with the public interest and the transportation policy of 49 U.S.C. 10101. Each applicant

is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulation. Except where specifically 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 those proceedings containing a statement or note that dual operations are or may be involved we find, preliminarily and in the absence of the issue being raised by a petitioner, that the proposed dual operations are consistent with the public interest and the transportation policy of 49 U.S.C. 10101 subject to the right of the Commission, which is expressly reserved, to impose such terms, conditions or limitations as it finds necessary to insure that applicant's operations shall conform to the provisions of 49 U.S.C. 10930(a) [formerly section 210 of the Interstate Commerce Act.]

In the absence of legally sufficient petitions for intervention, filed within 30 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 notification of effectiveness of the decision-notice. To the extent that the authority sought below may duplicate an applicant's other authority, such duplication shall be construed as conferring only a single operating right.

Applicants must comply with all specific conditions set forth in the following decision-notices within 30 days after publication, or the application shall stand denied.

By the Commission, Review Board Number 3, Members Parker, Fortier and Hill.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, except as otherwise noted.

MC 128521 (Sub-13F), filed June 24, 1980. Applicant: BIRMINGHAM-NASHVILLE EXPRESS, INC., P.O. Box 100417, Nashville, TN 37210. Representative: Robert S. Durrett (same address as applicant). Transporting (1) *air cooling equipment, and heating equipment*, and (2) *parts* for the commodities in (1), between Nashville, TN, on the one hand, and, on the other, points in AL, MS, LA, FL, GA, and SC.

Note.— Applicant intends to interline at Birmingham, AL, New Orleans, LA, and Atlanta, GA.

[FR Doc. 81-6920 Filed 3-3-81; 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. OP1–049

Decided: February 20, 1981.

By the Commission, Review Board No. 2, Members Chandler, Eaton, and Liberman.

MC 200 (Sub-568), filed February 9, 1981. Applicant: RISS INTERNATIONAL CORPORATION, P.O. Box 100, 215 W. Pershing Rd., Kansas City, MO 64141. Representative: H. Lynn Davis (same address as applicant). Transporting *general commodities* (except classes A and B explosives), serving Houston, TX, as an off-route point in connection with applicant's otherwise-authorized regular-route operations.

MC 200 (Sub-573), filed February 9, 1981. Applicant: RISS INTERNATIONAL CORPORATION, P.O. Box 100, 215 W. Pershing Rd., Kansas City, MO 64141. Representative: H. Lynn Davis (same address as applicant). Transporting *such commodities* as are dealt in or used by a distributor of footwear, between points in Plymouth and Worcester Counties, MA, on the one hand, and, on the other, points in Boyle County, KY.

MC 74321 (Sub-162), filed February 9, 1981. Applicant: B. F. WALKER, INC., 155 Tremont Place, P.O. Box 17–B, Denver, CO 80217. Representative: Richard P. Kissinger, Steele Park, Suite 330, 50 South Steele St., Denver, CO 80209. Transporting *construction materials and supplies*, between points in AZ, CA, CO, ID, KS, LA, MT, ND, NE, NM, NV, OK, OR, SD, TX, UT, WA, and WY.

MC 124141 (Sub-50), filed February 9, 1981. Applicant: JULIAN MARTIN, INC., P.O. Box 3348, Batesville, AR 72501. Representative: Timothy C. Miller, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101. Transporting *food and related products*, between points in IL, on the one hand, and, on the other, points in

CO, IA, IN, KS, MN, MO, NE, NM, OK, TX, and WI.

MC 133480 (Sub-3), filed February 9, 1981. Applicant: A. VIZZI, INC., 17 Crescent St., Keansburg, NJ 07734. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Transporting *general commodities* (except classes A and B explosives), between points in Westchester County, NY, on the one hand, and, on the other, points in CT, DE, MD NJ, NY, PA, RI, VA, and DC.

MC 143280 (Sub-15), filed February 9, 1981. Applicant: SAFE TRANSPORTATION COMPANY, a Corporation, 6834 Washington Ave. South, Eden Prairie, MN 55344. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Transporting *pulp, paper and related products*, between points in Outagamie County, WI, on the one hand, and, on the other, points in the U.S.

MC 147400 (Sub-7), filed February 9, 1981. Applicant: RAEMARC, INC., 1903 Chicory Rd., Racine, WI 53405. Representative: William D. Brejcha, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with (a) Modine Manufacturing Company, (b) Twin Disc, Inc., (c) Jensen Metal Products, Inc., and (d) Walker Manufacturing Company all of Racine, WI.

MC 148751 (Sub-11), filed February 9, 1981. Applicant: LINCOLN FREIGHT LINES, INC., P.O. Box 427, Lapel, IN 46051. Representative: Norman R. Garvin, 1301 Merchants Plaza, East Tower, Indianapolis, IN 46204. Transporting *containers, container closures, and tubing*, between the facilites of Brockway Glass Company in the U.S., on the one hand, and, on the other, points in the U.S.

MC 148791 (Sub-11), filed February 9, 1981. Applicant: TRANSPORT-WEST, INC., 2125 N. Redwood Rd., Salt Lake City, UT 84116. Representative: Rick J. Hall, P.O. Box 2465, Salt Lake City, UT 84110. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Craig-Imperial-Acme Consolidators, Inc., of Denver, CO.

Volume No. OP1-051

Decided: February 25, 1981.

By the Commission Review Board No. 3, Members Parker, Fortier, and Hill.

MC 200 (Sub-574), filed February 9, 1981. Applicant: RISS INTERNATIONAL CORPORATION, P.O. Box 100, 215 Pershing Rd., Kansas City, MO 64141. Representative: H. Lynn Davis (same address as applicant). Transporting (1) *machinery*, and (2) *metal products*, between points in Cuyahoga County, OH, on the one hand, and, on the other, points in the U.S.

MC 531 (Sub-460), filed February 11, 1981. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Rd., P.O. Box 14048, Houston, TX 77021. Representative: Wray E. Hughes (same address as applicant). Transporting *general commodities* (except classes A and B explosives), between the facilities used by Union Carbide Coroporation in the U.S. on the one hand, and, on the other, points in the U.S.

MC 33051 (Sub-2), filed February 17, 1981. Applicant: BUDWAY ENTERPRISES, INC. d.b.a. BUDWAY EXPRESS, 4700 S. Gregg Rd., Pico Rivera, CA 90660. Representative: Fred H. Mackensen, 2029 Century Park East, Suite 4150, Los Angeles, CA 90067. Transporting *general commodities* (except classes A and B explosives), between points in CA. Condition: Issuance of a certificate in this proceeding is conditioned upon conincidental cancellation, at applicant's written request, of its certificate in MC-33051 and the certificate of registration held in MC-136955 Sub-No. 3.

MC 66531 (Sub-8), filed February 9, 1981. Applicant: INTERSTATE GROCERY DISTRIBUTION SYSTEM, INC., 2200 48th St., North Bergen, NJ 07047. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934.Transporting *general commodities* (except classes A and B explosives), between New York, NY, points in NJ, and those in Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, Sullivan, Ulster, Westchester Counties, NY, Adams, Berks, Bucks, Carbon, Chester, Cumberland, Dauphin, Delaware, Lancaster, Lehigh, Monroe, Montgomery, Philadelphia, Northampton, Northumberland, Pike, Schuykill, Wayne, and York Counties, PA.

MC 68100 (Sub-45), filed February 9, 1981. Applicant: D. P. BONHAM TRANSFER, INC., P.O. Drawer G, Bartlesville, OK 74003. Representative: Larry E. Gregg, 641 Harrison St., P.O. Box 1979, Topeka, KS 66601. Transporting *construction materials, equipment, and supplies*, between points in the U.S.

MC 85970 (Sub-49), filed February 10, 1981. Applicant: SARTAIN TRUCK LINE, INC., 1625 Hornbrook St., Dyersburg, TN 38024. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. Transporting *such commodities* as are dealt in or used by a manufacturer of shoes, between New York, NY, and points in Plymouth County, MA, on the one hand, and, on the other, points in Davidson County, TN.

MC 123091 (Sub-38), filed February 10, 1981. Applicant: NICK STRIMBU, INC., 3500 Parkway Rd., Brookfield, OH 44403. Representative: James Duvall, P.O. Box 97, 220 W. Bridge St., Dublin, OH 43017. Transporting (1) *ores and minerals*, (2) *lumber and wood products*, (3) *rubber and plastic products*, (4) *clay, concrete, glass or stone products*, (5) *metal products*, (6) *machinery*, and (7) *building materials*, between points in the U.S. Condition: Prior to issuance of a certificate in this proceeding, applicant must request cancellation of those certificates which duplicate the above authority.

MC 129191 (Sub-15), filed February 10, 1981. Applicant: RICHARD T. PLATTNER d.b.a. JANS MOTOR SERVICE, 12600 South Laramie Ave., Alsip, IL 60658. Representative: Albert A. Andrin, 180 North LaSalle St., Chicago, IL 60601. Transporting *metal products, machinery, transportation equipment, and building materials*, between points in the U.S.

MC 133841 (Sub-26), filed February 9, 1981. Applicant: DAN BARCLAY, INC., P.O. Box 426, 362 Main St., Lincoln Park, NJ 07035. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Transporting (1) *metal products*, and (2) *clay, concrete, glass or stone products*, between the facilities used by Dyckerhoff & Widmann, Inc., in the U.S., on the one hand, and, on the other, points in the U.S.

MC 141871 (Sub-24), filed February 9, 1981. Applicant: WNI, INC., 8460 S.W. Salish Lane, Wilsonville, OR 97070. Representative: Richard F. Fink (same address as applicant). Transporting *general commodities* (except classes A and B explosives), (1) between points in AZ, CA, CO, ID, MT, NM, NV, OR, UT, WA, and WY, and (2) between points in AZ, CA, CO, ID, MT, NM, NV, OR, UT, WA, and WY, on the one hand, and, on the other, points in the U.S.

MC 145441 (Sub-146), filed February 9, 1981. Applicant: A.C.B. TRUCKING, INC., P.O. Box 5130, North Little Rock, AR 72119. Representative: Ralph E. Bradbury (same address as applicant). Transporting *textile mill products and metal products*, between points in Pulaski County, AR, on the one hand, and, on the other, points in the U.S.

MC 145930 (Sub-10), filed February 10, 1981. Applicant: WILLIAM E. MOROG

d.b.a. JONICK & CO., 2815 E. Liberty Ave., Vermilion, OH 44089. Representative: Michael M. Briley, P.O. Box 2088, Toledo, OH 43603. Transporting *clay, concrete, glass or stone products*, between points in Cuyahoga County, OH, on the one hand, and, on the other, points in the U.S.

MC 146111 (Sub-7), filed February 9, 1981. Applicant: INDUSTRIAL TRANSPORT, INC., 11910 Harvard Ave., P.O. Box 04177, Cleveland, OH 44105. Representative: Brian S. Stern, North Springfield Professional Center II, 5411-D Backlick Rd., Springfield, VA 22151. Transporting *transportation equipment*, between those points in the U.S. in and east of MN, IA, MO, KS, OK, and TX.

MC 146961 (Sub-1), filed February 9, 1981. Applicant: INTERLAKE SYSTEMS, INC., 601 Hilltop Rd., Cinnaminson, NJ 08077. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ. Transporting *metal products*, between the facilities used by the Hoeganaes Corporation at points in Burlington County, NJ, and Sumner County, TN, on the one hand, and, on the other, points in the U.S.

MC 150211 (Sub-11), filed February 9, 1981. Applicant: ASAP EXPRESS, INC., P.O. Box 3250, Jackson, TN 38301. Representative: Jerry Ross (same address as applicant). Transporting *rubber and plastic products*, between the facilities used by Mobile Chemical Company, its subsidiaries, customers, and suppliers, in the U.S. on the one hand, and, on the other, points in the U.S.

MC 150231 (Sub-9), filed February 9, 1981. Applicant: MAVERICK TRANSPORTATION, INC., 1803 E. Broad St., Texarkana, AR 75502. Representative: Steve Williams (same address as applicant). Transporting *metal products*, between points in the U.S., under continuing contract(s) with Barg Steel Company, Inc., of Little Rock, AR.

MC 150441 (Sub-1), filed February 11, 1981. Applicant: JOHN E. ZULAK HAULAGE, LTD., 1489 Augustine Dr., Burlington, Ontario, Canada L7P 2N1. Representative: Robert D. Gunderman, 710 Statler Bldg., Buffalo, NY 14202. *In foreign commerce only*, transporting *waste or scrap materials*, between points in the U.S., under continuing contract(s) with Mostel Metals Company of Canada Ltd., of Scarborough, Ontario, Canada.

MC 151030 (Sub-1), filed February 9, 1981. Applicant: MARJO TRUCKING, INC., P.O. Box 2311, Newburgh, NY 12550. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Transporting (1) *metal products*, and (2) *rubber and plastic products*, between New York, NY, on the one hand, and, on the other, points in the U.S.

MC 151241 (Sub-4), filed February 9, 1981. Applicant: AVONDALE WRECKER SERVICE, 4030 3rd Ave., South, P.O. Box 31142, Birmingham, AL 35222. Representative: Cecil Eugene Wilson (same address as applicant). Transporting *transportation equipment*, between points in AL, on the one hand, and, on the other, points in AR, AZ, CA, CO, FL, GA, IL, IN, KS, KY, LA, MD, MI, MO, MS, NC, NM, NY, OH, OK, PA, SC, TN, TX, VA, and WV.

MC 151421 (Sub-1), filed February 9, 1981. Applicant: FAK CO., INC., 14 Bowser Rd., New Brunswick, NJ 08901. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Transporting *machinery and electrical equipment and supplies*, between New York, NY, and points in Georgetown County, SC, on the one hand, and, on the other, points in the U.S.

MC 152051 (Sub-1), filed February 9, 1981. Applicant: A. HUTTAR & SONS, INC., 300 Tall Cedar Court, Bell Meade, NJ. Representative: Zoe Ann Pace, Suite 2373, One World Trade Center, New York, NY 10048. Transporting (1) *chemicals and related products*, and (2) *food and related products*, between points in the U.S., under continuing contract(s) with Morton Salt, Division of Morton Norwich Products, Inc., of Chicago, IL.

MC 152431 (Sub-1), filed February 10, 1980. Applicant: HARVIE BLACK, JR., d.b.a. BLACK TRUCKING CO., 2149 Johnstown Rd., Huntington, WV 25701. Representative: Robert G. Malone (same address as applicant). Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with (a) Midwest Corporation, a subsidiary of UNR Industries, Inc., of Charleston, WV, (b) Connors Steel Company, (c) Blumburg Electric Company, (d) Cardinal Steel and Processing, (e) Lilly Electric Sales and Equipment, (f) Terrell Industries, (g) Tram Incorporated, and (h) Goodwill Industries, all of Huntington, WV.

MC 152671 (Sub-1), filed February 10, 1981. Applicant: ALL FREIGHT TRANSPORTATION, INC., P.O. Box 6699, Boise, ID 83707. Representative: David E. Wishney, P.O. Box 837, Boise, ID 83701. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with (a) Ore-Ida Foods, Inc., of Boise, ID, (b) Idaho Frozen Foods Corporation of Twin Falls, ID, (c) Cowboy Oil Company of Pocatello, ID, (d) Modern Merchandising, Inc., of Hopkins, MN, and (e) Metalbestos Systems, Inc., of Logan, OH.

MC 153830 (Sub-2), filed February 9, 1981. Applicant: LORI-MATT CARRIERS, INC., 8803 Meadows Parkway, Omaha, NE 68138. Representative: Marshall D. Becker, Suite 610, 7171 Mercy Rd., Omaha, NE 68106. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with (a) Lakin Meat Processors, Inc., and (b) Deli International, Inc., both of Omaha, NE.

Volume No. OPY-003

Decided: February 25, 1981.

By the Commission, Review Board No. 2, Members Chandler, Eaton, and Liberman.

MC 35077 (Sub-2), filed February 9, 1981. Applicant: COURIER SYSTEMS, INC., 123 Pennsylvania Ave., South Kearny, NJ 07032. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934, (201) 234-0301. 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 101177 (Sub-1), filed February 10, 1981. Applicant: W. JEFF HAMMOND MOVING & STORAGE, INC., 4001 Fort Campbell Blvd., Hopkinsville, KY 42240. Representative: George M. Catlett, 708 McCure Bldg., Frankfort, KY 40601, (502) 227-7384. 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 115557 (Sub-36), filed February 13, 1981. Applicant: CHARLES A. McCAULEY, 308 Leasure Way, New Bethlehem, PA 16242. Representative: Verne T. Mahood (same address as applicant), (814) 365-5811. Transporting (1) *general commodities*, between Bridgetown, Cheviot, Covedale, Dent, Gerald, Miami, and Willeys, OH; Alum Rock, Blairs, Brightwood, Coverdale, Foxburg, Jefferson, Jewell, Kahles Siding, Library, Library Junction, McCurray, Parkers Landing, Ritts, St. Petersburg, and Turkey, PA, on the one hand, and, on the other, points in the U.S., and (2) *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S.

Volume No. OPY-001

Decided: February 23, 1981.

By the Commission, Review Board No. 2, Members Chandler, Eaton, and Liberman.

MC 119777 (Sub-523), filed February 9, 1981. Applicant: LIGON SPECIALIZED HAULER, INC., Hwy 85—East, Meaidonville, KY 42431. Representative: Carl U. Hurst, P.O. Drawer "L" Madisonville, KY 42431 (502) 821-5784. Transporting *general commodities* (except classes A and B explosives), between points in the U.S.

MC 142827 (Sub-10), filed February 9, 1981. Applicant: DE MARLIE TRUCKING, INC., P.O. Box 338, Reynolds, IL 61279. Representative: Daniel O. Hands, Suite 200, 205 W. Touhy Ave., Park Ridge IL 60068. Transporting *food and related products*, between points in Cass and Cook Counties, IL, Dallas and Scott Counties, IA, and Dane County, WI, on the one hand, and, on the other, points in DE, FL, GA, IA, IL, IN, KY, LA, MO, MS, NC, OH, SC, TN, and WI.

MC 152756 (Sub-1), filed February 9, 1981. Applicant: A. F. TRUCKING, LTD., Box 346, Grunthal, Manitoba, Canada ROA ORO. Representative: Richard P. Anderson, 502 First National Bank Bldg., Fargo, ND 58126, (701) 235-4487. Transporting *such commodities* as are dealt in or distributed by grocery and food business houses, between points in the U.S., under continuing contract(s) with Westfair Foods, Ltd., of Winnipeg, Manitoba, Canada, and Western Commodities, Ltd., of New Westminister, British Columbia, Canada.

MC 153566 (Sub-2), Filed February 9, 1981. Applicant: BELCHER TRUCKING CO., INC., P.O. Box 160, Brent, AL 35034. Representative: John R. Frawley, Jr., Suite 200, 120 Summit Parkway, Birmingham, AL 35209, (205) 942-9116. Transporting (1) *metal products*, and (2) *clay, concrete, glass or stone products*, between points in Coshocton and Tuscarawas Counties, OH, and points in the U.S. in and east of OH, KY, TN, AR, and LA.

Agatha L. Mergenovich,

Secretary.

[FR DOC. 81-6923 Filed 3-3-81; 8:45 am]

[BILLING CODE 7035-01-M

[Volume No. 30]

Motor Carriers; Permanent Authority Decisions, Restriction Removals; Decision-Notice

Decided: February 26, 1981.

The following restriction removal applications, filed after December 28, 1980, are governed by 49 CFR Part 1137. Part 1137 was published in the **Federal Register** of December 31, 1980, at 45 FR 86747.

Persons wishing to file a comment to an application must follow the rules under 49 CFR 1137.12. A copy of any application can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the restriction removal applications are not allowed.

Some of the applications may have been modified prior to publication to conform to the specical provisions applicable to restriction removal.

Findings

We find, preliminarily, that each applicant has demonstrated that its requested removal of restrictions or broadening of unduly narrow authority is consistent with 49 U.S.C. 10922(h).

In the absence of comments file within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Restriction Removal Board, Members Sporn, Alspaugh, and Shaffer.

Agatha L. Mergenovich,

Secretary.

MC 15808 (Sub-24)X, filed February 18, 1981. Applicant: GIRTON BROS., INC. P.O. Box 159, Brazil, IN 47834. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Applicant seeks to remove restrictions in its Subs. 1, 14, and 18 permits to (1) broaden the commodity descriptions to "petroleum, natural gas, and their products" from gasoline and light oils in Sub 1, petroleum and petroleum products, in tank trucks in Sub 14, and petroleum and petroleum products, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Ceritificates*, 61 M.C.C. 209, in tank vehicles in Sub 18, (2) eliminate the "in bulk" restrictions in Subs 14 and 18, and (3) expand the territorial authority to between points in the United States, under continuing contracts(s).

MC 65491 (Sub-24)X, filed February 17, 1981. Applicant: GEORGE W. BROWN, INC., 1475 East 222nd Street, Bronx, New York 10469. Representative: William Biederman 371 Seventh Avenue, New York, New York 10001. Applicant seeks to remove restrictions from its lead, Subs. 6 and 7 certificates to (1) allow it to serve all intermediate points between (a) Allentown and Lancaster, PA New York, NY, and Buffalo, NY Newark, NJ, and Richmond, VA, in the lead, sheet 2; New York, NY, and Rochester, NY; Stroudsburg, PA, and Syracuse, NY, and Norwalk, CT, and Boston, MA in the lead, sheet 3; (b) Buffalo and Rochester, NY, in Sub 6, sheet 2 and (c) Albany, NY and Springfield, MA in Sub 7, sheet 1; (2) eliminate "serving specified points for purposes of joinder only " in Subs 6 and 7; (3) remove the restriction in Sub 7 limiting service over I-90 between Springfield, MA and Albany, NY to the transportation of shipments originating at or destined to points west of the Syracuse, NY commercial zone; and (4) expand its one-way to authorize roundtrip service between Reading, PA and New York, NY, in the lead, sheet 4.

MC 118518 (Sub-12)X, filed February 18, 1981. Applicant: MUKLUK FREIGHT LINES, INC., 3812 Spenard Road, Anchorage, AK 99503. Representative: Leo C. Franey, 918 16th Street, NW., Washington, DC 20006. Applicant seeks to remove restrictions in its Subs 3 and 9 certificates to broaden its commodity descriptions from general commodities (with the usual exceptions), to "general commodities (except those of unusual value and classes A and B explosives)", in both certificates.

MC 119234 (Sub-7)X, filed February 19, 1981. Applicant: MERCER MARINE TRANSIT CORP., P.O. Box 368, Calhoun, GA 30701. Representative: Paul M. Daniell, P.O. Box 872, Atlanta, GA 30301. Applicant seeks to remove restrictions in its Sub-4F certificate to (1) broaden its commodity description from truck transit mixers, and materials, equipment and supplies, to "machinery"; (2) replace named facilities located at or near Calhoun, GA, Bryan, OH, and Industry, CA, with county-wide authority between Gordon County, GA, Williams County, OH, and Los Angeles County, CA, and points in the U.S.; and (3) eliminate the AK and HI exception.

MC 121279 (Sub-3X), filed February 18, 1981. Applicant: BEAVER TRANSPORT, INC., 46 River St., New Haven, CT 06513. Representative: Fritz R. Kahn, Suite 1100, 1660 L St. NW., Washington, D.C. 20036. Applicant seeks to remove the restriction from its Sub-2 certificate to broaden the commodity description from general commodities, with exceptions, to "general commodities, except classes A and B explosives".

MC 123980 (Sub-7)X, filed February 17, 1981. Applicant: MANDUS R. OLSON, 2148 Bunker Lane Blvd., NW., Anoka, MN 55303. Representative: James E. Ballenthin, 630 Osborn Bldg., St. Paul, MN 55102. Applicant seeks to

remove restrictions from its Sub-4 certificate by (1) changing the commodity description from automobile and truck parts to "transportation equipment" (2) replacing authority to serve Batavia, IL with Kane County, IL; and (3) expanding its one-way authority to authorize radial service between Chicago, Kane County, and Bedford Park, IL, and points in MN, ND and WI.

MC 125335 (Sub-116)X, filed February 17, 1981. Applicant: GOODWAY TRANSPORT, INC., P.O. Box 2283, York, PA 17405. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. Applicant seeks to remove restrictions in its lead and Subs. E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10, E-11, E-12, E-13, 2, 4, 6, 7, 11F, 12F, 18F, 19F, 22F, 25F, 28F, 34F, 35F, 36F, 38F, 39F, 42F, 43F, 47F, 48F, 53F, 54F, 55F, 56F, 66F, 70F, 71F, 72F, 74F, 81F, 82F, 83F, 84F, 86F, 89F, 92F, 96F, 100F, 101F, and 104F, certificates by (1) broadening its commodity descriptions to "food and related products" in (a) Subs. E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10, E-11, E-12, E-13, and Sub-2 from frozen foods (except dressed poultry); (b) its lead certificate and Subs. 4, 6, 12F, 25F, 36F, 66F, 89F, and 101F, from frozen foods; (c) Subs. 7, 11F, 18F, 19F, 28F, 34F, 35F, 43F, 54F, 74F, 86F, 92F, 96F, and 104F from foodstuffs; (d) Subs. 83F, and 84F from foodstuffs (except frozen); (e) Sub-56F from canned foodstuffs; (f) Subs. 38F and 72F, from dairy products; (g) Subs. 39F, 47F, and 70F from cheese and cheese products; (h) Subs. 42F, 48F, 53F, 55F, 71F, 81F, and 82F from confectionery; (i) Sub-22F from confectionery and cough drops; and (j) Sub-100F from frozen vegetables; (2) changing one-way to radial authority in its lead and Subs. E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10, E-11, E-12, and E-13, Subs. 2, 4, 6, 7, 11F, 12F, 18F, 19F, 22F, 25F, 34F, 35F, 38F, 39F, 42F, 43F, 47F, 48F, 53F, 54F, 55F, 56F, 66F, 70F, 71F, 72F, 74F, 81F, 82F, 83F, 84F, 86F, 89F, 92F, 96F, 100F, 101F, and 104F; between numerous States in the eastern half of the U.S.; (3) removing restrictions against transporting commodities in bulk in Subs. 7, 11F, 18F, 19F, 22F, 28F, 34F, 35F, 36F, 43F, 83F, 84F and 96F; (4) removing restrictions requiring commodities to move in vehicles equipped with mechanical refrigeration; (5) eliminating plantsite restrictions in Subs. 4, 6, 7, 11F, 12F, 18F, 19F, 22F, 25F, 28F, 34F, 35F, 36F, 39F, 42F, 43F, 47F, 48F, 53F, 54F, 55F, 56F, 66F, 70F, 71F, 72F, 74F, 81F, 82F, 83F, 84F, 86F, 89F, 92F, 96F, and 100F; and (6) substituting counties for cities as follows: Washington County, MD, for Hagerstown, MD, in lead certificate; Benzie, Oceana, and Berrien Counties, MI, for Frankfort, Hart, and Benton Harbor, MI, in Sub-4; York, Centre, Columbia, and Lackawanna Counties, PA, for Hanover, Centre Hall, Bloomsburg, and Scranton, PA, in Sub-6; Rutherford County, TN, for Murfreesboro, TN, in Sub-7; Scott County, MS, for Forest, MS, in Sub-12F; Henry County, OH, for Napoleon, OH, in Sub-19F; Berks County, PA, for Reading, PA, in Sub-22F; Kent and Ionia Counties, MI, for Grand Rapids and Lake Odessa, MI in Sub-25F; Bradley County, TN, for Cleveland, TN, in Sub-34F; Rutherford County, TN, for Murfreesboro, TN, in Sub-36F; Green County, WI, for Monroe, WI, in Sub-39F; Lancaster County, PA, for Lititz, PA, in Sub-42F; Cumberland County, PA, for Shiremanstown and Mechanicsburg, PA, in Sub-43F; Sheboygan County, WI, for Plymouth, WI, in Sub-47F; Warren County, NJ, for Hackettstown, NJ, in Sub-55F; Robeson County, NC, for Maxton, NC, in Sub-56F; Outagamie County, WI, for Appleton, WI, and Rutherford County, TN, for Murfreesboro, TN, in Sub-66F; Brown, Marathon, Taylor, Green and Kewaunee Counties, WI, for Green Bay, Wausau, Marathon, Medford, Monroe, and Algoma, WI, in Sub-70F; Northampton County, PA, for Bethlehem, PA, in Sub-71F; Waukesha and Wood Counties, WI, and Jackson and Chickasaw Counties, IA, for New Berlin and Marshfield, WI, and Preston and Fredericksburg, IA, in Sub-72F; Bradley County, TN, for Cleveland, TN, in Sub-74F; Warren County, NJ, for Hackettstown, NJ, and Lancaster County, PA, for Elizabethtown, PA, in Sub-82F; Washington County, MS, for Greenville, MS, Sussex County, DE, for Millsboro, DE, and Lapeer, Saginaw, and St. Clair Counties, MI, for Imlay City, Bridgeport, and Memphis, MI, in Subs. 83F and 84F; Chester, Lancaster, and Lehigh Counties, PA, for Downingtown, New Holland, and Foglesville, PA, and Sussex County, DE, for Milford, DE in Sub-86F; Franklin County, PA, for Chambersburg, PA, Berrien, Benzie, and Oceana Counties, MI, for Benton Harbor, Frankfort, and Hart, MI, in Sub-89F; Cuyahoga County, OH, for Solon, OH, in Sub-92F; Dougherty County, GA, for Albany, Ga, in Sub-96F; Hillsborough County, FL, for Plant City, FL, in Sub-100F; Niagara County, NY, for Barker, NY, and Cumberland County, NJ, for Vineland, NJ, in Sub-101.

MC 125708 (Sub-213)X, filed February 4, 1981. Applicant: THUNDERBIRD MOTOR FREIGHT LINES, INC., 1473 Ripley, Lake Station, IN 46405. Representative: Arnold Goebel, 109 Velma, South Roxana, IL 62087. Applicant seeks to remove restrictions from its lead and Sub-Nos. 80, 82, 85, 87, 91, 101, 103, 104, 106, 110, 112, 113, 114, 115, 118, 119, 123, 124, 128, 133, 139, 146, 147, 149, 153, 154, 155, 158, 159, 161, 162, 163, 164, 165, 166, 172, 182, 183, 185, 191, 192, 195, 197, 198, 199, 201, and E1, (hereinafter designated by L or the subnumber). It also seeks to remove restrictions from its MC-119897 and Sub-Nos. 13, 14, 16, 18, 19G and E1, authorities acquired in MC-F-14243 (hereinafter designated by AL or A and subnumber). Applicant seeks to broaden commodity descriptions as follows: (1) "Metal articles" for steel grinding balls (L,91); steel and materials and supplies used in the manufacture of steel grinding balls (L); tin cans (L); lock washers and agricultural implement parts (L); materials used in the manufacture of agricultural implement parts (L); water well pipe, casing, pipe fittings and protectors, and sheet steel (L); water well casing, pipe, tubing, pipe fittings, and protectors, and steel (L); non-self-propelled farm implements and parts therefor (L); steel (L); iron and steel articles (L, 82, 85, 94, 115, 147, 153, 183, 195, and 199); iron and steel (L, 85); iron and steel articles as described in the *Descriptions* case (L); steel tubing, conduit, pipe, and sheet steel (L); pipe and pipe fittings, couplings, connections, and accessories (L); steel articles (L); materials used in the manufacture of fertilizer equipment, implement parts, and accessories (104); steel fences and fence posts, steel cloth, netting and fabric, steel gates, steel wire and wire products, and related steel wire special ties, accessories, fittings, and parts incidental to the completion, erection, and installation thereof and wire carriers (124); pipe, cable, and attachments (146); steel, pipe, bars, and wire mesh (149); scrap metal (154); scrap iron, scrap steel, and scrap non-ferrous metals (155); spring steel articles (158); steel bars (158); pipe and cable, attachments, sheet and strip steel (159); non-ferrous metal products (159); iron fittings and aluminum fittings (164); fabricated steel articles (166); iron and steel articles and materials, equipment and supplies (182); railway track material and scrap metal (192); and aluminum ingots and zinc alloy ingots, and zinc articles and aluminum scrap (198); (2) "Building and paving materials" for building, paving and roofing materials (L); building, paving, and roofing materials and insulation (L); and building, paving, and roofing materials and pine (L); (3) "Building materials" for insulation materials, floor tiles, and pine (L); picket fencing (L); wood lath (L); wooden posts, poles, beams, pillars and lumber (L); wooden

posts poles, beams, and pillows, ties and chemically treated, pressure treated and creosoted lumber (L); refractories (L); plastic and vinyl building materials, backerboard, and materials and supplies used in the installation thereof (L); flourescent lighting fixtures (123); hardboard, construction board, and particle board (128); and lumber, wood products, paint and varnish; (4) "machinery" for sprinkler system components and accessories (L); fertilizer equipment, fertilizer implement parts, and accessories (L); hardware for the transmission and distribution of electric power (123); industry baking ovens and industry washers (201); and mine and oil field machinery and supplies (AL); (5) "lumber and wood products, buildings, and building, materials" for buildings, materials, supplies and accessories for buildings, used products, composition wood products, laminated products, and parts and accessories (139); (6) "lumber and wood products" for railroad ties and timbers (L); laminated wood products (L); lumber, posts and poles (L); wooden pallets (L); lumber (113,185); and lumber, wooden posts and poles (114); (7) "pulp, paper and related products" for paper and paper products (119); and paper, in rolls (191); (8) "machinery and related materials, equipment and supplies" for machinery, materials, equipment and supplies used for the manufacture of petroleum products and water (AL, A19, AE1); and wellpoint equipment, machinery and materials, and supplies (AL; (9) "ores and minerals" for carbon black (123); and clay, talc and whiting (123); (10) "coal and petroleum products" for liquid coal tar and liquid coal tar products (A16); (11) "petroleum and its products" for plastic containers, covers for plastic containers, and accessories for plastic containers (118); oil and solvents (123), plastic pipe (A14); and petroleum pitch (A16); (12) "rubber and plastic products" for rubber residues (123); reclaimed rubber slabs (123); ground rubber (123); and rubber and plastic articles and materials, equipment and supplies (165); (13) "rubber and plastic articles and building materials" for plastic articles and insulation (163); (14) "metal and plastic articles" for plastic conduit, plastic and iron fittings and connections, values, hydrants and gaskets (133); (15) "containers" for cartons; (16) "food and related products" for grain products (L, 112); processed and canned foodstuffs (L); apple cider and vinegar (L); processed and canned food (L); canned food, table sauces, relishes, and non-alcoholic beverages (L); fruit juice and vinegar (L); canned foodstuffs (103); dry flour (L); and dry flour and mill feed (106); (17); "Chemicals and related products" for corrosion-inhibiting compounds, emulsion-breaking compounds, paraffin solvents, scale-inhibiting compounds, water treating and softening compounds, and chemicals and compounds used in the processing of crude oil. Applicant also seeks to broaden all its territorial authority from existing one-way authority to radial authority between numerous points primarily in midwestern and southern States, and to broaden specified points and facilities to appropriate county or counties as follows: Greenville, IL (L), the facilities of Peavey Company Flour Mills at Alton, IL, (L), Springdale, AR, (L); Collinsville, IL (L), plantsites of Johns-Manville Corporation at Waukegan, IL, plantsites of Phillip Carey Manufacturing Company Lehon Division at Wilmington, IL (L), Beall Tool Division, Unit Rail Anchor Corporation at East Alton, IL (IL), South Bend and Evansville, IN (L), Plantsites of Nebraska Bridge Supply and Lumber Company at Cable, WI (IL), Fort Dodge, IA (L), Chicago Heights, IL (L), Granite City IL (L), Centralia, IL (L), Flora, IL (L), Sparta, Carlinville, Centralia, and Irvington, IL (L), Louisiana, MO (L, 94), plantsites of National Vinegar Co., at Alton, IL (L), Mt. Summit, IN (L), Rush Springs, OK (L), Plantsite of the Johns Manville Perlite Corporation at or near Rockdale IL (L), Waukegan, IL (L), Fairbury and Forrest, IL (L), Alton, IL (L), Chester, IL (L) Madison, IL (L), Springfield, IL (L), plantsites and warehouse facilities of Northwestern Steel and Wire Company located at Sterling and Rock Falls, IL (L), Rockford, IL (L), Schaumburg, IL (L), Aurora, IL (L), Freeport, IL (L), Peoria IL (L), Sterling, IL (L), Galesburg, IL (L), Olney, IL (L), Salem, IL (L), Evanston, IL (L), East St. Louis, IL, the plantsites and warehouse facilities of International Tube, Inc., International Conduit Corporation, and Continental Tube Co., at Chicago, IL (L), plantsites and storage facilities of the Valley Steel Products Company at or near Mount Clare and Carlinville, IL (L), plantsite of New Steel Warehouse, Inc. at Schaumburg IL (L), Hastings, MN (L), Superior, WI (L), Buffalo, NY (L), Dallas, TX (L), Mt. Summit, IN (L), plantsite of Bird & Son, Inc., at Bardstown, KY (L), Bethel, Chillicothe, Edina, Fayetteville, Joplin, Louisiana, Palmyra, and St. Joseph, MO (L), Dutzow and Union, MO (L), Brentwood, MO (80), Carlinville, IL (L, 82), warehouse facilities of the Fox Oil Company at or near Wood River, IL (L), Centralia, Sparta, Irvington and Flora, IL (94), Clarkville, OH (94), plantsite of the Grinell Corporation located near Henderson, TN (101), plantsite and warehouse facilities of Clark Manufacturing Company at Atherton, MO (104), Winoma and Redwing, MN (106), Leavenworth, KS (106), plantsite of Standard Iron and Steel Company at Webb City, MO, and plantsite of Peavey Company at or near Hastings, MN (112), St. Joseph, MO (114), plants, warehouses, and shipping facilities utilized by the Mt. Clare Steel Supply Co., Inc., at or near Mt. Clare and Wilsonville, IL (115), plantsite of Roper Plastic, Inc., at or near Los Angeles, CA (118), Jerseyville, IL (118), plantsite and warehouse facilities of Centralia Container Corp., at or near Centralia, IL (119), plantsite of the Oliver Division of the Sangamore Electric Co., at Vicksburg, MI (123), plantsite of the Interior Lighting Department of the Westinghouse Electric Corporation at Cedars, MI (123), plantsite of U.S. Rubber Reclaiming Company near Vicksburg, MI (123), plant and warehouse sites of Midstates Steel and Wire Company at or near Crawfordsville, IN (124), Oshkosh, WI (128), Columbia, MO (133), plantsite and warehouse facilities of Marshall Erdman and Associates, Inc., at Waunakee and Madision, WI (139), plantsite and warehouse facilities of Marshall Erdman Associates, Inc., at Princeton, NH (139), Glendale, WV (146), facilities of Nucor Steel, a division of Nucor Corporation, at Darlington, SC (147), Andrews, SC (149), facilities of Armco, Inc., at Kansas City, MO (153), Abilene, Amarillo, and Ballinger, TX (154), facillities of David J. Joseph Co., at Baldwin and Indiantown, FL (155), facilities of Beall Manufacturing, a Division of Verlen Corp., at or near Cordele, GA (158), facilities used by Triangle PWC, Inc., at Glendale, WI (159), Jacksonville, TX (162), Martins Ferry, OH (164), facilities of Entek Corp., of America, at or near Irving, TX (165), Norcross, GA (172), facilities of North Star Steel Company, at or near Monroe, MI (182), East Jordan, MI (183), Mount Sterling, IA (185), Woodcliff, KY, Lockport, LA, and Teutopolis, IL (191), Nitro, WV (192), Jewett, TX (195), Ellsworth, MI and Davenport, IA (197), Maple Heights, OH (198), Birmingham, AL (199), facilities of Infratrol Manufacturing Corporation at Milwaukee, WI, (201), plantsite storage facilities of Moretrench American Corp., located at Houston, TX (A-13), plantsite of Koppers Co., at or near Houston, TX, and plant site of Consolidated Aluminum, Company, at or near Harbor, LA (A-18). Applicant also seeks to remove: (1) Against service in vehicles equipped with mechanical

refrigeration—L. (2) Limiting service to the transportation of traffic originating at or destined to named point(s)—L, 80, 87, 94, 101, 104, 106, 110, 112, 115, 119, 123, 124, 128, 133, 139, 146, 147, 149, 153, 155, 159, 195, 199, A–13. (3) Against the transportation of named commodities—L. (4) Against transportation in dump vehicles—L, 154. (5) Limiting service to named commodities in containers—L. (6) Limiting service to in bulk service or against commodities in bulk—91, 123, 165. (7) Against the transportation of commodities which because of their size and weight require the use of special equipment—101, 123. (8) Against service to or from named points—115. (9) Excluding service to points in Alaska and Hawaii—162, 163, 165, 166, 182, 183, 192, 197, 199.

MC 128007 (Sub-164)X, filed February 17, 1981. Applicant: HOFER, INC., P.O. Box 583, Pittsburg, KS 66762. Representative: Larry E. Gregg, 641-Harrision Street, P.O. Box 1979, Topeka, KS 66601. Applicant seeks to remove restrictions in its Sub-155F certificate to (1) broaden the commodity description from (a) fabricated concrete reinforcing materials and joints, and (b) materials and supplies used in the manufacture of the commodities in (a) to "metal products", (2) remove the facilities limitations and authorize county-wide authority to Yuma County, AZ, in place of Parker, AZ, Los Angeles County, LA, in place of Santa Fe Springs, CA, and Dutchess County, NY, in place of Red Hook, NY, (3) authorize radial authority in place of its one-way authority between Yuma County, AZ, Los Angeles County, LA, South Bend, IN, Dutchess County, NY, and Houston, TX, and points in the U.S. and (4) remove AK and HI exceptions.

MC 133095 (Sub-304)X, filed February 12, 1981. Applicant: TEXAS-CONTINENTAL EXPRESS, INC., 2002 Continental Life Building, Fort Worth, TX 76102. Representative: Marshall Kragen, 1919 Pennsylvania Ave., N.W., Suite 300, Washington, DC 20006. Applicant seeks to remove restrictions from its certificates in various Sub-Nos. mentioned below by (1) broadening the commodity descriptions from (a) alcohol and alcoholic beverages, alcoholic liquors and wines, malt beverages, nutritional solutions, frozen foodstuffs, foodstuffs, meats, meat products and meat byproducts, dairy products, and articles distributed by meat-packing houses to "food and related products" in Sub-Nos. 7, 9, 101, 107, 110, 139, 149, 168, 177, 181F, 185F, 202F, 204F, 209F, 211F, 215F, 225F, 226F, 242F, 258F, 264F, 268F, 281F, 283F, and 292F, used in addition Sub-No. 202F, part 2 specified material used in the manufacturing and sale of alcoholic liquors to "those materials used in the manufacturing and sale of food and related products"; (b) limestone and gypsum pellets to "ores and minerals, and clay, concrete, glass, or stone products" in Sub-No. 92; (c) television sets, record players, radios, home entertainment centers, and electronic equipment, electric motors, grinders, buffers, dental lathes, dust collectors and pedestals, chain saws, generators, pumps, air conditioners, heaters, power transmission machinery to "machinery" in Sub-Nos. 90, 99, 104, 105, 112, 151, 152, 155, 157, 159, 161, 162, 190F, 194F, 199F, 215F, and 261F; (d) plastic articles to "rubber and plastic products" in Sub-Nos. 101, 227F, 234F, 241F, and 255F; (e) woven synthetic fabric to "textile mill products" in Sub-No. 269F; (f) auto parts to "transportation equipment" in Sub-No. 132; (g) distillery bottling supplies, paper and paper articles, and packaging materials to "pulp, paper, and related products" in Sub-Nos. 101, 123, 191F, 192F, 198F, 221F, 229F, 233F, 247F, and 252F; (h) attachments and accessories to "metal products" in Sub-Nos. 157, 161, and 260F; (i) plumbers goods and fittings, and plumbing equipment and supplies to "such commodities as are dealt in or used by plumbers," in Sub-Nos. 223F, 236F, and 266F; (j) household products and household articles to "household goods" in Sub-No. 215F; (k) packaging materials used in the distribution and sale of alcoholic beverages to "packaging materials used in the distribution and sale of food and related products" in Sub-No. 253F; (l) salt and salt products, and materials and supplies used in the agricultural, water treatment, etc. when shipped in mixed loads with salt and salt products to "(1) chemicals and related products, and (2) materials and supplies used in the agricultural, water treatment, flood processing, wholesale grocery, and institutional supply industries, when shipped in mixed loads with the commodities in (1) above" in Sub-No. 286F; (m) pool, billard and game tables, lighting fixtures, to "furniture and fixtures" in Sub-Nos. 131 and 161; (n) drugs, shampoo, soap, and toilet articles, hair care equipment, vehicle body sealer, cleaning compounds to "chemicals and related products" in Sub-Nos. 144, 149, 151, 152, 159, 165, 178, 194F, 204F, 215F, 233F, 235F, 261F, 277F, 286F, and 287F; (o) cosmetic mirrors and empty glass containers to "clay, concrete, glass or stone products" in Sub-Nos. 101, 150, 198F, and 251F; (p) doors to "building materials" in Sub-No. 182F; and (q) petroleum and petroleum products to "petroleum, natural gas and their products" in Sub-Nos. 210F and 233F; (2) broadening the territorial descriptions from existing one-way authority to radial authority between numerous combinations of specified origins and U.S. points throughout the U.S. for example (a) Houston, TX and Del Rio, Eagle Pass, and El Paso, TX in Sub 9; points in 10 northeastern States to named facilities in AR, OK, and TX (with certain exceptions), in Sub-No. 52; Marion County, IA and Irvington, KY and points in the U.S. in Sub-No. 92; New York, NY, Armstrong County, PA, Louisville, and Franklin County, KY, Dearborn County, IN, Coffee County, TN and CA in Sub-No. 101; Minneapolis, MN and CO, OK and TX in Sub-No. 102; Gaston County, NC and points in that part of the U.S. in and west of ND, SD, NE, KS, OK and TX in Sub-No. 104; Armstrong County, PA, Dearborn County, IN, Franklin County and Louisville, KY, and Coffee County, TN and NM in Sub-No. 107; Fort Worth, TX and points in CO in Sub-No. 110; Mobile County and points in MD, NJ, NY, VA, and DC, and Philadelphia, PA in Sub-No. 123; Moniteau County, MO and points in the U.S. in Sub-No. 131; Toledo, OH and La Porte County, IN and points in AZ, AR, CA, CO, ID, IA, KS, LA, MN, MO, MT, NE, NV, NM, ND, OK, OR, SD, TX, UT, WA and WY in Sub-No. 132; Dallas, TX and points in KS and OK in Sub-No. 139; points in MS and those points in the U.S. in and east of AL, TN, KY, WV, and PA in Sub-No. 142; Buffalo, NY and points in the U.S. in and west of WI, IL, MO, AR, and LA in Sub-No. 144; and various other combinations in Sub-Nos. 149, 150, 151, 152, 159, 165, 168, 177, 181F, 182F, 185F, 191F, 192F, 194F, 195F, 197F, 198F, 199F, 204F, 209F, 210F, 215F, 221F, 223F, 224F, 226F, 229F, 233F, 235F, 236F, 242F, 247F, 251F, 252F, 253F, 258F, 260F, 261F, 264F, 266F, 268F, 269F, 277F, 281F, 283F, 286F, 287F, and 292F; (3) changing city-wide to county-wide authority from: Athens to Henderson County, TX in Sub-No. 90; Knoxville to Marion County, IA, and Irvington to Breckinridge County, KY in Sub-No. 92; Schenley to Armstrong County, PA in Sub-Nos. 101, 107 and 242F; Lawrenceburg to Dearborn County, IN in Sub-Nos. 101 and 107; Frankfort to Franklin County, KY in Sub-Nos. 101, 107, 155 and 242F; Tullahoma to Coffee County, TN in Sub-Nos. 101, 107 and 242 F; Gastonia to Gaston County, NC in Sub-No. 104; Ediston to Middlesex County, NJ in Sub-No. 112; Mobile to Mobile County, AL in Sub-Nos. 123, 192F, 247F, and 252F; California to Montieau County, MO in Sub-No. 131;

Pinola to La Porte County, IN in Sub-No. 132; Milledgeville to Baldwin County, GA in Sub-Nos. 149 and 204F; Rochester to Olmstead County, MN in Sub-No. 150; Stamford to Fairfield County, CT in Sub-Nos. 150, 151, 152, 159 and 195F; Camarillo to Ventura County, CA in Sub-Nos. 152, 159, and 194F; San Leandro to Alameda County, CA in Sub-No. 155; Cleburne to Johnson County, TX, Itasca to Hill County, TX and West to McLennan County, TX in Sub-No. 161; Oxford to Lafayette County, MS in Sub-No. 162; Florence to Boone County, KY in Sub-No. 165; Belvidere to Boone County, IL, in Sub-No. 177; Avery and Clarksville to Red River County, TX in Sub-Nos. 182F and 199F; Lawton to Van Buren County, MI in Sub-No. 185F; Smith to Sebastian County, AR in Sub-No. 190F; Saddle Brook to Bergen County, NJ, Lakewood to Ocean County, NJ, and Cheshire to New Haven County, CT in Sub-Nos. 194F and 195F, Clarion to Clarion County, PA in Sub-Nos. 198F; Monroe to Ouachita County, LA in Sub-No. 215F, Salem to Columbiana County, OH in Sub-No. 223F; Corinth to Saratoga County, NY, and Ticonderoga to Essex County, NY in Sub-N. 229F; Downers Grove, Naperville, and Skokie to Du Page County, IL, Versailles to Woodford County, KY, Hammond to Lake County, IN, Ossining to Westchester County, NY, and Taunton to Bristol County, MA in Sub-No. 240F; Fresno to Madera County, CA in Sub-No. 242F; Oconto Falls to Oconto County, and Green Bay to Brown County, WI in Sub-No. 247F; Vienna to Wood County, WV, Joliet to Will County, IL, and Coventry to Kent County, RI in Sub-No. 251F; Moss Point to Jackson County, MS, Bastrop to Morehouse County, LA, and Springhill to Webster County, LA in Sub-No. 252F; Kentwood to Kent County, MI and Olive Branch to DeSoto County, MS in Sub-No. 255F; Eastland to Eastland County, TX and Fresco to Collin County, TX in Sub-No. 260F; Hereford to Deaf Smith County, TX and Lubbock to Lubbock County, TX in Sub-No. 268F; Palestine to Anderson County, TX in Sub-No. 281F; and Grand Saline to Van Zandt County, TX in Sub-No. 286: (4) eliminating the restrictions (a) against service to AK and HI in Sub-Nos. 90, 92, 99, 104, 105, 112, 131, 144, 150, 151, 161, 162, 224F, 227F, 229F, 233F, 234F, 240F, 241F, 242F, 251F, 260F, 261F, 269F, 277F, and 281F; (b) against "size and weight" commodities in Sub-Nos. 105, 112, 155, and 157; (c) to "ex-water" movement in Sub-No. 268; (d) "originating and destined to" in Sub-Nos. 52, 90, 99, 107, 123, 132, 144, 151, 152, 177, 178, 185F, 197F, 202F, 227F, 229F, 233F, 240F, 266F, and 283F; (e) originating at or destined to a named facility in Sub-Nos. 90, 92, 102, 112, 123, 144, 149, 150, 151, 152, 159, 165, 177, 178, 185F, 190F, 192F, 202F, 204F, 210F, 215F, 223F, 224F, 227F, 229F, 233F, 235F, 236F, 240F, 247F, 252F, 266F, 268F, 277F, 281F, 283F, 286F, and 287F; (f) against "commodities in bulk" in Sub-Nos. 7, 9, 52, 90, 92, 99, 102, 105, 107, 112, 139, 142, 144, 157, 159, 161, 162, 168, 178, 185F, 190F, 191F, 195F, 202F, 204F, 209F, 210F, 211F, 221F, 224F, 225F, 226F, 227F, 233F, 234F, 235F, 240F, 241F, 242F, 247F, 255F, 261F, 268F, 269F, 281F, 283F, 287F and 292F; (g) requiring use of equipment with mechanical refrigeration in Sub-Nos. 110, 139, 144, 159, and 165; (h) limiting the transportation of drugs, toilet preparations, paper, paper products, new furniture, plumbing fixtures, materials, equipment and supplies and/or entertainment products to transportation in mixed loads with other merchandise dealt in by retail discount stores in Sub-No. 52; and (i) excepting the transportation of foodstuffs and from authority to transport such merchandise as is dealt in by retail discount stores in Sub-Nos. 52 and 102 and foodstuffs and furniture in Sub-No. 224. Applicant also seeks to delete authority to transport foodstuffs in mixed loads in Sub-Nos. 52 and 102.

MC 134038 (Sub-9)X, filed February 19, 1981 Applicant: MAJORS TRANSIT, INC., P.O. Box 7, Caneyville, KY 42721. Representative: John M. Nader, 1600 Citizens Plaza, Louisville, KY 40202. Applicant seeks to remove restrictions from its Sub-Nos. 1, 2, 3, 4, 5 and 6 certificates by (1) removing all exceptions to its general commodities authority, except classes A and B explosives in each certificate; (2) authorizing service at all intermediate points (a) in Sub-No. 3 between Louisville and Calhoun, KY, and (b) in Sub-No. 4 between Nortonville and Louisville, KY; and between junction US Highway 41–A with the Webster-Hopkins County line, and Earlington, KY; and (3) removing the restriction against service (a) between Louisville and Morgantown, KY in Sub-No. 1, (b) at Bowling Green as to traffic originating at, destined to, or interchanged at Louisville, KY in Sub-No. 3, (3) at Hopkinsville, KY, as to traffic originating at or destined to or interchanged at Louisville KY, in Sub-No. 4, and (d) against the handling of traffic originating at, destined to, or interchanged at points in the Paducah, KY commercial zone in Sub-No. 4.

MC 134638 (Sub-4)X, filed February 17, 1981 Applicant: MID–WEST TRUCK LINES, LTD., 1216 Fife Street, Winnepeg, Manitoba, Canada. Representative: James E. Ballenthin, 630 Osborn Building, St. Paul, MN 55102. Applicant seeks to remove restrictions in its MC 125358 (Sub-No. 14) permit to broaden the territorial description to between points in the U.S., under continuing contract(s) with named shipper.

MC 138469 (Sub-265)X, filed February 13, 1981 Applicant: DONCO CARRIERS, INC., P.O. Box 75354, Oklahoma City, OK 73107. Representative: Daniel O. Hands, Suite 200, 205 W. Touhy Ave., Park Ridge, IL 60068. Applicant seeks to remove restrictions in its Sub-Nos. 87F, 96F, 177F, 206F, 218F, 221F, 224F and 235F certificates by (1) broadening its commodity description (a) in Sub-No. 87F from tube oil and grease to "petroleum, natural gas and their products" and from anti-freeze to "chemicals and related products," (b) in Sub-No. 177F by removing the restriction against the transportation of meat, (c) in Sub-No. 206F from electrical sound amplifying equipment, component parts, accessories, displays and related articles and materials, equipment and supplies used in the manufacture and distribution of those commodities to "machinery," (d) in Sub-No. 218F from general commodities with exceptions to "general commodities (except classes A and B explosives)," (2) by removing the restriction against commodities in bulk in Sub-Nos. 87F, 96F, 177F, 206F, 224F, and 235F; (3) by changing existing one-way authority to radial authority in Sub-Nos. 87F, 96F, 177F, 206F, 218F, 221F, 224F and 235F between Oklahoma City, OK and Hayward, CA and various other points and points in the U.S.; (4) by substituting in Sub-No. 96F Los Angeles County for La Mirada, CA, Orange County for Orlando, FL, Shelby County for Shelbyville, KY, and Osage County for Skiatook, OK; in Sub-No. 177F Seward County for Liberal, KS; in Sub-No. 221F, Alemeda County for Hayward, CA; and in Sub-No. 235F, Cook County for Lyons, IL, and Howard County for Dorsey, MD; (5) by removing facilities limitations in Sub-Nos. 87F, 96F, 177F, 206F, 208F, 221F, 224F and 235F; (6) by removing "originating at or destined to" restrictions in Sub-Nos. 87F, 96F, 177F, 206F, 224F, and 235F; and (7) by removing the restriction against the transportation of traffic to AK and HI in its nationwide authority in Sub-Nos. 87F, 206F, 221F and 224F, 218F; and (8) removing a restriction against traffic moving to or from the State of origin or destination in its nationwide authority in Sub-Nos. 218F and 221F.

MC 141416 (Sub-2)X, filed February 17, 1981. Applicant: BIG RIG EXPRESS, INC., 12265 Caladre, Downey, CA 92042. Representative: William J. Monheim,

P.O. Box 1756, Whittier, CA 90609. Applicant seeks to remove restriction from its Sub-No. 1F permit (1) to broaden the commodity description from meat, meat products, meat by-products, and articles distributed by meat packinghouses as described in Sections A, C, and D of Appendix I to the report in *Description in Motor Carrier Certificate*, 61 M.C.C. 209 and 706 to "meats, packinghouse products and commodities used by packinghouses as described in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (2) to remove the restriction against transportation of commodities in bulk, and (3) to broaden the territorial description to between points in the United States under a continuing contract(s) with a named shipper.

MC 142800 (Sub-1)X, filed February 18, 1981. Applicant: VALLEY CARTAGE, INC., P.O. Box 722, Boise, ID 83701. Representative: Timothy R. Stivers, P.O. Box 1576, Boise, ID 83701. Applicant seeks to remove restrictions in its lead certificate to (1) broaden the commodity from general commodities (with exceptions) to "general commodities (except classes A and B explosives)", and (2) eliminate the restriction to the transportation of shipments originating at and destined to named points and areas in ID and OR.

MC 146071 (Sub-33)X, filed February 17, 1981. Applicant: DEETZ TRUCKING, INC., 316 Oak Street, Strum, WI 54770. Representative: Jack B. Wolfe, Suite 350, 1600 Sherman St., Denver, CO 80203. Applicant seeks to remove restrictions from its Sub-Nos. 1F, 6F, 7F, 9F, 10F, 11F, 12F, 13F, 17F, 20F, 24F, 27F, 28F, 29F, and 30F certificates by (1) broadening the commodity descriptions (a) from specific named foodstuff items such as meats, frozen foods, cheese, etc., to "food and related products" in Sub-Nos. 1F, 7F, 9F, 10F, 20F, 27F, 28F, and 29F, (b) from various agricultural goods such as tractor exhaust pipes, augers, etc., to "machinery" in Sub-Nos. 6F and 11F, (c) from sewer pipe, pipe fittings, manhole covers, etc., to "rubber and plastic products", "clay, concrete, glass or stone products", and "metal products" in Sub-No. 12F, (d) from clay products and refractory products to "clay, concrete, glass or stone products" in Sub-No. 24, and (e) by removing all exceptions on commodity descriptions, such as hides; commodities in bulk; machinery; size and weight commodities; those 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, etc., wherever they appear in each of the above-numbered certificates; (2) replacing authority to serve specified facilities at named points and authority to serve specified points with county-wide authority: in Sub-No. 1F, facilities at Huron, SD with Beadle County, SD; in Sub-No. 6F, facilities at Hull, IA, Lennox and Sioux Falls, SD with Sioux County, IA, Lincoln and Minnehaha Counties, SD, respectively; in Sub-No. 7F, Fairmount, MN and Eau Claire, WI with Martin County, MN and Eau Claire County, WI; in Sub-No. 9F, facilities at Sioux Falls, SD, Estherville and Sioux City, IA with Minnehaha County, SD, Emmett and Woodbury Counties, IA, respectively; in Sub-No. 10F, Green Bay, WI with Brown County, WI; in Sub-No. 11F, facilities at Arcadia, Black, River Falls, Mineral Point, Neilsville, Viroque, and Wautoma, WI, with Trempealeua, Jackson, Iowa, Clark, Vernon, Waushara Counties, WI, respectively; in Sub-No. 12F, facilities at West Bend, WI with Washington County, WI; in Sub-No. 13F, facilities at Eau Claire and Ladysmith, WI with Eau Claire and Rusk Counties, WI; in Sub-No. 17F, facilities at Monroe, WI with Green County, WI; in Sub-No. 20F, facilities at Deerfield, IL with Lake County, IL; in Sub-No. 27F, facilities at Le Mars and Sioux City, IA with Plymouth and Woodbury Counties, IA; in Sub-No. 28F, facilities at Eau Claire, WI and Fairmont, MN with Eau Claire County, WI and Martin County, MN; in Sub-No. 29F, facilities at Green Bay and West Bend, WI with Brown and Washington Counties, WI; and in Sub-No. 30F, facilities at Madison, WI with Dane County, WI; (3) removing the restriction "except AK and HI" in Sub-Nos. 6F, 11F, 12F, 13F, and 17F; (4) removing the "originating at or destined to" restrictions in Sub-Nos. 7F, 13F, and 20F; and (5) in all sub-numbers except Sub-No. 13F, expanding one way authorities to authorize radial service between specified cities or counties in IA, IL, MN, SD, and WI, and points in the U.S. or numerous specified States located throughout the U.S.

MC 145436 (Sub-1)X, filed February 10, 1981. Applicant: Ronald A. Kottke, d.b.a. KOTTKE TRUCKING, Ortonville, MN 56278. Representative: Samuel Rubenstein, Post Office Box 5, Minneapolis, MN 55440. Applicant seeks to remove restrictions in its lead permit to (1) broaden the commodity description from canned goods to "food and related products"; and (2) broaden the territorial scope of its authority to between points in the United States under continuing contract(s) with named shippers

MC 146435 (Sub-4)X, filed February 10, 1981. Applicant: SMITH TRUCK BROKERAGE, INC., Box 974, Willmar, MN 56201. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440. Applicant seeks to remove restrictions in its Sub-No. 2F certificate to (1) broaden its commodity description from confectionery and dessert preparations, to "food and related products"; (2) replace a named plantsite located at Chicago, IL, with Chicago, IL; (3) change its one-way authority to radial authority, between Chicago, IL, and points in MN, ND, MT, ID, WA, OR, and UT; and (4) eliminate the restriction limiting transportation to traffic originating at the named facilities.

MC 148428 (Sub-18)X, filed February 17, 1981. Applicant: BEST LINE, INC., P.O. Box 765, Hopkins, MN 55343. Representative: Andrew R. Clark, 1600 TCF Tower, Minneapolis, MN 55402. Applicant seeks to remove restrictions in its Sub-Nos. 1F, 3F, 4F, 5F, 6F, 7F, 8F, 9F, 10F, and 12F certificates to (1) broaden the commodity description from flotation and protective clothing and, materials and supplies used in the manufacture of flotation and protective clothing, to "textile mill products" in Sub-No. 1F; from refrigerators, freezers, and cooling units and parts therefor and materials, equipment, and supplies, to "machinery" in Sub-No. 4F; from cabinets and materials, equipment and supplies used in the construction of cabinets, to "furniture and fixtures" in Sub-No. 7F; from paper and paper products and materials used in the sale and distribution of paper and paper products, and materials, equipment and supplies used in the manufacture of paper and paper products, to "pulp, paper and paper products" in Sub-No. 8F; from feeds, and materials, equipment and supplies used in the production of animal feeds, to "food and related products" in Sub-No. 10F; (2) remove the "except commodities in bulk" restrictions in Sub-Nos. 4F, 5F, 6F, and 10F; (3) broaden specific points and/or named facilities to county-wide authority as follows: St. Cloud, MN to Stearns County, MN in Sub-Nos. 1F, 3F, 4F, and 8F, Sauk Rapids, MN to Benton County, MN in Sub-No. 1F; Princeton, MN to Mille Lacs County, MN in Sub-No. 7F; Des Moines, IA to Polk County, IA, in Sub-No. 9F and Willmar, MN to Kandiyohi County, MN in Sub-No. 10F; (4) remove the "originating at or destined to" restrictions in Sub-No. 1F, 3F, and 7F; (5) remove AK and HI exceptions; and (6) expand its one-way authority to radial authority between Stearns County, MN, and, points in the U.S. in Sub-Nos. 4F and 8F; and remove the facilities limitation and authorize radial service between St. Louis, MO, and, Minneapolis, MN, in Sub-No. 6F.

MC 150570 (Sub-3)X, filed February 19, 1981. Applicant: C.U. TRUCKING COMPANY, 1805 Dot, McHenry, IL 60050. Representative: Douglas G. Brown, 913 South Sixth Street, Springfield, IL 62703. Applicant seeks to remove restrictions in its Sub-Nos. 1F and 2F certificates to (1) broaden its commodity description from dry bulk cement, to "cement", broaden Park City to Lake County, IL and McHenry to McHenry County, IL, and expand its one-way authority to radial authority between Milwaukee, WI, and, points in McHenry and Lake Counties, IL, in Sub-No. 1F; and (2) broaden Lemont, IL to Cook County which is embraced in the Chicago, IL commerical zone and Waukegan, IL to Lake County, IL, and expand its one-way authority to radial authority between Chicago and Lake County, IL, and, points in Kenosha, Walworth and Rock Counties, WI, in Sub-No. 2F.

[FR Doc. 81-6918 Filed 3-3-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers Permanent Authority Decisions

Correction

In FR Doc. 81-3204 appearing at page 9218, in the issue of Wednesday, January 28, 1981, make the following correction:

On page 9232, "MC 144293 (Sub-18)," application of Duane McFarland, in the third column, in the third line from top, "in IA, IL, IN, KS, MI, MN, MO, ND, SD," should have read IA, IL, IN, KS, MI, MN, MO, ND, NF, SD."

BILLING CODE 1505-01-M

Motor Carrier of Permanent Authority Decisions; Decisibn-Notice

Correction

In FR Doc. 81-5862, appearing at page 13408, on Friday, February 20, 1981, make the following corrections:

(1) On page 13408, in the second column, in the second to last line "MC 80652" should be corrected to read "MC 80653".

(2) On page 13410, in the second column, in the last paragraph, in the first line, "MC 1142672" should be corrected to read "MC 142672".

BILLING CODE 1505-01-M

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 governming 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.

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. OP3-177

Decided: February 23, 1981.

By the Commission, Review Board No. 1. Members Carleton, Joyce, and Jones.

MC 15975 (Sub-45), filed February 3, 1981. Applicant: BUSKE LINES, INC., 123 W. Tyler Ave., Litchfield, IL 62056. Representative: Howard H. Buske (same address as applicant). Transporting *general commodities* (except classes A and B explosives), between the facilities of Vitex/American Div. of Diamond Shamrock, at or near St. Louis, MO, on the one hand, and, on the other, points in the U.S.

MC 30134 (Sub-16), filed February 4, 1981. Applicant: HOLMES TRANSPORTATION, INC., 550 Cochituate Rd., Framingham, MA 01701. Representative: Joseph M. Klements, 84 State St., Boston, MA 02109. Transporting *general commodities* (except classes A and B explosives), between points in MA, RI, CT, NY, PA, NJ, ME, NH and VT.

MC 43165 (Sub-15), filed February 4, 1981. Applicant: LOUDOUN TRANSFER, INC., P.O. Box 703, Leesburg, VA 22075. Representative: Dean N. Wolfe, Suite 145, 4 Professional Dr., Gaithersburg, MD 20760. Transporting *general commodities* (except classes A and B explosives), between points in Loudoun County, VA, on the one hand, and, on the other, points in the U.S.

MC 53965 (Sub-182), filed February 3, 1981. Applicant: GRAVES TRUCK LINE, INC., P.O. Box 1387, Salina, KS 67401. Representative: Bruce A. Bullock, One Woodward Avenue, Detroit, MI 48226. Over regular routes, transporting *general commodities* (except classes A and B explosives), (1) between Kansas City, MO and Minneapolis, MN over Interstate Hwy 35, serving all intermediate points; and (2) between Omaha, NE and junction Interstate Hwy 35 and Interstate Hwy 80, over Interstate Hwy 80, serving all intermediate points.

Note.—Applicant intends to tack this authority with its existing authority.

MC 61825 (Sub-138), filed February 5, 1981. Applicant: ROY STONE TRANSFER CORPORATION, V.C. Drive, P.O. Box 385, Collinsville, VA 24078. Representative: John D. Stone (same address as applicant). Transporting *general commodities* (except classes A and B explosives), (1) between points in the U.S. in and east of MN, IA, MO, KS, OK, and TX.

MC 73165 (Sub-545), filed February 3, 1981. Applicant: EAGLE MOTOR LINES, INC., 830 North 33rd Street, Birmingham, AL 35222. Representative: R. Cameron Rollins, 124 Commerce Street, Kingsport, TN 37660. Transporting *building materials*, between points in Tuscaloosa

County, AL, on the one hand, and, on the other, points in GA, FL, LA, MS, AR, TN, TX, NC, SC, KY, and MO.

MC 110325 (Sub-173), filed February 4, 1981. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, CA 90009. Representative: Wentworth E. Griffin, Midland Bldg., 1221 Baltimore Ave., Kansas City, MO 64105. Over regular routes, transporting *general commodities* (except classes A and B explosives), serving points in Bennington County, VT as off-route points in connection with carrier's otherwise-authorized regular-route operations.

Note.—Applicant intends to tack this authority with its existing authority.

MC 110364 (Sub-8), filed February 3, 1981. Applicant: OHIO CARRIER CORPORATION, P.O. Box 429, Dover, OH 44622. Representative: James M. Burtch, 100 East Broad Street, Columbus, OH 43215. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Joy Manufacturing Company of New Philadelphia, OH.

MC 112304 (Sub-254), filed February 4, 1981. Applicant: ACE DORAN HAULING & RIGGING CO., a corporation, 1601 Blue Rock Street, Cincinnati, OH 45223. Representative: John G. Banner (same address as applicant). Transporting *general commodities* (except classes A and B explosives), between the facilities of the Quigley Co., Inc., in Middlesex County, NJ, on the one hand, and, on the other, points in IL, IN, KY, LA, MD, MO, NY, OH, OK, PA, TX, WV, and WI.

MC 128205 (Sub-103), filed February 5, 1981. Applicant: BULKMATIC TRANSPORT COMPANY, a corporation, 12000 S. Doty Ave., Chicago, IL 60628. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., NW., Washington, DC 20001. Transporting *commodities in bulk*, between points in IL, IN, MI, and OH.

MC 133215 (Sub-1), filed February 3, 1981. Applicant: INTERIOR MOTOR FREIGHT, INC., P.O.B. 405, The Dalles, OR 97058. Representative: Jerry R. Woods, Suite 1600, One Main Pl., 101 SW Main St., Portland, OR 97204. Over regular routes, transporting *general commodities* (1) between Portland, OR and Goldendale, WA, from Portland over Interstate Hwy 84N to junction U.S. Hwy 97, the over U.S. Hwy 97 to Goldendale, and return over the same route, serving the off-route points of Clackamas, Hood River, Multnomah, Sherman, Wasco, Washington and Yamhill Counties, OR, and Clark, Klichitat and Skamania Counties, WA; and (2) between Hood River, OR and Goldendale, WA, from Hood River over an undesignated bridge on the Columbia River, then over WA Hwy 14 to junction U.S. Hwy 97, then over U.S. Hwy 97 to Goldendale, and return over the same route, serving the off-route points of The Dalles and Biggs, OR.

Note.—The authority granted herein is limited in point of time to a period expiring 5 years from its date of issuance.

MC 134035 (Sub-46), filed February 3, 1981. Applicant: DOUGLAS TRUCKING COMPANY, a corporation, Hwy 75 South, Corsicana, TX 75110. Representative: Jack K. Williams (same address as applicant). Transporting *transportation equipment*, between points in Montgomery County, AL, Benton County, AR, Boone and Lake Counties, IN, Muskegon, Ottawa and Wayne Counties, MI, Cuyahoga, Hardin, Ross and Summit Counties, OH, Bamberg County, SC, and Collin County, TX, on the one hand, and, on the other, points in the U.S.

MC 136635 (Sub-52), filed February 4, 1981. Applicant: WHITEFORD TRUCK LINES, INC., 640 W. Ireland Road, South Bend, IN 46680. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Transporting *metal products and chemicals*, between the facilities of Oxide & Chemical Corp. in the U.S. on the one hand, and, on the other, points in the U.S.

MC 138104 (Sub-103), filed February 4, 1981. Applicant: MOORE TRANSPORTATION CO., INC., 3509 N. Grove Street, Fort Worth, TX 76106. Representative: Bernard H. English, 6270 Firth Road, Fort Worth, Tx 76116. Transporting *drilling mud additives, clay, lignite, petroleum pitch, foundry sand additives, and agricultural adjuvents*, (1) between points in MT, ND, SD, and WY, on the one hand, and, on the other, points in AZ, CA, CO, ID, NE, NV, NM, OR, TX, UT and WA; and (2) between points in Lowndes County, AL and Monroe County, MS, on the one hand, and, on the other, points in TX.

MC 138144 (Sub-61), filed January 23, 1981. Applicant: FRED OLSON CO., INC., 6022 West State Street, Milwaukee, WI 53213. Representative: William D. Brejcha, 10 South LaSalle Street, Suite 1600, Chicago, IL 60603. Transporting *such commodities* as are manufactured or distributed by manufacturers of buildings, building sections and panels, (a) between points in IL, IN, OH, and WI, on the one hand, and, on the other, points in the U.S., and (b) between points in CA, ID, MT, OR, WA, and Buchanon County, MO, on the one hand, and, on the other, points in IA, KS, MI, MN, MO, ND, NE, PA, and SD.

MC 139464 (Sub-4), filed February 5, 1981. Applicant: BASS TRANSPORT, INC., Route 2, Box 64A, Altavista, VA 24517. Representative: Frank B. Hand, Jr., 521 South Cameron St., Winchester, VA 22601. Transporting *food and related products*, between points in Campbell County, VA, on the one hand, and, on the other, points in AZ, LA, NM, OK, and TX.

MC 140755 (Sub-75), filed February 4, 1981. Applicant: BRAY TRANSPORTS, INC., P.O. Box 270, 1401 N. Little St., Cushing, OK 74023. Representative: Dudley G. Sherrill (same address as applicant). Transporting (1) *petroleum, natural gas and their products, and asphalt*, between points in Cowley and Butler Counties, KS, on the one hand, and, on the other, points in OK; and (2) *chemicals and related products*, between Coffeyville, KS and St. Louis, MO, and points in Cook County, IL, on the one hand, and, on the other, points in AR, KS, MO, OK, and TX.

MC 140895 (Sub-2), filed February 3, 1981. Applicant: TANK LINES, INCORPORATED, 1357 Diamond Springs Rd., Virginia Beach, VA 13455. Representative: Charles Moran, 80 First Ave., Nyack, NY 10960. Transporting *salt and cement*, between Norfolk, VA, on the one hand, and, on the other, points in NC.

MC 144214 (Sub-2), filed February 3, 1981. Applicant: ENERGY EXPRESS, INC., 2101 Monon Avenue, New Albany, IN 47150. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Transporting *building materials*, between points in the U.S., under continuing contract(s) with Electrical Tubular Corporation, Rent or Lease Equipment, Inc., Insulation Supply Inc., Service Sales & Associates, Inc., all of New Albany, IN, and Florida Pipe & Nipple Manufacturing Company, Inc., of Hialeah, FL.

MC 144225 (Sub-1), filed February 4, 1981. Applicant: JADEEL TRUCKING, INC., 8333 W. McNab Road, Tamarac, FL 33321. Representative: Raymond P. Keigher, 401 E. Jefferson St., Suite 102, Rockville, MD 20850. Transporting *furniture and fixtures*, between points in the U.S., under continuing contract(s) with Seaman Furniture Company, Inc., of Carle Place, NY.

MC 144874 (Sub-4), filed February 4, 1981. Applicant: HARRY J. BERRY d.b.a. BERRY TRUCKING, P.O. Box 658, Penns Grove, NJ 08069. Representative: Herbert Alan Dubin, 818 Connecticut Ave., NW., Washington, DC 20006. Transporting *metal products, lumber*

and wood products, rubber and plastic products, machinery, chemicals and related products, and *building materials,* between Philadelphia, PA, and Chicago, IL, and points in Camden County, NJ, New Hanover County, NC, and Tulsa County, OK, on the one hand, and, on the other, points in the U.S.

MC 146874 (Sub-4), filed February 4, 1981. Applicant: PALWOOD TRANSPORTATION, INC., 4017 Sunnyside Road, Woodstock, IL 60098. Representative: Abraham A. Diamond, 29 South La Salle Street, Chicago, IL 60603. Transporting *waste or scrap materials,* not identified by Industry producing, *commodities in bulk, building materials* and *contractors' supplies,* between points in IL and IN, on the one hand, and, on the other, points in AR, IL, IN, IA, MI, MN, MO, KY, OH, TN, TX and WI.

MC 148244 (Sub-1), filed February 3, 1981. Applicant: WILLIAM MCVEIGH d.b.a. MCVEIGH TRANSPORTATION, 406 East Kendall, Corona, CA 91720. Representative: Richard C. Celio, 2300 Camino Del Sol, Fullerton, CA 92633. Transporting *paper and plastic products,* between points in CA, NV, and AZ.

MC 148655 (Sub-10), filed February 4, 1981. Applicant: ERIEVIEW CARTAGE, INC., 100 Erieview Plaza, P.O. Box 6977, Cleveland, OH 44114. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 606 Eleventh Street, NW., Washington, DC 20001. Transporting *rubber and plastic products, chemicals and related products, metal products, textile mill products,* and *petroleum, natural gas, and their products,* between points in Rockdale County, GA, on the one hand, and, on the other, points in the U.S.

MC 151235 (Sub-1), filed February 4, 1981. Applicant: A & B BUS COMPANY, a partnership, 2919 Rhode Island Ave, NE., Washington, DC 20018. Representative: Peter R. Gilbert, 1000 Potomac Street, NW., 5th Floor, Washington, DC 20007. Transporting *passengers and their baggage,* in the same vehicle with passengers, in round-trip charter and special operations, beginning and ending at Washington, DC, and extending to points in the U.S. (except AK and HI).

MC 152885 (Sub-1), filed February 4, 1981. Applicant: SHOW-ME AGRI COMMODITIES, INC., Washington & Ohio Streets, Clinton, MO 64735. Representative: Frank W. Taylor, Jr., 1221 Baltimore Ave., Suite 600, Kansas City, MO 64105. Transporting *such commodities* as are dealt in by manufacturers and distributors of animal feed, between points in AR, IA, IL, KS, KY, MO, OK, NE, TN, and TX.

MC 153455 (Sub-1), filed February 3, 1981. Applicant: KENNETH AMICK d.b.a. AMICK ROCK, SAND AND GRAVEL, 320 North Adams, Papillion, NE 68046. Representative: Lavern R. Holdeman, P.O. Box 81849, Lincoln, NE 68501. Transporting *building and construction materials,* and *animal feed ingredients,* between points in IA and NE.

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Decided: February 20, 1981.

By the Commission, Review Board No. 1, Members Carleton, Joyce, and Jones.

MC 1824 (Sub-130), filed January 30, 1981. Applicant: PRESTON TRUCKING COMPANY, INC., 151 Easton Blvd., Preston, MD 21655. Representative: Charles S. Perry (same address as applicant). Over regular routes, transporting *general commodities* (except classes A and B explosives), (1) between Chicago, IL, and Davenport, IA, from Chicago over Interstate Hwy 55 to junction US Hwy 6, then over US Hwy 6 to junction US Hwy 61, then over US Hwy 61 to Davenport, and return over the same route, serving all intermediate points, and serving points in Rock Island County, IL, and Scott County, IA, as off-route points, and (2) serving all points in IL, on and north of Interstate Hwy 64 as off-route points in connection with applicant's presently authorized regular routes.

MC 28905 (Sub-10), filed February 5,1981. Applicant: RISBERG'S TRUCK LINE, a corporation, 2339 S.E. Grand Ave., Portland, OR 97214. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Ave., Portland, OR 97210. Transporting *general commodities* (except Classes A and B explosives), between points in OR and WA.

MC 113325 (Sub-164), filed January 30, 1981. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh St., St. Louis, MO 63104. Representative: T. M. Tahan (same address as applicant). Transporting *commodities in bulk,* between points in the U.S. under continuing contracts with Star Service and Petroleum Company, of Maryland Heights, MO, Benjamin Moore & Co., of Melrose Park, IL, and Technical Coatings Co., and Mallinckrodt, Inc., Both of St. Louis, MO.

MC 114194 (Sub-222), filed February 5, 1981. Applicant: KREIDER TRUCK SERVICE, INC., 1600 Collinsville Ave., P.O. Box 147, Madison, IL 62060. Representative: Ernest A. Brooks, II, 1301 Ambassador Bldg., St. Louis, MO 63101. Transporting *lime, limestone, and limestone products,* between those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX.

MC 123375 (Sub-23), filed January 30, 1981. Applicant: KIRK TRUCKING SERVICE, INC., 3100 Braun Ave., Westmoreland County, Murrysville, PA 15668. Representative: A. Charles Tell, 100 E. Broad St., Columbus, OH 43215. Transporting (1) *building and construction materials,* (2) *commodities which because of their size or weight require the use of special handling or equipment,* (3) *contractors' tools and equipment,* (4) *forest, lumber, and wood products,* (5) *machinery,* (6) *metal products,* and (7) *refractories,* between points in CT, DE, IL, IN, KY, MD, MA, MI, NJ, NY, OH, PA, RI, VA, WV, WI, and DC.

MC 129625 (Sub-16), filed January 30, 1981. Applicant: ROBERT COLE TRUCKING COMPANY, a corporation, P.O. Box M, Falls Creek, PA 15840. Representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, PA 15219. Transporting *salt, (1)* between points in Livingston County, NY, on one hand, and, on the other, points in PA, and (2) between points in Clearfield and Jefferson Counties, PA, on one hand, and, on the other, points in PA in and west of Tioga, Lycoming, Clarion, Snyder, Juniata, Perry, Cumberland, and Adams Counties, PA (except points in Armstrong, Cambria, Cameron, Centre, Clarion, Clearfield, Clinton, Elk, Forest, Indiana, Jefferson, McKean, Potter, Venango, and Warren Counties, PA), restricted in (2) above, to traffic having a prior movement by rail.

MC 134134 (Sub-93), filed January 30, 1981. Applicant: MAINLINER MOTOR EXPRESS, INC., 4202 Dahlman Ave., P.O. Box 7439, Omaha, NE 68107. Representative: Lavern R. Holdeman, P.O. Box 81849, Lincoln, NE 68501. Transporting *alcoholic beverages,* between points in IL, IN, KY, MD, MA, MI, NJ, NY, PA, and TN, on the one hand, and, on the other, points in AR, CO, IL, IN, IA, KS, KY, MI, MN, MO, NE, OH, PA, TN, TX, WV, and WI.

MC 135074, filed February 5, 1981. Applicant: SECURITY STORAGE COMPANY, INC., P.O. Box 2005, Goldsboro, NC 27530. Representative: M. Wendell Thornton (same address as applicant). Transporting *household goods,* as defined by the Commission, between points in NC, on the one hand, and, on the other, points in AL, CT, DE, FL, GA, KY, MD, NJ, NY, NC, OH, PA, RI, SC, TN, VA, WV, and DC.

MC 144345 (Sub-21), filed February 5, 1981. Applicant: DON'S FROZEN EXPRESS, INC., 3820 Airport Ave., Caldwell, ID 83605. Representative: David E. Wishney, P.O. Box 837, Boise, ID 83701. Transporting *such*

commodities as are dealt in or used by grocery and food business houses, between the facilities of Albertson's, Inc., in the U.S., on the one hand, and, on the other, points in the U.S.

MC 148655 (Sub-8), filed January 30, 1981. Applicant: ERIEVIEW CARTAGE, INC., 100 Erieview Plaza, P.O. Box 6977, Cleveland, OH 44114. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., N.W., Washington, DC 20001. Transporting (1) *ores and minerals*, (2) *metal products*, (3) *building materials*, and (4) *rubber and plastic products*, between points in Livingston and Du Page Counties, IL, Scott County, IA, Barron County, WI, Dauphin County, PA, Dallas and Gregg Counties, TX, Broward, Hillsborough, Orange and Duval Counties, FL, Atlanta, GA, and San Antonio, TX, on the one hand, and, on the other, points in the U.S.

MC 153784 (Sub-1), filed February 5, 1981. Applicant: MANTEK TRUCKING, INC., 168A Amboy Ave., Matawan, NJ 07747. Representative: Eugene M. Malkin, Two World Trade Center, Suite 1832, New York, NY 10048. Transporting *general commodites* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Treitler-Owens, Inc., of Washington, NJ.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-6808 Filed 3-3-81; 8:45 am]

BILLING CODE 7035-01-M

Petitions, Applications, Alternate Route Deviations, Intrastate Applications, Gateways, and Pack and Crate

Correction

In FR Doc. 81-4824, appearing at page 11894, in the issue of Wednesday, February 11, 1981, make the following correction:

On page 11903, in the second column, "MC 14620 (Sub-1)," Application of Contractual Carriers, Inc., should have read "MC 146202 (Sub-1)."

BILLING CODE 1505-01-M

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development

Housing Guaranty Program; Investment Opportunities

The Agency for International Development (A.I.D.) has authorized guaranties of loans to a number of developing countries (Borrowers) as part of A.I.D.'s overall development assistance program. The proceeds of these loans will be used to finance shelter projects for low income families residing in the countries of the borrowers. The following list of Borrowers and loan amounts indicates those projects which are or soon will be ready to receive financing and for which the Borrowers are requesting proposals from U.S. lenders or investment bankers:

Biape

Project: 598-HG-001—$9,000,000

Dr. Alberto Klumb, Executive President; or Dr. Iari de Andrade, Financial Secretary; Banco Interamericano de Ahorro y Prestamo, Apartado 51558, Caracas 105—Venezuela. Telex: 21737, Telephone: 781-1013 or 781-1233, Language: Spanish or English.

Ecuador

Project: 518-HG-005—$20,000,000

Dr. Juan Pablo Moncagatta, President; Banco Ecuatoriano de la Vivienda, Av. 10 de Agosto 2252, Quito, Ecuador, Cable: Bedelav, Telex: 2399 Bev-Ed, Telephone: 238060, Language: Spanish.

Honduras

Projects: 522-HG-005 and 522-HG-006—$20,500,000

Dr. Valentin J. Mendoza A., Minister; or Dr. Jorge Hernan Galeas Dominguez, Sub-Secretary; Ministerio de Hacienda y Credito Publico, Tegucigalpa, D. C., Honduras, Cable: Minhacienda, Telephone: 228701 or 227265, Language: Spanish.

Liberia

Project: 669-HG-002—$10,000,000

Mr. Hilary A. Dennis, President; National Housing and Savings Bank, P.O. Box 818, Monrovia, Liberia, Cable: Morbank, Telex: 4337, Telephone: 222402 or 221183, Language: English.

Mauritius

Project: 642-HG-001—$6,000,000.

Mr. M. Baguant, Financial Secretary, Ministry of Finance, Government House, Port Louis, Mauritius, Cable: Finsec Mauritius, Telex: 4249 Extern IW, Telephone: 25331, Language: English.

Panama

Projects 525-HG-010 and 525-HG-011—$30,400,000.

Sr. Silverio Melfi, General Manager, Banco Hipotecario Nacional, Apartado 222, Panama 1, Panama, Cable: Bahinal, Telephone: 251260 or 273770, Language: Spanish or English.

Paraguay

Project 526-HG-002—$8,000,000.

Dr. Eligio T. Franco, President, Banco Nacional de Ahorro y Prestamo para la Vivienda, Casilla 1464, Asuncio, Paraguay, Telex: 822PY—BNV, Telephone: 44139, Languages: Spanish; English speaking contact telephone Heddy de Lopez Moreira at 44340 or 49815.

Peru

Projects: 527-HG-010 and 527-HG-011—$35,000,000

Sr. Oscar Bauer Cortrina, General Manager, Banco de la Vivienda del Peru, P.O. Box 5425, Lima 1, Peru, Telex: 20077 PE-BVP, Telephone: 286131, Language: Spanish.

Togo

Project: 693-HG-001—$15,000,000

Mr. Kakaye Napo, General Manager, Banque Togolaise de Developpment, B.P. 65, Lome, Togo, Cable: Devtogobank Lome, Telex: Devtogobank 5282, Telephone: 21-36-41 or 21-36-42, Language: French.

Additional projects will be advertised from time to time as they become ready for borrowing.

By this notice of investment opportunities, each of the above Borrowers individually is soliciting expressions of interest from U.S. lenders or investment bankers to counsel them on loan timing, structure and features, and to manage the loans or underwritings. Interested investment bankers or lenders should contact the Borrowers indicated above. Selection of investment bankers and/or lenders and the terms of the loans are initially subject to the individual discretion of each of the Borrowers and thereafter subject to approval by A.I.D. The lenders and A.I.D. shall enter into a Contract of Guaranty, covering each of the loans. Disbursements under the loans will be subject to certain conditions required of the borrowers by A.I.D. as set forth in implementation agreements between A.I.D. and the borrowers.

The full repayment of the loans will be guaranteed by A.I.D. The A.I.D. guaranty will be backed by the full faith and credit of the United States of America and will be issued pursuant to authority in Section 222 of the Foreign Assistance Act of 1961, as amended (the Act).

Lenders eligible to receive an A.I.D. guaranty are those specified in Section 238(c) of the Act. They are: (1) U.S. citizens; (2) domestic U.S. corporations,

partnerships, or associations substantially beneficially owned by U.S. citizens; (3) foreign corporations whose share capital is at least 95 percent owned by U.S. citizens; and, (4) foreign partnerships or associations wholly owned by U.S. citizens.

To be eligible for an A.I.D. guaranty, the loans must be repayable in full no later than the thirtieth anniversary of the disbursement of the principal amount thereof and the interest rates may be no higher than the maximum rate established from time to time by A.I.D.

The solicitation period commencing with this Notice will terminate at C.O.B. local time on May 29, 1981, unless extended by one or more Borrowers. By that time each Borrower anticipates that a commitment letter will have been signed with a lender or investment banker for the placement of the respective loan.

Information as to the eligibility of investors and other aspects of the A.I.D. housing guaranty program can be obtained from:

Director, Office of Housing, Agency for International Development, Room 625, SA/12, Washington, D.C. 20523, Telephone: (202) 632-9637.

Dated: March 2, 1981.

Fredrik A. Hansen,

Deputy Director, Office of Housing.

[FR Doc. 81-7002 Filed 3-3-81; 8:45 am]

BILLING CODE 4710-02-M

[Delegation of Authority No. 40]

Regional Assistant Administration, et al.; Delegation of Authority Regarding Source, Origin and Nationality for Procurement

Pursuant to the authority delegated to me by Delegation of Authority No. 104, dated November 3, 1961 (26 FR 10,608, November 10, 1961), as amended, from the Secretary of State, and AID Delegation of Authority No. 34, dated May 13, 1969, it is hereby directed as follows:

I

The Assistant Administrator for Africa, Asia, Latin America and the Caribbean, Near East, Development Support, and Private and Development Cooperation each for countries or programs for which he or she is responsible, are hereby delegated the following authorities with respect to source, origin and nationality requirements in the procurement of goods and services:

A. Selected Free World—Authority to waive, in accordance with the criteria prescribed by Supplement B of AID Handbook 1, U.S. source, origin and nationality requirements to permit procurement of goods and services, other than ocean transportation services, in countries included in AID geographic Code 941 (Selected Free World) and the cooperating country when the cost of the goods and services does not exceed $500,000 (exclusive of transportation costs) of funds made available under the Foreign Assistance Act of 1961, as amended.

B. Free World—Authority to make specific exceptions to U.S. or Code 941 source, origin and nationality requirements, in accordance with criteria prescribed by Supplement B of AID Handbook 1, to permit procurement of goods and services, other than ocean transportation services, in any country included in AID Geographic Code 899 (Free World) or AID Geographic Code 935 (Special Free World) when the cost of the goods and services does not exceed $500,000 (exclusive of transportation costs) of funds made available under the Foreign Assistance Act of 1961, as amended; *provided, however:*

1. That all waivers of source, origin and nationality for procurement of goods authorized pursuant to this paragraph I.B. shall contain a certification by the approving official that "Exclusion of procurement from free world countires other than the cooperating country and countries included in Code 941 would seriously impede attainment of U.S. foreign policy objectives and objectives of the foreign assistance program."

2. That all waivers of the nationality requirements for suppliers of services, other than ocean transportation services, authorized pursuant to ths paragraph I.B. shall contain a certification by the approving official that "The interests of the United States are best served by permitting the procurement of services from free world countries other than the cooperating country and countries included in Code 941."

II

The Assistant Administrator for Program and Management Services is hereby delegated the following authorities:

A. Selected Free World—Authority to waive, in accordance with the criteria prescribed by Supplement B of AID Handbook 1, requrements that ocean transportation services be on U.S. flag vessels in order to permit financing of ocean transportation on vessels under flag registry of the cooperating country or any country included in AID Geographic Code 941 (Selected Free World) with funds made available under the Foreign Assistance Act of 1961, as amended.

B. Free World—Authority to waive, in accordance with the criteria prescribed by Supplement B of AID Handbook 1, ocean transportation flg registry requirements in order to permit the financing of transportation on vessels under flag registry of any country included in AID Geographic Code 899 (Free World) or AID Geographic Code 935 (Special Free World) with funds made available under the Foreign Assistance Act of 1961, as amended; *provided however:* That all waivers approved pursuant to paragraph II.B. shall contain a certification by the approving official that "The interests of the U.S. are best served by permitting financing of transportation services on ocean vessels under flag registry of free world countries other than the cooperating country and countries included in Code 941."

III. General Provisions

A. Any reference in this delegation of Authority to any Act of Congress, order, determination, or delegation of authority shall be deemed to be a reference to such Act of Congress, order, determination, or delegation of authority as amended from time to time.

B. Any official of AID to whom functions are delegated under this Delegation of Authority may redelegate any of the functions, *provided, however:* That the authority to waive source, origin and nationality requirements for procurement of goods and services other than ocean transportation services shall not be redelegated to USAIDs, Regional Offices, or any other AID field office for transactions in excess of $250,000 (exclusive of transportation); and *provided further,* That the authority to waive source and origin requirements for procurement of motor vehicles shall not be redelegated for transactions in excess of $25,000 (exclusive of transportation).

C. I retain for myself concurrent authority to exercise any of the functions herein delegated.

D. Delegation of Authority No. 40 dated March 5, 1978 (43 FR 11293, March 17, 1978) is hereby revoked. This revised delegation shall not be construed to affect the validity of any waiver or redelegatin granted by a properly authorized official prior to the effective date of this revised delegation, and any such waiver or redelegation shall continue in effect unless modified or revoked by an official to whom such

authority has been delegated by this order.

E. This Delegation of Authority is effective immediately.

Dated: February 20, 1981.

Joseph C. Wheeler,

Acting Administrator.

[FR Doc. 81-6643 Filed 3-3-81; 8:45 am]

BILLING CODE 4710-02-M

NATIONAL COMMISSION ON SOCIAL SECURITY

Meeting

February 27, 1981.

The National Commission on Social Security will hold its final public meeting at the New Executive Office Building, at 17th and Pennsylvania Avenue, N.W., on March 12. The meeting will begin at 10:00 a.m., in room 2008. The purpose of this meeting is to conclude Commission business. At 11:15, in Room 2010, a press conference will be held to announce the release of the final report. The meeting will be open to the public, in accordance with the Federal Advisory Committee Act.

Additional information about the meeting may be obtained from the Commission office: Room 125, Pension Building, 440 G Street, N.W., Washington, D.C. 20218, Phone: (202) 376-2622.

Laura Kreuzer,

Administrative Officer.

[FR Doc. 81-6835 Filed 3-3-81; 8:45 am]

BILLING CODE 6820-AC-M

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards, Subcommittee on Site Evaluation; Meeting

The ACRS Subcommittee on Site Evaluation will hold a meeting at 8:30 a.m. on March 19 and 20, 1981 in Room 1046, 1717 H Street, NW., Washington, DC. The Subcommittee will discuss the latest developments in emergency planning and siting rulemaking. Notice of this meeting was published February 20.

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, March 19 and 20, 1981 8:30 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 Mr. Garry G. Young, ACRS Staff (telephone 202/634-1414) between 8:15 a.m. and 5:00 p.m., EST. The cognizant Designated Federal Employee for this meeting is Mr. John C. McKinley.

Dated: February 26, 1981.

John C. Hoyle,

Advisory Committee, Management Officer.

[FR Doc. 81-6866 Filed 3-3-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-317 and 50-318]

Baltimore Gas & Electric Co.; Fire Protection

By letter dated January 30, 1981, Baltimore Gas and Electric Company (the licensee) requested that the U.S. Nuclear Regulatory Commission (the Commission) grant an extension of time until June 1, 1981, for complying with the requirements of § 50.48 of 10 CFR Part 50 (45 FR 76602, November 19, 1980).

This request is in connection with the licensee's need to postpone installation and testing of some items for the fire protection system at the Calvert Cliffs Unit Nos. 1 and 2 Nuclear Generating Station located in Lusby, Maryland. Those items are as follows: (1) automatic fire suppression in cable spreading rooms, (2) emergency communications, (3) fire detection in safety-related areas, (4) fire hose coverage, (5) fire hazard analysis, (6) fire walls and dampers, (7) emergency lighting, and (8) reactor coolant pump lube oil collection.

Pursuant to 10 CFR 50.48(d), the Commission's Director of Nuclear Reactor Regulation has concluded that good cause has been shown and that such postponement will not adversely affect the health and safety of the public. Accordingly, the request has been granted to item number (1), (7), and (8), and the remaining items do not need an extension.

For further details with respect to this action, see (1) the licensee's request dated January 30, 1981, and (2) the Director's letter to the licensee dated February 13, 1981.

Dated at Bethesda, Maryland this 13th day of February 1981.

For the Nuclear Regulatory Commission.

Edson G. Case,

Deputy Director, Office of Nuclear Reactor Regulation.

[FR Doc. 81-6867 Filed 3-3-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-295 and 50-304]

Commonwealth Edison Co. (Zion Station, Units 1 & 2); Issuance of Director's Decision Under 10 CFR 2.206

By letter dated April 17, 1980, Pollution and Environmental Problems, Inc. (PEP) transmitted a request pursuant to 10 CFR 2.206 for the suspension of Amendments Nos. 52 and 49 to rerack and compact the spent fuel pool at the Zion Station, Units 1 and 2. The PEP request was for a review board hearing to consider the effects of a TMI type accident on the Zion spent fuel pool, a gross loss of water accident from the spent fuel pool, and the environmental effects of high burnup fuel storage at the Zion Station. After a review of the relevant information, the Director has determined that the PEP concerns have been adequately covered by review board hearings and decisions and that there is no basis for suspending the Amendments. Accordingly, the request by PEP has been *denied.*

Copies of the Director's Decision are available for inspection in the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555, and at the Local Public Document Room for the Zion Station located at the Zion-Benton Public Library, 2600 Emmaus Avenue, Zion, Illinois 60099. A copy of this decision will also be filed with the Secretary of the Commission for review by the Commission in accordance with 10 CFR 2.206(c) of the Commission's regulations.

As provided in 10 CFR 2.206(c), this decision will constitute the final action

of the Commission twenty-five (25) days after the date of issuance, unless the Commission on its own motion institutes review of this Decision within that time.

Dated at Bethesda, Maryland this 18th day of February, 1981.

Harold R. Denton,

Director, Office of Nuclear Reactor Regulation.

[FR Doc. 81-6668 Filed 3-3-81; 8:45 am]

BILLING CODE 7590-01-M

Draft Regulatory Guide; Issuance and Availability

The Nuclear Regulatory Commission has issued for public comment a draft of a new guide planned for its Regulatory Guide Series together with a draft of the associated value/impact statement. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

The draft guide, temporarily identified by its task number, SC 708-4 (which should be mentioned in all correspondence concerning this draft guide), is entitled "Qualification and Acceptance Tests for Snubbers Used in Systems Important to Safety" and is intended for Division 1, "Power Reactors." It is being developed to delineate construction and test methods acceptable to the NRC staff for design qualification and acceptance testing of snubbers that are important to the safety of nuclear power plants. Snubbers are often used in nuclear power plants to mitigate potential excessive dynamic loadings developed in fluid systems and components by system transients or by earthquakes or other natural phenomena.

This draft guide and the associated value/impact statement are being issued to involve the public in the early stages of the development of a regulatory position in this area. They have not received complete staff review, have not been reviewed by the NRC Regulatory Requirements Review Committee, and do not represent an official NRC staff position.

Public comments are being solicited on both drafts, the guide (including any implementation schedule) and the draft value/impact statement. Comments on the draft value/impact statement should be accompanied by supporting data. Comments on both drafts should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, by April 30, 1981.

Although a time limit is given for comments on these drafts, comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of draft guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future draft guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Technical Information and Document Control. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland this 23rd day of February 1981.

For the Nuclear Regulatory Commission.

Guy A. Arlotto,

Director, Division of Engineering Standards, Office of Standards Development.

[FR Doc. 81-6677 Filed 3-3-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-334]

Duquesne Light Co., et al.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 38 to Facility Operating License No. DPR-66 issued to Duquesne Light Company, Ohio Edison Company, and Pennsylvania Power Company (the licensees), which revised Technical Specifications for operation of the Beaver Valley Power Station, Unit No. 1 (the facility) located in Beaver County, Pennsylvania. The amendment is effective as of the date of issuance and is to be fully implemented within 60 days of Commission approval in accordance with the provisions of 10 CFR 73.55(b)(4).

The amendment adds a license condition requiring the licensee to follow all provisions of the NRC approved Guard Training and Qualifications Plan, in accordance with 10 CFR 73.55(b), 60 days after approval by the Commission.

The licensee's filings, which have been handled by the Commission as applications, comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since this amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

The licensee's filings dated August 6, 1979, and September 26, 1980, are being withheld from public disclosure pursuant to 10 CFR 2.790(d). The withheld information is subject to disclosure in accordance with the provisions of 10 CFR 9.12.

For further details with respect to this action, see (1) Amendment No. 38 to License No. DPR-66 and (2) the Commission's letter dated February 11, 1981. 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 B. F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, Pennsylvania 15001. A copy of items (1) and (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, Maryland, this 11th day of February, 1981.

For the Nuclear Regulatory Commission.

Steven A. Varga,

Chief, Operating Reactors Branch No. 1, Division of Licensing.

[FR Doc. 81-6669 Filed 3-3-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-316]

Indiana and Michigan Electric Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 28 to Facility Operating License No. DPR-74, issued to Indiana and Michigan Electric Company

(the licensee), which revised Technical Specifications for operation of Donald C. Cook Nuclear Plant, Unit No. 2 (the facility), located in Berrien County, Michigan. The amendment is effective as of the date of issuance.

The amendment revises the trip set points and the allowable values for some instrumentation in the Reactor Protection System and the Engineered Safety Features Actuation System. The amendment also deletes license condition which required information to be submitted on the instrument trip set point values for instruments in the Reactor Protection System and the Engineered Features Actuation System.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated June 22, 1978, (2) Amendment No. 28 to License No. DPR-74 and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Maude Reston Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan, 49085. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 12th day of February, 1981.

For the Nuclear Regulatory Commission.

Steven A. Varga,

Chief, Operating Reactors Branch No. 1, Division of Licensing.

[FR Doc. 81-6670 Filed 3-3-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-331]

Iowa Electric Light & Power Co., et al.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment no. 63 to Facility Operating License No. DPR-49 issued to Iowa Electric Light and Power Company, Central Iowa Power Cooperative, and Corn Belt Power Cooperative, which revises the license conditions for operation of the Duane Arnold Energy Center, located in Linn County, Iowa. The amendment is effective as of its date of issuance.

The amendment modifies the license conditions relating to the completion of facility modifications for fire protection in accordance with the requirements of 10 CFR 50.48 and 10 CFR 50, Appendix R.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) Amendment No. 63 to License No. DPR-49, and (2) Supplement 1 to the Commission's Fire Protection Safety Evaluation. These items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Cedar Rapids Public Library, 428 Third Avenue, SE., Cedar Rapids, Iowa 52401. A copy of items (1) and (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, Maryland this 10th day of February 1981.

For the Nuclear Regulatory Commission.

Thomas A. Ippolito,

Chief, Operating Reactors Branch No. 2, Division of Licensing.

[FR Doc. 81-6672 Filed 3-3-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-331]

Iowa Electric Light & Power Co., et al.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 64 to Facility Operating License No. DPR-49 issued to Iowa Electric Light and Power Company, Central Iowa Power Cooperative, and Corn Belt Power Cooperative, which revises the Technical Specifications for operation of the Duane Arnold Energy Center, located in Linn County, Iowa. The amendment is effective as of its date of issuance.

The amendment modifies the Technical Specifications to incorporate certain of the TMI-2 Lessons Learned Category "A" requirements. These requirements concern (1) Emergency Power Supply/Inadequate Core Cooling, (2) Valve Position Indication, (3) Containment Isolation, (4) Shift Technical Advisor, (5) System Integrity Measurements Program and (6) Improved Iodine Measurements Capability.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated September 10, 1980, (2) Amendment No. 64 to License No. DPR-49, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Cedar Rapids Public Library, 428 Third Avenue, SE., Cedar Rapids, Iowa 52401. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland this 17th day of February 1981.

For the Nuclear Regulatory Commission.

Thomas A. Ippolito,

Chief, Operating Reactors Branch No. 2, Division of Licensing.

[FR Doc. 81-6671 Filed 3-3-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-219]

Jersey Central Power & Light Co.; Issuance of Amendment To Provisional Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 52 to Provisional Operating License No. DPR-16, issued to Jersey Central Power & Light Company (the licensee), which revised the Technical Specifications for operation of the Oyster Creek Nuclear Generating Station (the facility) located in Ocean County, New Jersey. The amendment is effective as of its date of issuance.

This amendment (1) revises the procedure for testing for radioactive methyl iodine removal efficiency of carbon samples removed from the Standby Gas Treatment System (SGTS), (2) eliminates the air flow distribution tests on the high efficiency particulate and charcoal filters of the SGTS, and (3) corrects the Bases Section of Technical Specification 4.5 so that it is consistent with the Provisions of Technical Specification.

The applications for the amendment comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any signifiant 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 section, see (1) the applications for amendment dated October 18, 1977, and October 6, 1980, (2) Amendment No. 52 to License No. DPR-16, 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, NE., Washington, D.C., and at the Ocean County Library, Brick Township Branch, 401 Chambers Bridge Road, Brick Town, New Jersey 08723. A single copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 11th day of February, 1981.

For the Nuclear Regulatory Commission.

Dennis M. Crutchfield,

Chief, Operating Reactors Branch No. 5, Division of Licensing.

[FR Doc. 81-6673 Filed 3-3-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-220]

Niagara Mohawk Power Corp.; Extension of Completion Dates

By letter dated December 31, 1980, Niagara Mohawk Power Corporation (the licensee) requested that the U.S. Nuclear Regulatory Commission (the Commission) extend completion dates for the fire protection modifications for the Nine Mile Point Nuclear Station Unit 1 located in Oswego County, New York.

The modifications and extension dates are as follows: (1) Protection System—September 30, 1981, (2) Shutdown Panel—September 30, 1981, (3) Sprinkler System—May 30, 1981, and (4) Ventilation Duct Penetrations—Spring 1981 Refueling Outage.

The Commission's Director of Nuclear Reactor Regulation has concluded that good cause has been shown and that such postponement will not adversely affect the public health and safety. Accordingly, pursuant to 10 CFR 50.48(d), the request has been granted.

For further details with respect to this action, see (1) the licensee's request dated December 31, 1980, and (2) the Director's letter to the licensee dated February 13, 1981, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Oswego County Office Building, 46 E. Bridge Street, Oswego, New York, 13126.

Dated at Bethesda, Maryland this 13th day of February 1981.

For the Nuclear Regulatory Commission.

Edson G. Case,

Deputy Director, Office of Nuclear Reactor Regulation.

[FR Doc. 81-6674 Filed 3-3-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-263]

Northern States Power Co.; Extension of Completion Dates

By letter dated February 6, 1981, Northern States Power Company (the licensee) requested that the U.S. Nuclear Regulatory Commission (the Commission) grant an extension until November 17, 1981, for the completion of installation of the cable spreading room halon system, upgrading fire barrier seals, and replacement of linen fire hose at the Monticello Nuclear Generating Plant located in Wright County, Minnesota.

The Commission's Director of Nuclear Reactor Regulation has concluded that good cause has been shown and that such postponement will not adversely affect the public health and safety. Accordingly, pursuant to 10 CFR 50.48(d), the request has been granted.

For further details with respect to this action, see (1) the licensee's request dated February 6, 1981, and (2) the Director's letter to the licensee dated February 13, 1981, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Environmental Conservation Library, Minneapolis Public Library, 300 Nicollet Mall, Minneapolis, Minnesota 55401.

Dated at Bethesda, Maryland, this 13th day of February, 1981.

For the Nuclear Regulatory Commission.

Edson G. Case,

Deputy Director, Office of Nulear Reactor Regulation.

[FR Doc. 81-6675 Filed 3-3-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-311]

Public Service Electric & Gas Co., et al.; Issuance of Amendment to License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 5 to License No. DPR-75, issued to Public Service Electric and Gas Company, Philadelphia Electric Company, Delmarva Power and Light Company and Atlantic City Electric Company (the licensees), which revised License No. DPR-75 of the Salem Nuclear Generating Station, Unit No. 2 (the facility) located in Salem County, New Jersey. The amendment is effective as of the date of issuance.

The amendment approves an extension of the License for Fuel Loading and Low Power Testing from April 18, 1981 to April 18, 1983.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since this amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated February 10, 1981, (2) Amendment No. 5 to License No. DPR-75, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the Salem Free Public Library, 112 West Broadway, Salem, New Jersey. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 26th day of February, 1981.

For the Nuclear Regulatory Commission.

F. J. Miraglia,

Acting Chief, Licensing Branch No. 3, Division of Licensing.

[FR Doc. 81-6876 Filed 3-3-81; 8:45 am]

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[CLI-80-42]

Statement of Policy; Further Commission Guidance for Power Reactor Operating Licenses

Correction

In FR Doc. 80-40105, appearing at page 85236 in the issue of Wednesday, December 24, 1980, please make the following change:

(1) On page 85239, second column, first full paragraph, fifth line, "necessary" should read "unnecessary".

BILLING CODE 1505-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 17577 (File No. SR-CBOE-80-7)]

Chicago Board Options Exchange, Inc.; Order Approving Amended Proposed Rule Change

February 26, 1981.

On April 17, 1980, the Chicago Board Options Exchange, Incorporated (the "CBOE"), LaSalle at Jackson, Chicago, Illinois 60604, filed with the Commission, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1), and Rule 19b-4 thereunder, copies of a proposed rule change that would modify CBOE rules to provide for exchange trading of standardized options contracts on mortgage pass-through certificates guaranteed by the Government National Mortgage Association ("GNMAs," "GNMA certificates," or "GNMA securities").[1] In order to assist in its analysis of the CBOE proposal, the Commission, on July 24, 1980, published a release extending the time for the submission of public comments and requesting comments concerning a number of particular features of the proposed options contract and of the market and regulatory environment within which it would be traded.[2] On December 19, 1980, the CBOE filed amendments to its proposal which, among other things, would establish premium-based margin requirements for GNMA options, eliminate the limit order book for such options, and broaden the market maker spread parameters.[3]

I. Introduction

The CBOE proposal would modify its rules to permit the trading of standarized put and call options on GNMA modified pass-through certificates.[4] Timely payment of interest and principal on GNMA securities is guaranteed by GNMA, and that guarantee is backed by the full faith and credit of the United States Government. The CBOE proposal would provide the first exchange-based GNMA options trading, although optional forward contracts ("stand-bys") are currently traded in the over-the-counter market.[5] In addition, standardized contracts for future delivery of GNMA certificates are traded on boards of trade subject to the regulatory oversight of the Commodity Futures Trading Commission (the "CFTC").

The CBOE proposed to trade puts and calls on GNMA securities with $100,000 remaining principal balance.[6] The GNMA options contract would be traded on the basis of a GNMA certificate bearing a nominal 8 percent coupon rate. The terms of the contract would permit delivery of GNMA certificates bearing a range of GNMA coupons, with a price adjustment to provide a yield equivalent to delivery of a certificate with a nominal coupon. This yield equivalence concept is similar to delivery practices in the current over-the-counter optional and mandatory GNMA forward markets and is also used in the GNMA futures markets. In an effort to promote delivery by issuers[7] of their current production, GNMA coupons eligibile for delivery generally would be restricted to certificates bearing coupon rates at, or lower than, the current production rates.[8]

II. Discussion

In its filing, the CBOE argued that the public interest would be advanced by Commission approval of CBOE's proposal to trade GNMA options.[9] In support of this contention the CBOE has

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[1] Notice of the filing of the proposed rule change was given by Securities Exchange Act Release No. 16601 (May 12, 1980) (45 FR 32458 (1980)).

[2] Securities Exchange Act Release No. 17005 (45 FR 51016 (1980)).

[3] Notice of the filing of the amended proposed rule change was given by Securities Exchange Act Release No. 17413 (January 5, 1981) (46 FR 2439 (1981)).

[4] Each GNMA certificate represents an interest in a pool of mortgages insured by the Farmers Home Administration or the Federal Housing Administration or guaranteed or insured by the Veterans Administration.

[5] In addition to transactions for immediate delivery, the GNMA over-the-counter markets include both optional and mandatory forward commitments. An optional forward commitment is a contract that permits, but does not obligate, the purchaser to deliver GNMA securities on a specificed date according to prearranged terms. A mandatory forward commitment obligates the parties to make and take delivery on a specific future date according to prearranged terms.

[6] Delivery of GNMA certificates with a remaining principal balance less than 2.5 percent above or below the contract amount would be permitted. This would conform with current practice in the cash market.

[7] GNMA securities are currently issued by about 900 private firms that originate mortgages. Approximately two-thirds of these firms are mortgage bankers; the remainder are largely commercial banks and savings and loans associations. See, *Report of the Joint Treasury—SEC—Federal Reserve Study of the Government-Related Securities Markets*, S. Rep., 96th Cong., 2d Sess. (Comm. Print 1980) ("GNMA Study"), at p. 34.

[8] Because the current production rate is the highest deliverable rate, it normally will be the optimal delivery. See CBOE, *A Market in Options on GNMA Modified Pass-Through Securities* [undated] ("CBOE GNMA Options Memorandum"), at pp 25-27. In the event of a change in the GNMA production rate, specific delivery provisions would encourage, for a limited period, the delivery of mortgage production still in the pipeline.

[9] File No. SR-CBOE-80-7.

argued that optional contracts providing for delivery of GNMAs are of substantial economic importance to the GNMA market and the housing industry generally.[10] Although the problems that have characterized the over-the-counter markets for such contracts have limited the availability of stand-bys,[11] the CBOE asserts that the creation of an exchange market for GNMA options would alleviate these problems, thereby supporting the basic economic function of the GNMA markets—increased capital formation in the housing industry through access to the capital markets for loanable funds. Moreover, the CBOE asserts that exchange trading of GNMA options also would increase the usefulness of an optional delivery instrument to GNMA market participants through standardization of contract and delivery terms and increased efficiency.

The Commission received 85 comment letters concerning the CBOE proposal,[12] all but one of which were essentially supportive.[13] The majority of letters were received from mortgage bankers and strongly supported the prompt development of exchange trading in standardized GNMA options. These commentators stated that the availability of such options would facilitate their activities in the housing market, while at the same time avoiding the problems associated with the existence of abuses in the over-the-counter stand-by market.[14] Similar views were expressed by other firms doing business with mortgage bankers and/or in the markets for GNMA securities, as well as by the Options Committee of the Securities Industry Association.[15]

In order to assist in its analysis of the CBOE proposal, the Commission staff solicited specific comments from several governmental agencies [16] in an effort to determine the extent to which their interests might be affected by the development of an exchange-based standardized GNMA options market. In response, the Commission received six letters,[17] all of which indicated general support for the CBOE proposal.[18]

GNMA and the Department of Housing and Urban Development strongly endorsed the establishment of a regulated market for the trading of optional delivery contracts on GNMA securities, and indicated that such a market would enhance the ability of GNMA to fulfill its responsibilities to the housing market. The Federal Reserve Bank of New York ("FRB–NY") observed that it was unlikely that the trading of standardized GNMA options would have an impact on the market for related underlying securities, such as Treasury bonds, and indicated that the over-the-counter GNMA forward market could have a more significant effect on the market for Treasury securities, in light of the possibility that overextensions and defaults in that market could threaten the financial integrity of firms also making markets in Treasury securities. The staff of the Board of Governors of the Federal Reserve System (the "FRB") and the Department of the Treasury suggested that, on balance, it appeared likely that the existence of a derivative options market would benefit the GNMA cash market, and concluded that a GNMA options market, if properly regulated, would not be expected to have adverse effects on the markets for Treasury securities.

A. *Contract design.* The American Stock Exchange, Inc. (the "Amex"), although generally supporting the concept of exchange-traded options on GNMAs, expressed concern regarding the design of the CBOE's proposed contract and asserted that the CBOE proposal does not adequately address market needs.[19] Essentially, the Amex stated that the yield equivalence feature of the CBOE contract would create uncertainty as to what coupon rate would be borne by GNMA securities delivered upon exercise of an option, and that, consequently, an options contract for each GNMA coupon rate would be preferable.[20] As discussed, *infra*, so long as there are not regulatory concerns, the Commission is not inclined to substitute its judgement for that of a self-regulatory organization with respect to such matters of business judgement as the optimal contract design for trading standardized options of GNMA securities. Under these circumstances, the marketplace generally should be permitted to determine whether a particular contract meets the needs of market participants.

B. *Sales practice requirements.* Several commentators indicated that a major benefit of the CBOE proposal would be the availability of a GNMA options market subject to an effective regulatory structure.[21] In this regard, the CBOE would apply its existing options sales practice rules to trading of GNMA options. For example, the strict suitability rules for equity options

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[10] CBOE GNMA Options Memorandum, at p. 3.

[11] For a discussion of the problems and abuses which developed in the GNMA markets, *see*, GNMA Study. See also letter dated June 20, 1980, from Alan E. Rothernberg, Senior Vice President, Citizens Savings and Loan Association, to the Secretary of the Commission; letter dated July 10, 1980, from William E. Long, Vice President, Residential Division, Percy Wilson Mortgage and Finance Corp., to George A. Fitzsimmons, Secretary of the Commission. File No. SR–CBOE–80–7.

[12] The Commission has considered all comment letters received and has placed them in a public file. See File No. SR–CBOE–80–7.

[13] The Chicago Board of Trade (the "CBT") argued, in general, that the CBOE's proposed GNMA options are within the jurisdiction of the CFTC and that, therefore, the current proscription of commodity options, pursuant to the Commodity Exchange Act (the "CEA"), 7 U.S.C. 1 *et seq.*, and the rules and regulations thereunder, applies to the CBOE proposal. Letter dated August 26, 1980, from Robert K. Wilmouth, President, Chicago Board of Trade, to George A. Fitzsimmons, Secretary of the Commission ("CBT letter"). The Commission disagrees. We believe that the CEA is not applicable to the trading of options on GNMA securities, particularly where the trading is on a national securities exchange. *See* Section 2(a)(1) of the Commodity Exchange Act, 7 U.S.C. 2. *See also Report of the Senate Comm. on Agriculture and Forestry on H.R. 13113, S. Rep. No. 1131*, 93d Cong., 2d Sess. [1974] at p. 28.

[14] In addition to comments from individual mortgage bankers, the Mortgage Bankers Association and the Mortgage-Backed Securities Division of the Public Securities Association endorsed the CBOE proposal. Those organizations also made several more technical comments, which are discussed *infra*.

[15] Letter dated November 3, 1980, from John Fitzgerald, Chairman, Options Committee, Securities Industry Associatio, to George Fitzsimmons, Secretary of the Commission.

[16] The Commission staff requested comments from GNMA, the Department of the Treasury, the Commodity Futures Trading Commission, the Board of Governors of the Federal Reserve System, and the Federal Reserve Bank of New York.

[17] Letter dated August 26, 1980, from Ronald P. Laurent, President, government National Mortgage Association, Department of Housing and Urban Development, to Douglas Scarff, Director, Division of Market Regulation ("GNMA letter"); letter dated September 8, 1980, from Lawrence B. Simons, Assistant Secretary for Housing—Federal Housing Commissioner, to Douglas Scarff, ("HUD letter"); letter dated September 11, 1980, from Robert Carswell, Deputy Secretary of the Treasury, to Douglas Scarff, ("Treasury letter"); letter dated September 17, 1980, from Peter D. Sternlight, Senior Vice President, Federal Reserve Bank of New York, to Douglas Scarff, ("FRB–NY letter"); letter dated November 5, 1980, from Stephen H. Axilrod, Staff Director for Monetary and Financial Policy, Board of Governors of the Federal Reserve System, to Douglas Scarff, ("FRB letter"); and letter dated February 10, 1981, from James A. Culver, Director, Division of Economics and Education, CFTC, to Douglas Scarff ("CFTC letter"). File No. SR–CBOE–80–7.

[18] While the CFTC letter did not explictly endorse the CBOE proposal and indicated that it would not address issues with respect to the Commission's jurisdiction over GNMA options, it did not raise any problems with the concept of exchange-traded options on GNMA securities.

[19] Letter dated August 28, 1980, from Paul G. Stevens, Senior Vice President, Options Division, Amex, to George A. Fitzsimmons, Secretary of the Commission ("Amex letter").

[20] On December 23, 1980, the CBOE addressed in detail the issues raised in the Amex letter and provided reasons for CBOE's choice of delivery requirements. See letter dated December 23, 1980, from Thomas N. Rzepski, Senior Vice President, Research and Planning, CBOE, to George A. Fitzsimmons, Secretary of the Commission. Other commenters indicated that permitting delivery of a range of coupon rates would be desirable incertain respects. See, *e.g.*, FRB letter, GNMA letter.

[21] See, *e.g.*, Treasury letter, FRB–NY letter, GNMA letter.

customers, adopted by the CBOE in response to the Options Study recommendations,[22] would also be applicable to GNMA options customers. In addition, customer accounts would be required to be specifically approved for GNMA options trading based on the customer's background and financial information and investment objectives.[23] Broker-dealers would be required to furnish to customers approved for GNMA options trading disclosure material concerning the risks of trading in GNMA options.[24] The CBOE has also undertaken to develop an examination and education program for member firm personnel selling GNMA options to the public and persons supervising such activities, in an effort to ensure that such persons are sufficiently knowledgeable about GNMA options, the GNMA cash market, and the rules applicable to the sales and trading of GNMA options to deal appropriately with public customers.[25] The Commission believes that the requirements currently proposed,[26] together with the modifications that CBOE has undertaken to make, should provide an adequately regulated environment for the trading of GNMA options.

C. *Margin requirements.* The proposal would provide for the application of premium-based margin requirements to GNMA options transactions. Essentially, the proposed minimum margin requirement for each put or call GNMA options contract carried in an uncovered short position would be 130 percent of the current market value of the contract plus $1500.[27] CBOE has indicated its belief that this level would provide adequate coverage in the event of adverse price movements and would be less complex to calculate than margin based on a percentage of the value of the underlying securities (as margin for equity options is currently calculated). Since Regulation T (12 CFR § 220.1 *et seq.*), which is administered by the FRB, establishes initial margin requirements for the trading of options, including GNMA options, the CBOE's proposed premium-based margin rules cannot become effective without action by the Board of Governors of the Federal Reserve System.[28] The Commission understands that the FRB is considering a CBOE request for amendments to Regulation T to permit the trading of options using a premium-based margin.

While Regulation T establishes initial margin requirements, the FRB has not adopted provisions with respect to maintenance margin. Accordingly, Commission approval of the CBOE proposal will establish maintenance margin requirements for the trading of GNMA options. The Commission believes that the level of maintenance margin proposed by CBOE is appropriate. Nevertheless, if the FRB determines not to approve the CBOE's current margin proposal, the Commission expects the CBOE to reexamine the appropriateness of its maintenance margin requirements in light of the FRB determination.

D. *Pricing considerations.* Certain commentators also were concerned whether the price-related information concerning the markets for GNMA securities would be adequate for pricing GNMA options. In particular, the CBT argued that, since pricing in the existing options market is dependent upon information concerning transactions in the underlying securities, the creation of a GNMA options market would pose serious problems if adequate price-related information is not available. As the CBT recognizes, there is no real time transaction reporting system or regulated quotation reporting system for the GNMA cash market, as there is for the cash market in securities underlying equity options.[29] While the Commission recognizes that the absence of last sale reporting and of regulated quotation reporting will not permit GNMA options to be priced in the same manner as equity options are priced,[30] on balance the Commission believes that there is sufficient information available to permit the pricing of GNMA options. As the Amex letter points out, the data currently available with respect to prices in the GNMA cash market supports a substantial volume of trading in that market.[31] In part, such trading can occur efficiently in the absence of more detailed transaction information because of the importance and availability of interest rate information in GNMA pricing. In addition to price information from the cash market, data which may be used for pricing purposes will be available from the futures market, as well as from the CBOE's GNMA options market. Accordingly, the Commission believes, at least as a preliminary matter, that there will be sufficient information available on the CBOE floor to permit the maintence of a fair and orderly market in GNMA options.

E. *Surveillance.* In connection with its proposal, the CBOE has furnished to the Commission general information concerning its plan for surveillance of GNMA options trading.[32] The CBOE's surveillance procedures for its GNMA options market necessarily differ in certain respects from its procedures with respect to its equity options market, primarily because of the different regulatory structures, existing in the GNMA markets. The Commission anticipates that, as experience is gained with respect to the trading of GNMA options, CBOE will make any modifications in its surveillance system that appear necessary, since adequate surveillance is essential in order to realize the benefits and efficiencies expected from a regulated market and to ensure the integrity of the market.[33] In order to permit the Commission to evaluate the operation of the surveillance program, the CBOE should report to the Commission concerning its

[22] *Report of the Special Study of the Options Markets to the Securities and Exchange Commission*, H.R. Rep. IFC3, 96th Cong., 1st Sess. (Comm. Print 1978) ("Options Study").

[23] This account approval requirement would apply only to CBOE members. The Commission urges the other exchanges and the National Association of Securities Dealers, Inc. to adopt similar requirements applicable to their members trading in GNMA options on on excess basis.

[24] The Options Clearing Corporation ("OCC") has not yet filed disclosure material relating to GNMA options with the Commission. The adequacy of such disclosure will be reviewed by the Commission before trading in GNMA options can begin.

[25] While the CBOE's education and examination program will not be applicable to persons associated with non-CBOE member firms doing business in GNMA options, such persons must have sufficient knowledge and information concerning GNMA options to permit them to evaluate their appropriateness for customers.

[26] The CBOE proposal also would apply position and exercise limits to GNMA options trading that are more stringent than those currently applicable to equity options. Some commentators expressed concern that such limits might not be high enough to permit normal institutional activity in the GNMA markets, but indicated that the limits chosen were acceptable as an initial matter. See, e.g., FRB–NY letter; letter dated November 5, 1980, from Robert L. Shomaker, Vice Chairman, Mortgage-Backed Securities Division, Public Securities Association, to George A. Fitzsimmons, Secretary to the Commission.

[27] The premium for put or call GNMA options contracts carried in a long position would be required to be fully paid.

[28] In commenting on the CBOE proposal, both the FRB staff and FRB–NY indicated the view that the current margin level for equity options appears inappropriate for GNMA options. See FRB letter, FRB–NY letter.

[29] See also HUD letter.

[30] See generally Options Study, at 933.

[31] Amex letter.

[32] The Commission also is requesting the CBOE to furnish a more complete description of its GNMA options surveillance program before it commences trading.

[33] On February 18, 1981, the CBOE filed with the Commission proposals to amend its rules, among other things, to permit it to obtain information concerning trading in the GNMA markets by affiliates of GNMA options market makers and to specify the types of information required from market makers. In addition, the CBOE filing would prescribe qualification requirements for GNMA options personnel. See File No. SR–CBOE–81–2. The CBOE has represented that the amendments will be considered by its Board of Directors in March.

GNMA options surveillance activities six months after trading in GNMA options begins on the CBOE and again in one year after that trading begins.

F. *Multiple trading.* The Commission's consideration of the CBOE proposal to trade options on GNMA securities and the filing of a similar proposal by the New York Stock Exchange (the "NYSE") [34] have raised questions regarding multiple trading of these instruments and options on other non-equity securities. With respect to options on equities, the Commission has deferred action on the general expansion of multiple trading, among other reasons, in order to permit the options self-regulatory organizations to consider whether the development of technical facilities to integrate to options markets is feasible.[35] Several commentators have questioned whether the decision to defer this issue would also preclude multiple trading of options on non-equity securities.[36]

As a preliminary matter, the Commission does not believe that its decision to defer consideration of whether to permit expansion of multiple trading in equity options should apply to multiple trading of options on non-equity securities. Restricting multiple trading with respect to non-equity options would widen the Commission's role in allocating market "franchises." While the Commission has, pending a decision on multiple trading, permitted franchising of equity options, market allocation would be significantly more difficult here, given the limited number of optionable non-equity instruments.[37] In addition, allocation of non-equity options, would also remove any potential for competition on the basis of variations in the contract design of options on the same underlying security,[38] a phenomenon that has occurred to some extent in the futures market. As indicated above, the Commission believes that it is desirable that market forces, as opposed to regulatory intervention, determine the optimal contract design and trading environment for options on non-equity securities.

The Commission's current deferral of a decision with respect to the expansion of multiple trading of equity options has in part arisen out of a concern that, given the historical development of the markets for those securities and the importance of options trading to the existing options marketplaces, unlimited expansion of multiple trading of equity options would result, as a practical matter, in only a transitory increase in market competition while at the same time precipitating significant changes in the existing structure of the options markets. While the Commission does not believe that it is appropriate to take regulatory measures designated solely to preserve any particular market or exchange, it remains concerned that unlimited multiple trading of equity options at this time might result in significant deleterious structural changes in the markets,[39] with a resultant decrease in competition in other areas such as services relating to execution and clearing functions. As a result, the Commission has expressed an unwillingness to permit further multiple trading absent further study of its ramifications.

Such considerations are not, however, raised in the context of a prospective market in options on non-equity securities. No potential market has committed significant resources on the basis of exclusive franchising, nor is there any functioning market structure that would be disrupted by the existence of multiple trading. Moreover, the Commission believes, at least as a preliminary matter, that allowing multiple trading in the limited area of non-equity options would not have the potential to jeopardize a marketplace's financial viability or its ability to participate in other areas of the securities markets. Accordingly, the Commission believes that multiple trading of non-equity options may be beneficial to the marketplace and preserve the potential for competition among market centers in this new product, without the possibility of the severe adverse effects that might occur as a result of unlimited multiple trading in the established equity options markets. As a result, the Commission is not inclined, at this time, to defer multiple trading of options on non-equity securities. Early consideration of this issue will provide guidance to those that want to submit other non-equity options proposals. The Commission, therefore, is soliciting comments on the multiple trading question in the context of its publication of the NYSE GNMA options filing.[40]

III. Findings and Conclusion

Under Section 19(b)(2) of the Act, the Commission must approve the CBOE's proposed rule change if it finds that the proposed rule change is consistent with the requirements of the Act and the rules thereunder applicable to the CBOE. For the most part, the applicable statutory requirements are found in Section 6(b) of the Act, 15 U.S.C. 78f(b), which contains a number of requirements for the rules of national securities exchanges. The Commission has carefully reviewed the CBOE proposal and has concluded that it is appropriate for the CBOE to amend its rules to provide for the trading of options on GNMA securities.[41] It should be noted, however, that such trading cannot begin until the CBOE has satisfied other necessary requirements, such as conformance of its rules with the FRB margin requirements, and until the OCC has obtained approval of a disclosure document for GNMA options and has filed any necessary amendments to its rules. The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder and, in particular, the requirements of Section 6 and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above-mentioned amended proposed rule change be, and it hereby is, approved.

By the Commission.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-6902 Filed 3-3-81; 8:45 am]

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[34] On January 30, 1981, the NYSE filed a proposed rule change pursuant to Section 19(b) of the Act to trade options on GNMAs. See file No. SR-NYSE-81-4.

[35] See Securities Exchange Act Release No. 16701 (March 26, 1980).

[36] At least one commentator appears to have assumed that this deferral would be extended to options on non-equity securities. *See* Treasury letter.

[37] For example, when the Commission deferred its decision on the expansion of multiple trading of equity options, the existing options exchanges initially were able to select sixty new underlying securities for options trading. In contrast, there appear to be only a limited number of non-equity securities that could be allocated for options trading.

[38] For example, the Amex indicated its belief that the proposed CBOE contract does not adequately address market needs. See discussion, *supra*. Moreover, if the Commission were to attempt to allocate options on non-equity securities, problems would arise concerning the method to be used in that allocation. For example, the Commission could allocate only one option for each underlying instrument or could attempt to make difficult decisions based on whether contracts on the same underlying instrument were sufficiently different to, in effect, constitute different instruments.

[39] *See*, Securities Exchange Act Release No. 16701 (March 26, 1980) at n. 47.

[40] See Securities Exchange Act Release No. 17578 (February 26, 1981).

[41] The Commission anticipates that the CBOE will provide data which will facilitate the Commission's ability to monitor the extent of trading and the quality of the market in CBOE GNMA options.

[Release No. 34-17578; file No. SR-NYSE-1981-4]

Self-Regulatory Organizations, New York Stock Exchange, Inc.; Proposed Rule Change Relating to Trading of GNMA Options.

Comments requested on or before May 4, 1981.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on January 30, 1981, the New York Stock Exchange, Inc., ("NYSE") filed with the Securities an Exchange Commission the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. NYSE's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change provides a regulatory framework for a market on the Floor in options on modified pass-through mortgage backed debt securities guaranteed as to timely payment of principal and interest by the Government National Mortgage Association ("GNMAs"). The proposed rule change also extends the reach of the Exchange's "upstairs" option rules (existing series 700) to cover options on GNMAs and on obligations issued or guaranteed by the U.S. Government and by quasi-governmental corporations other than The Government National Marketing Association ("Government securities"). The particulars of the new rules and of the amendments to existing rules are described below.

Rule 345. Rule 345 is proposed to be amended to require a registered representative to take an appropriate examination in order to qualify as a "Registered Options Principal".

Rule 700. Existing definitions of "put", "call", "exercise price", "aggregate exercise price" and "covered" in Rule 700 are proposed to be amended to make those terms applicable to options on Government securities and GNMAs. Additional definitions of new terms are also proposed. The rule's definitions also would be alphabetized.

The definition of "aggregate exercise price" would be amended to mean, as applied to GNMA options, the exercise price of an option multiplied by the nominal principal amount of the underlying GNMAs. The definition would provide for adjustments of the aggregate exercise price in the event the remaining unpaid principal balance of a GNMA delivered upon exercise of a GNMA option varies from the nominal principal amount. The adjustments would reflect both the actual remaining unpaid principal balance of the GNMA delivered and the "appropriate differential". The term "appropriate differential" is defined as an amount calculated with reference to variations in the remaining unpaid principal balance actually delivered upon exercise of a GNMA option and the "current cash market price" of GNMAs bearing the same stated rate of interest as that borne by the GNMAs delivered. As applied to Government security options, "exercise price" would mean the exercise price of an option multiplied by the principal amount of the particular Government security underlying the option.

The definitions of "put" and "call" would be amended to provide that a holder of a GNMA option has the right to sell to or purchase from OCC, in accordance with the terms of the option, a remaining unpaid principal balance of GNMAs (referred to as the "nominal principal amount"), plus or minus the permitted principal variance. The "nominal principal amount" of a GNMA option would be fixed, in accordance with the OCC Rules, at $100,000 remaining unpaid principal balance of GNMAs. In order to apply to Government securities, the definitions of "put" and "call" would be amended to provide that the holder of a Government security option has the right to sell to or purchase from OCC, in accordance with the terms of the option, $100,000 principal amount of particular Government securities.

"Covered" would be amended to apply to GNMA options by appropriately correlating (i) short positions in GNMA call options with long positions in either the underlying GNMAs or in GNMA call options and (ii) short positions in GNMA put options with long positions in such options, based on the exercise price of the offsetting options positions or the remaining unpaid principal balance of the offsetting GNMA position. "Covered" would also be amended to apply to Government security options in an identical manner, except that the "principal amount", rather than the "remaining unpaid principal balance", is the measure of the basis of an offsetting Government securities position.

The definition of "exercise price" would be amended to apply to GNMA options and Government security options. As applied to GNMA options, the term would refer to the specified percentage of the nominal principal amount at which the underlying GNMA may be purchased or sold upon exercise of an option. The definition would provide for adjustment of that specified percentage in the event a GNMA delivered upon such exercise bears a stated rate of interest at a "qualifying rate" other than the "designated rate" of eight percent. The adjustment would cause the amount paid to provide the same yield maturity as the amount which would have been payable if the stated rate of interest had been equal to the designated rate, assuming a 30-year term and prepayment at the end of the twelfth year of the mortgage obligations underlying GNMAs. In its application to Government security options, "exercise price" would refer to the specified percentage of the principal amount at which the particular underlying Government security may be purchased or sold upon exercise of an option.

"GNMA" would be defined to confine it to GNMAs bearing a "qualifying rate" of interest. What constitutes a qualifying rate would be subject to change from time to time on the basis of the then current "GNMA production rate", that is, a rate of interest 50 percent below the current Federal Housing Administration-Veterans Administration mortgage rate. A qualifying rate would be any rate equal to or less than the current GNMA production rate, provided that, (i) in the event of a change in the GNMA production rate, already outstanding GNMAs bearing interest at the changed GNMA production rate would not be deemed to bear a qualifying rate for the periods specified, and (ii) if the change is a decrease, outstanding GNMAs bearing an interest rate that was qualifying rate immediately before the change would be deemed to continue to bear a qualifying rate for the periods specified. Finally, the definition of "GNMA" would provide that any two or more separate certificates representing GNMAs bearing the same qualifying rate delivered in accordance with the OCC Rules would be deemed to be a single GNMA (representing the aggregate of the remaining unpaid principal balances of such separate certificates).

"Government security" would be defined to include "Treasury bills", "Treasury notes" and "Treasury bonds", each of which is also proposed to be defined in Rule 700. "Government security" is defined with sufficient breadth to include the several types of securities issued or guaranteed by the U.S. Government and by quasi-governmental corporations, but GNMAs are explicitly excluded.

Supplementary material is proposed to be added to Rule 700 to make clear that the current standard form prospectus covering GNMAs is form HUD 1717 and to establish that the time for determining the cash market price of GNMAs for purposes of calculating the appropriate differential would be immediately prior to preparation of advice by OCC concerning the precise amounts of aggregate exercise prices

payable with respect to exercised GNMA options.

Rules 701, 702 & 703. Proposed rule 701 specifies the procedures for selecting which GNMA option contracts are to be traded. Proposed Rule 702 establishes that the rights and obligations of holders and writers thereof are determined by the OCC Rules. Proposed Rule 703 sets forth how series of such contracts are to be fixed.

Rules 704, 705 & 706. Proposed Rules 704, 705 and 706 establish position and exercise limits of 200 GNMA contracts and require reporting of aggregate positions of 200 or more contracts.

Rules 707, 708 & 709. Proposed rule 707 requires liquidation of positions in excess of the 2000 contract limit of proposed Rule 704. Proposed Rule 708 empowers the Exchange to prohibit writing transactions and uncovering of covered short positions if there are outstanding an excessive number, or an excessively high percentage, of uncovered short positions. Proposed Rule 709 authorizes the Exchange to impose other restrictions on Exchange option transactions and on the exercise of GNMA option contracts.

Rules 715 & 716. Proposed Rules 715 and 716 empower the Exchange to establish appropriate criteria with respect to approving particular GNMAs as underlying securities and withdrawing its approval of underlying GNMAs.

Rule 717. Proposed Rule 717 requires trading rotations following the availability of quotations for GNMAs following halts and suspensions, and at expiration. The rule also provides for halts and suspensions when trading in the GNMA has been halted or suspended in the primary market or in the event current quotations are unavailable.

Rule 721. Rule 721 is proposed to be amended to require special approval of customers' accounts prior to acceptance by members of orders from customers to purchase or write GNMA or Government security options.

Rule 726. Rule 726 is proposed to be amended to require delivery of a current OCC prospectus on GNMA and Government security options to customers whose accounts have been approved for GNMA and Government security transactions, respectively.

Rule 750. Proposed Rule 750 makes applicable certain existing Floor rules of the Exchange to Exchange trading of GNMA options.

Rule 751. Proposed Rule 751 provides that bids and offers for GNMA options shall be deemed to be for one option contract unless otherwise stated and shall be expressed in thirty-seconds of a points.

Rule 753. Proposed Rules 753 regulates the acceptance and precedence of bids and offers made for GNMA options.

Rule 754. Proposed Rule 754 provides that the unit of trading in each series of Exchange options shall be established by OCC.

Rule 755. Proposed Rule 755 obligates the specialist to report on orders left with him.

Rule 756. Proposed Rule 757 requires a member to attempt to execute a transaction in a GNMA option on an exchange before executing in it the over-the-counter market.

Rule 757. Proposed Rule 757 requires each Competitive Options Trader and specialist to report to the Exchange all orders handled and all accounts in which he trades.

Rule 758. Proposed Rule 758 prescribes qualifications for Competitive Options Traders, regulates their Floor conduct, restricts transactions in which they have an interest and specifies the manner in which they may engage in options trading.

Rule 759. Proposed Rule 759 provides for cabinet trading of GNMA options at premiums of $1.00 or less.

Rules 760, 761 and 762. Proposed rules 760, 761 and 762 require that each clearing member submit specified trade information relating to each transaction he effects and be responsible for the clearance of each such compared transaction through OCC.

Rules 763 through 766. Proposed Rules 763, 764, 765 and 766 set forth procedures for Exchange comparison of trade information and generation of lists of compared and uncompared trades. Clearing members are required by these proposed rules to reconcile uncompared trades, report such reconciliations to the Exchange and resubmit trade information for comparison by the Exchange.

Rule 767. Proposed Rule 767 directs that every clearing member maintain an office at an Exchange-approved location and that an authorized clearing member representative be present at that office for such hours as the Exchange shall determine.

Rule 770. Proposed Rule 770 prescribes the manner in which unreconciled, uncompared trades are to be resolved. The rule requires the member representing the purchaser (writer) to enter the Floor and buy (sell) the questioned option contract, unless the uncompared trade is for a firm account.

Rule 771 and 772. Proposed Rule 771 offers the writer of an Exchange option transaction the choice, upon the default of a clearing member, of cancelling the transaction or entering into a new transaction and charging any loss to the defaulting clearing member. Proposed Rule 772 regulates the treatment of unsecured open positions of members who become suspended.

Rule 780. Proposed Rule 780 requires that option contracts be exercised by the clearing member according to the OCC Rules and sets a fixed cut-off time prior to the expiration date of the option contract at which a member organization will be able to accept exercise instructions.

Rule 781. The proposed amendments to Rule 781 provide that in allocating exercise notices, the member organization shall differentiate between positions of block size and smaller positions in GNMA options and Government security options. They further provide that when so directed by OCC, a member organization shall allocate a government security or GNMA call option contract exercise notice to a customer who has made a specific deposit of the underlying Government security or GNMA.

Rule 782. The proposed amendments to Rule 782 require that payment of the aggregate exercise price by a customer be accompanied by accrued interest in the cases of GNMA option contracts and Government security option contracts. They also propose that in the case of GNMA option contracts, the customer need not pay the aggregate exercise price until the member organization informs the customer of the exact amount.

Rule 792. Proposed Rule 792 establishes the days and hours of the Exchange's option market independently of the Exchange's stock and bond markets, and provides for the trading of GNMA options during the hours that GNMA's ordinarily trade in the cash market.

II. NYSE's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) *NYSE's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change.*

(1) *Purpose.* The purpose of the proposed rule change is to provide the regulatory framework for a market on the Floor in options on modified pass-through mortgage-backed debt securities guaranteed as to timely payment of principal and interest by the Government National Mortgage Association ("GNMAs"). The proposed rule change is also designed to extend the reach of the Exchange's "upstairs" option rules (existing series 700) to cover options on GNMAs and on obligations issued or guaranteed by the U.S. Government or by quasi-governmental corporations other than the Government National Mortgage Association ("Government securities"). More detailed explanation of the purposes of the proposed amendments to existing rules and of the proposd new rules is set forth below on a rule-by-rule basis.

Rule 700. The proposed changes to Rule 700 are intended to provide the requisite scope to the Exchange's option rules and to define necessary terms used throughout the option rules.

Rules 701, 702 & 703. Proposed Rules 701, 702 and 703 are designed to provide for the mechanism for approving and designating GNMA option contracts and for initiating trading therein. By permitting variance in the remaining unpaid principal balances of GNMAs delivered upon settlement of a purchase or sale, proposed Rule 703 is intended to make GNMAs within the specified percentage fungible.

Rules 704, 705 & 706. Proposed Rules 704, 705 and 706 are intended to proscribe transactions resulting in excessive positions with respect to a particular underlying GNMA, to proscribe the exercise within a short period of time of an excessive number of long positions in a particular class of GNMA options, and to provide the Exchange with information necessary to enforce the position and exercise limits established in proposed Rules 704 and 705.

Rules 707, 708 & 709. Proposed Rules 707, 708 and 709 are intended to empower the Exchange to enforce the Rule 704 position limits, and to impose such other restrictions on Exchange option transactions and on the exercise of option contracts in order to rectify undesirable market situations.

Rules 715 & 716. Proposed Rule 715 recognizes that experience in trading GNMA options will be necessary in order to identify appropriate criteria. Proposed Rule 716 is intended to assure the cessation of trading in an option when the underlying GNMA ceases to be a suitable subject of options trading.

Rule 717. Proposed Rule 717 is intended to authorize trading rotations, halts and suspensions in circumstances appropriate for GNMAs

Rule 750. Proposed Rule 750 is intended to apply appropriate existing Floor rules to trading on the Exchange of GNMA options.

Rule 751. Proposed Rule 751 is intended to establish the manner in which bids and offers on option contracts are to be expressed.

Rule 753. Proposed Rule 753 is intended to regulate the acceptance and precedence of bids and offers on options.

Rule 754. Proposed Rule 754 is intended to prescribe the manner in which units of trading are to be established.

Rule 755. Proposed Rule 755 is designed to imposed on specialists a duty to report orders when requested to do so by the ordering member.

Rule 756. Proposed Rule 756 is intended to impose market responsibility obligations on members

Rule 757. Proposed Rule 757 is intended to impose on specialists and Competitive Options Traders an obligation to report to the Exchange accounts in which they trade and orders which they place.

Rule 758. Proposed Rule 758 is intended to regulate the option trading of Competitive Options Traders.

Rule 759. Proposed Rule 759 is intended to permit accommodation liquidations.

Rules 760 through 767, 770 & 771. These proposed rules are intended to provide for the comparison of Exchange option transactions.

Rule 772. Proposed Rule 772 is intended to prescribe the manner in which open option contracts of suspended members are to be treated.

Rule 780. Proposed Rule 780 is designed to establish procedures for the exercise of option contracts.

Rule 792. Proposed Rule 792 is intended to permit the Exchange's option market to operate, and suspend operation, independently of the Exchange's stock and bond markets, and to permit the hours of the Exchange's market in GNMA options to track those of the primary market in the underlying GNMAs.

(2) *Statutory Basis.* The proposed rule change relates to section 6(b)(1) of the Act in that it would provide a regulatory framework for a market in GNMA options on the Floor. The proposed rule change would give the Exchange the capacity to carry out the purposes of the Act and to comply with the provisions of the Act, the rules and regulations thereunder and the rules of the Exchange, and to enforce compliance therewith by Exchange members and persons associated with members. Except for the changes necessary to accommodate GNMA options trading, the Exchange's existing rules, and hence the same bases and policies underlying those rules, apply to the Exchange's proposed market in GNMA options. Thus, the proposed rule change contemplates applying to Exchange trading of GNMA options the long-established regulatory principles and techniques which are designed to assure the fairness, orderliness and quality of the Exchange's stock and bond markets. In addition, except for changes necessitated by the particular characteristics of the underlying GNMAs and the markets therein, most of the new rules contained in the 700 series are substantially identical to those of the 900 series of the rules of the American Stock Exchange, Inc. and therefore have a common basis in the Act and the rules and regulations thereunder. Consequently, the Exchange believes the public interest will be advanced by Exchange trading of GNMA options.

(B) *NYSE's Statement on Burden or Competition.*

The Exchange believes that the proposed rule change will not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Quite to the contrary, the Exchange believes that significant benefits will flow to the U.S. economy in general and the housing industry in particular, to market professionals and to investors from the creation of a free and open market for the trading of standardized options on GNMAs. The Exchange believes that the proposed rule change will permit the creation of such a market—a market designed to prevent fraudulent and manipulative acts and practices, to permit just and equitable principles of trade, to protect investors and the public interest and to provide appropriate disciplinary procedures applicable to its members and persons associated with its members who violate the rules of the Exchange.

(C) *NYSE's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others.*

No comments have been solicited or received to date. The Exchange expects to solicit comments on the proposed rule change from Exchange members and member organizations and to incorporate appropriate comments into the proposed rule change by an

amendment. In addition, the Exchange is forming a users advisory committee to assist it in designing its market in GNMA options.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of NYSE Board approval of the proposed rule change or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) by order approve such proposed rule change, or (B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. In this regard, commentators should note that the NYSE proposal, in light of the Commission's decision to permit the CBOE to trade a virtually identical contract,[1] raises questions regarding multiple trading of non-equity options. In the release approving a proposed rule change concerning the CBOE GNMA options proposal, the Commission indicated that, while it has deferred a determination regarding the expansion of multiple trading of equity options, as a preliminary matter, it does not believe that this decision should be extended to multiple trading of options on non-equity securities. Commentators are especially invited to discuss any factors or issues that might be relevant in this regard, particularly whether non-equity options should be treated differently from equity options and whether multiple trading of this limited group of options will have a significant negative competitive impact on the options markets in general.

In addition to this concern, the Commission in the CBOE GNMA Options release also noted that the Special Study of the Options Market discussed several concerns relative to NYSE participation in the standardized stock options market, including among other factors (1) the trading of options at the same physical location as the principal market for the underlying securities and (2) the position of the NYSE as the predominant equity market.[2] The Commission stated that as a preliminary matter, it is inclined to believe that these concerns are not relevant to NYSE participation in the market for options on non-equity securities. Commentators are invited to address these or any other issues relating to NYSE participation in the GNMA options markets.[3]

Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Referehce Section, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the captions above and should be submitted on or before May 4, 1981.

For the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

February 26, 1981.

[FR Doc. 81-6899 Filed 3-3-81; 8:45 am]

BILLING CODE 8010-01-M

[1] *See* Securities Exchange Act Release No. 17577 (February 26, 1981) ("CBOE GNMA Options Release").

[2] *Report of the Special Study of the Options Market to the Securities and Exchange Commission*, H. R. Rep. IFC3, 96th Cong., 1st Sess., Chapter VIII, Parts IV and VI (Comm. Print 1978).

[3] As an additional matter, commentators also may want to discuss concerns that might arise from the simultaneous trading of GNMA options and GNMA futures or options on GNMA futures on a single floor. The Commission understands that the NYSE proposes to trade GNMA options on the floor of the New York Futures Exchange ("NYFE") and intends to trade GNMA futures and options on GNMA futures on that floor as well.

SMALL BUSINESS ADMINISTRATION

[Proposed License No. 06/06-0246]

Morning Capital Corp.; Application for License To Operate as Small Business Investment Company (SBIC)

Notice is hereby given that an application has been filed with the Small Business Administration pursuant to § 107.102 of the Regulations governing small business investment companies [13 CFR 107.102 (1980)], under the name of Morning Capital Corporation, Suite 324A, 5701 Woodway, Houston, Texas 77057, for a license to operate as a small business investment company (SBIC) under the provisions of the Small Business Investment Act of 1958, as amended (the Act) (15 U.S.C. 661 et seq.), and the Rules and Regulations promulgated thereunder.

The proposed officers, directors and shareholders of the Applicant are as follows:

Arnold M. Miller, 103 Willowend, Houston, Texas 77024, President, Director
Conrad Sylvan Weil, Jr., 405 Longwoods, Houston, Texas 77024, Vice President, Director
Barbara Brown, 753A Bering Drive, Houston, Texas 77057, Secretary, Treasurer
James Gordon, 10915 Kirwick Drive, Houston, Texas 77057, Director
Morning Company, Inc., 100 percent Shareholder
Morning Company, Inc., Wholly owned by Arnold M. Miller

There will be one class of stock authorized: one million shares of common stock. Initially Morning Company, Inc. will purchase 504,000 shares with a resultant private capital of $504,000, or 100 percent of the voting shares of the Applicant. Applicant proposes to conduct its operations in the Houston, Texas area and throughout the United States in the interest of portfolio diversification.

Matters involved in SBA's consideration of the application include the general business reputation and character of shareholders and management, and the probability of successful operations of the new company in accordance with the Act and Regulations.

Notice is hereby given that any person may (not later than March 19, 1981) submit written comments on the proposed company to the Associate Administrator for Investment, Small Business Administration, 1441 "L" Street NW., Washington, D.C. 20416.

A copy of this Notice shall be published in a newspaper of general circulation in Houston, Texas.

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

Dated: February 24, 1981.

Peter F. McNeish,

Acting Associate Administrator for Investment.

[FR Doc. 81-6914 Filed 3-3-81; 8:45 am]

BILLING CODE 8025-01-M

[License No. 09/09-0274]

Pan American Investment Co.; Issuance of License To Operate as Small Business Investment Company

On December 24, 1980, a notice was published in the **Federal Register** (45 FR 85241), stating that Pan American Investment Company, located at 350 California Street, Suite 2090, San Francisco, California 94104, has filed an application with the Small Business Administration pursuant to 13 CFR 107.102 (1980), for a license to operate as a small business investment company, under the provisions of the Small Business Investment Act of 1958, as amended.

Interested parties were given until the close of business January 8, 1981, to submit their comments to SBA. No comments were received.

Notice is hereby given that having considered the application and other pertinent information, SBA has issued License No. 09/09-0274 to Pan American Investment Company, on January 28, 1981.

(Catalog of Federal Domestic Assistance Program No. 59.111, Small Business Investment Companies)

Dated: February 24, 1981.

Peter F. McNeish,

Acting Associate Administrator for Investment.

[FR Doc. 81-6015 Filed 3-3-81; 8:45 am]

BILLING CODE 8025-01-M

[License No. 09/09-0277]

Westamerican Capital Corp.; Issuance of License To Operate as Small Business Investment Company

On November 4, 1980, a notice was published in the **Federal Register** (45 FR 73210), stating that Westamerican Capital Corporation, located at 180 Newport Center Drive, Suite 200, Newport Beach, California 92660, has filed an application with the Small Business Administration pursuant to 13 CFR 107.102 (1980), for a license to operate as a small business investment company under the provisions of the Small Business Investment Act of 1958, as amended.

Interested parties were given until close of business November 19, 1980, to submit their comments to SBA. No comments were received.

Notice is hereby given that having considered the application and other pertinent information, SBA has issued License No. 09/09-0277 to Westamerican Capital Corporation, on January 24, 1981.

(Catalog of Federal Domestic Assistance Program No. 59.111, Small Business Investment Companies)

Dated: February 24, 1981.

Peter F. McNeish,

Acting Associate Administrator for Investment.

[FR Doc. 81-6017 Filed 3-3-81; 8:45 am]

BILLING CODE 8025-01-M

[License No. 09/09-5260]

Sam Woong Investment Co.; Issuance of License To Operate as Small Business Investment Company

On October 14, 1980, a notice was published in the **Federal Register** (45 FR 67818), stating that Sam Woong Investment Company, located at 1625 West Olympic Boulevard, Suite 1007, Los Angeles, California 90015, has filed an application with the Small Business Administration pursuant to 13 CFR 107.102 (1980), for a license to operate as a small business investment company under the provisions of Section 301(d) of the Small Business Investment Act of 1958, as amended.

Interested parties were given until the close of business October 29, 1980, to submit their comments to SBA. No comments were received.

Notice is hereby given that having considered the application and other pertinent information, SBA has issued License No. 09/09-5260 to Sam Woong Investment Company, on February 5, 1981.

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

Dated: February 24, 1981.

Peter F. McNeish,

Acting Associate Administrator for Investment.

[FR Doc. 81-6016 Filed 3-3-81; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

National Advisory Committee on Outdoor Advertising and Motorist Information; Cancellation of Meeting

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice.

SUMMARY: Pursuant to the provisions of DOT Order 1120.3A and the Federal Advisory Committee Act, 5 U.S.C., App. I, the meeting of the National Advisory Committee on Outdoor Advertising and Motorist Information scheduled for March 5 and March 6, 1981, in Washington, D.C. (notice published at 46 FR 5118, January 19, 1981) is cancelled due to budgetary constraints and a necessary reduction in travel allocations.

FOR FURTHER INFORMATION CONTACT: Richard W. Moeller, Chief, Acquisition Branch, Real Property Acquisition Division, 202-245-0021, or Edward Kussy, Deputy Assistant Chief Counsel for Right-of-Way and Environmental Law, 202-426-0791, Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m. ET, Monday through Friday.

(Catalog of Federal Domestic Assistance Program Number 20.214, Highway Beautification—Control of Outdoor Advertising, and Control of Junkyards. The provisions of OMB Circular No. A-95 regarding State and local clearinghouse review of Federal Federally assisted programs and projects apply to this program.)

Issued on: March 3, 1981.

R. A. Barnhart,

Federal Highway Administrator.

[FR Doc. 81-7076 Filed 3-3-81; 9:17 am]

BILLING CODE 4910-22-M

DEPARTMENT OF THE TREASURY

Office of the Secretary

United States To Reassess Tax Treaties With Rwanda, Burundi, and Zaire

The Treasury Department announces that it is soliciting the views of interested persons on the income tax treaty between the United States and Belgium, as extended to Rwanda, Burundi, and Zaire.

The Treasury Department seeks information concerning the extent investment of in these countries by U.S. persons and the extent to which such investment has benefitted from the provisions of the tax treaty since the three countries have become independent. Treasury also seeks information concerning any investment in the United States by residents or corporations of these countries, and the extent to which such investment has benefitted from the provisions of the treaty.

Treasury's review, which is similar to the review announced in August 1979 of the extension of the former United States-United Kingdom tax treaty to U.K. territories and former territories, will permit an assessment of the application of the U.S.-Belgium income tax treaty to these three countries since their independence.

Comments should be addressed to Joel Rabinovitz, Deputy International Tax Counsel, Department of the Treasury, Washington, D.C. 20220.

Dated February 27, 1981.

Emil M. Sunley,

Acting Assistant Secretary (Tax Policy).

[FR Doc. 81-6842 Filed 3-3-81; 8:45 am]

BILLING CODE 4810-25-M

Sunshine Act Meetings

Federal Register
Vol. 46, No. 42
Wednesday, March 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).

CONTENTS

1

COMMODITY FUTURES TRADING COMMISSION.

TIME AND DATE: 11 a.m., Friday, March 13, 1981.

PLACE: 2033 E Street NW., Washington, D.C., eighth floor conference room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Briefing.

CONTACT PERSON FOR MORE INFORMATION: Jane Stuckey, 254-6314.

[S-354-81 Filed 3-2-81; 3:24 pm]

BILLING CODE 6351-01-M

2

CONSUMER PRODUCT SAFETY COMMISSION.

Revised Agenda [1]

TIME AND DATE: 9:30 a.m., Wednesday, March 4, 1981.

LOCATION: Third floor hearing room, 1111 18th Street NW., Washington, D.C.

STATUS: Part open, part closed to the public.

MATTERS TO BE CONSIDERED: *Open to the Public.*

1. *Briefing on Gas-Fired Space Heaters: Final Stockpiling Rule; Petition to Extend Effective Date*
The staff will brief the Commission on issues related to a final stockpiling rule under its safety standard for unvented gas-fired space heaters, and on a petition from Martin Industries to extend the effective date of that standard to December 31, 1981, from June 15, 1981. The Commission has scheduled consideration of these matters for its March 13 meeting.
2. *Briefing on Miniature Christmas Tree Lights*
The staff will brief the Commission on its recommendations concerning the safety standard for miniature Christmas tree lights, which the Commission proposed in May, 1978. The Commission must decide by March 15, 1981, whether to publish a final rule or withdraw the proposed rule, and has scheduled consideration of this matter for its March 13 meeting.

Closed to the Public:

3. *Briefing on Civil Penalty Policy*
The staff will brief the Commission on issues it considers when recommending assessment of a civil penalty. Closed under exemptions 9 and 10: possible significant frustration of agency action, and agency adjudication.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Deputy Secretary, Office of the Secretary, 1111 18th Street NW., Washington, D.C.; telephone (202)634-7700.

[S-344-81 Filed 3-2-81; 10:07 am]

BILLING CODE 6355-01-M

[1] Agenda revised February 25, 1981, to delete a briefing on the Hazard Data Task Force Report, which will be rescheduled, and to add the briefing on Miniature Christmas Tree Lights, previously scheduled for March 5.

3

FEDERAL COMMUNICATIONS COMMISSION.

The Federal Communications Commission held an Emergency Closed Meeting on Wednesday, February 25, 1981, following the Regular Open Meeting at 1919 M Street, N.W., Washington, D.C. on the following subject:

Budget Revisions for Fiscal Years 1981 and 1982

The prompt and orderly conduct of Commission business did not permit announcement of this matter prior to the meeting.

Additional information concerning this meeting may be obtained from Edward Dooley, FCC Public Affairs Office, telephone number (202) 254-7674.

Issued: March 2, 1981.

Federal Communications Commission.
William J. Tricarico,
Secretary.

[S-353-81 Filed 3-2-81; 3:24 pm]

BILLING CODE 6712-01-M

4

FEDERAL DEPOSIT INSURANCE CORPORATION.

Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors will meet in open session at 2:00 p.m. on Monday, March 9, 1981, to consider the following matters:

Disposition of minutes of previous meetings.

Recommendation with respect to payment for legal services rendered and expenses incurred in connection with receivership and liquidation activities:

Bronson, Bronson & McKinnon, San Francisco, California, in connection with the receivership of United States National Bank, San Diego, California.

Memorandum and resolution re: Transfer of Records Management Responsibility from the Executive Secretary to the Controller.

Memorandum and Resolution re: Paperwork-Regulation Control Program.

Reports of committees and officers:

Minutes of the actions approved by the Committee on Liquidations, Loans and Purchases of Assets pursuant to authority delegated by the Board of Directors.

Reports of the Director of the Division of Bank Supervision with respect to applications or requests approved by him and the various Regional Directors pursuant to authority delegated by the Board of Directors.

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550 17th Street NW., Washington, D.C.

Requests for information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389-4425

Dated: March 2, 1981.

Federal Deposit Insurance Corporation.
Hoyle L. Robinson,
Executive Secretary.
[S-346-81 Filed 3-2-81; 11:45 am]
BILLING CODE 6714-01-M

5

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 2:30 p.m. on Monday, March 9, 1981, the Federal Deposit Insurance Corporation's Board of Directors will meet in closed session, by vote of the Board of Directors pursuant to sections 552b (c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10) of Title 5, United States Code, to consider the following matters:

Application for Federal deposit insurance:

First Security Bank, a proposed new bank, to be located at 6015 100th Street SW., Lakewood (P.O. Tacoma, Washington.

Request for reconsideration of a previous denial of an application for consent to establish a branch:

Provident Savings Bank, Jersey City, New Jersey, for consent to establish a branch at 666 Beverly-Rancocas Road, Willingboro, New Jersey.

Request for an exemption pursuant to section 348.6(a)(2) of the Corporation's rules and regulations entitled "Management Official Interlocks":

The Bank of Adamsville, Adamsville, Tennessee.

Request for relief from reimbursement of violations under Regulation Z:

Name and location of bank authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(8) and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(8) and (c)(9)(A)(ii).

Recommendations regarding the liquidation of a bank's assets aquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 44,676-L—International City Bank & Trust Company, New Orleans, Louisiana
Case No. 44,683-L—The Hamilton National Bank of Chattanooga, Chantanooga, Tennessee
Case No. 44,684-L—The New Boston Bank & Trust Company, Boston, Massachusetts
Case No. 44,688-L—The Hamilton National BAnk of Chattanooga, Chattanooga, Tennessee
Case No. 44,691-L—Fidelity Bank, Utica, Mississippi
Case No. 44,696-L—Republic National Bank of Louisiana, New Orleans, Louisiana

Recommendations with respect to the initiation, termination, or conduct of administrative enforcement proceedings (cease-and-desist proceedings, termination-of-insurance proceedings suspension or removal proceedings, or assessment of civil money penalties) against certain insured banks or officers, directors, employees, agents, or other persons participating in the conduct of the affairs thereof:

Names of persons and names and locations of banks authrized to be exempt from disclosure purusant to the provisions of subsections (c)(6), (c)(8), and (c)(9)(A)(ii) of the "Governement in the Sunshine Act" (5 U.S.C. 552b(c)(6), (c)(8), and (c)(9)(A)(ii).

Personnel actions regarding appointments, promotions, administrative pay increases, reassignment, retirements, separations, removals, etc.:

Names of employees authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(2) and (c)(6) of the "Governement in the Sunshine Act" (5 U.S.C. 552b(c)(2) and (c)(6)).

Reports of committees and officers:

Report of the Director, Division of Liquidation:
Memorandum re: Reports Required Under Delegated Authority Sale of Lots

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550 17th Street NW., Washington, D.C.

Requests for information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389-4425.

Dated: March 2, 1981.

Federal Deposit Insurance Corporation.
Hoyle L. Robinson,
Executive Secretary.
[S-347-81 Filed 3-2-81; 11:45 am]
BILLING CODE 6714-01-M

6

FEDERAL HOME LOAN BANK BOARD.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 46, FR 40, 14882, Monday, March 2, 1981.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10 a.m., Thursday, March 5, 1981.

PLACE: 1700 G Street NW., 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 items have been added to the open portion of the bank board meeting scheduled for March 5, 1981:

Post Employment Conflict of Interest
Mutual Fund Investment
Monetary Control Act Reserves Counting Toward Liquidity Requirements

No. 454, March 2, 1981.

[S-355-81 Filed 3-2-81; 3:34 pm]
BILLING CODE 6720-01-M

7

FEDERAL RESERVE SYSTEM.

Board of Governors

TIME AND DATE: 10 a.m., Monday, March 9, 1981.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Proposed acquisition of computer equipment within the Federal Reserve System.
2. Proposed expenditure by the Federal Reserve Bank of Cleveland for the Energy Conservation project at the Pittsburgh Branch.
3. Proposals for changes in internal System procedures for report clearance.
4. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
5. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board 202-452-3204.

Dated: February 27, 1981.

James McAfee,
Assistant Secretary of the Board.
[S-343-81 Filed 2-27-81; 4:38 pm]
BILLING CODE 6210-01-M

8

FEDERAL TRADE COMMISSION.

TIME AND DATE: 2 p.m., Thursday, March 19, 1981.

PLACE: Room 532, (open); Room 540 (closed) Federal Trade Commission Building, Sixth Street and Pennsylvania Avenue NW., Washington, D.C. 20580.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the Public.

MATTERS TO BE CONSIDERED: Portions Open to Public:

(1) Oral Argument in American General Insurance Company, Docket No. 8847.

Portions closed to the Public:

(2) Executive Session to discuss Oral Argument in American General Insurance Company, D. No 8847.

CONTACT PERSON FOR MORE INFORMATION: Susan B. Ticknor, Office

of Public Information: (202) 523–3830; Recorded Message: (202) 523–3806.

[S-345-81 Filed 3-2-81; 10:07 am]

BILLING CODE 6760-01-M

9

[FCSC MEETING NOTICE NO. 2-81]

FOREIGN CLAIMS SETTLEMENT COMMISSION.

The Foreign Claims Settlement Commission, pursuant to its regulations (45 CFR Part 504), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of open meetings and oral hearings for the transaction of Commission business and other matters specified, as follows:

Date and Time

Wednesday, March 4, 1981 at 10:30 a.m.
Consideration of decisions involving claims of American Citizens against the German Deomcratic Republic and the People's Republic of China; Claims for Vietnam Prisoner of War Compensation.
Wednesday, March 18, 1981 at 10:30 a.m.
Consideration of decisions involving claims of American Citizens against the German Deomcratic Republic and the People's Republic of China; Claims for Vietnam Prisoner of War Compensation.
Wednesday, April 1, 1981 at 10:30 a.m.
Consideration of decisions involving claims of American Citizens against the German Deomcratic Republic and the People's Republic of China; Claims for Vietnam Prisoner of War Compensation.

Oral Hearings

Monday, March 2, 1981 at 2:00 p.m.
CN-2-009—Leib Merkin
CN-2-010—Helen Hart Reynolds, Carolyn H. Crawford
Tuesday, March 10, 1981 at 10:00 a.m.
G-3247—Morgan Guaranty Trust Company of New York; Charitable Trust, Morgan Guaranty Trust Company of New York Trustee
Thursday, March 19, 1981 at 10:00 a.m.
G-2180—Rose Rosengarten
G-3811—Claire Scheinman
G-2963—Emita Dember Armi
G-2964—Alexis B. Dember
G-2972—Walter Hann
G-2998—Robert G. Engel, Herman W. Engel, Steven F. Engel, Adrea Caren
Thursday, March 19, 1981 at 2:00 p.m.
G-0549—G. Paul Hoffmann
G-2390—Joseph Wiesenthal
G-2853—Ella Gross, Frieda Orbach, Joseph Reiss
G-2893—Rudolf G. Maron
G-2895—Alfred Walter Maron
Tuesday, March 24, 1981 at 10:00 a.m.
G-1787—Edgar Grant, Charles H. Henders
G-1452—Ferdinand Nacher
G-1453—Caecilie F. Zimmerman
G-3546—Margot Ganger, Gideon Ferber
Tuesday, March 24, 1981 at 2:00 p.m.
G-3297—Herman Tennebaum, et al.
G-0659—Evelin B. Moore
G-1307—Nelly Mankin
Tuesday, March 31, 1981 at 10:00 a.m.
G-0443—Elizabeth Von Furstenber

Subject matter listed above not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

All meetings are held at the Foreign Claims Settlement Commission, 1111 20th Street, NW., Washington, D.C. Request for information, or advance notice of intention to observe a meeting, may be directed to Executive Director, Foreign Claims Settlement Commission, 1111 20th Street, NW., Washington, D.C. 20579; telephone (202) 653–6155.

Dated at Washington, D.C. on February 27, 1981.

Judith H. Lock,

Administrative Officer.

[S-350-81 Filed 3-2-81; 3:50 pm]

BILLING CODE 6770-01-M

10

NATIONAL MUSEUM SERVICES BOARD (NMSB).

DATE AND TIME: March 6 and 7, 1981:

March 6: 9 a.m.–4:15 p.m.
March 7: 9 a.m.–12 p.m.

(Due to an administration oversight, this notice was not published one week prior to the scheduled meeting.)

PLACE:

March 6: Fourth floor conference room (rm. 403–425A), Hubert H. Humphrey Building, 200 Independence Avenue SW., Washington, D.C. 20201
March 7: Tapestry Room, third floor, beyond rotunda, Corcoran Gallery of Art, 17th Street and New York Avenue NW., Washington, D.C. 20006

STATUS: The entire meeting will be open to the public.

MATTERS TO BE CONSIDERED: March 6:

1. Introduction (9:00 to 9:15 a.m.).
2. Remarks by Acting Asst. Sec., Office of Educational Research and Improvement, U.S. Department of Education (9:15 to 9:30 a.m.).
3. Presidential appointment certificates issued to new Board members by Senator Claiborne Pell (9:30 to 10:00 a.m.).
4. Minutes of previous NMSB meeting (10:00 to 10:10 a.m.).
5. Director's Report (10:10 to 10:45 a.m.).
6. Program Report (10:45 to 11:15 a.m.).
7. Regulations—MAP and Accreditation (11:15 a.m. to 12:00 p.m.).
8. Program Survey Slides (1:00 to 2:00 p.m.).
9. Policy Issues (2:00 to 4:15 p.m.).

March 7:

10. Report of the Committee Studying IMS Review Procedures (9:00 to 10:15 a.m.).
11. Administration (10:15 to 11:15 a.m.).
12. Remarks by Dr. Peter Marzio, Director, Corcoran Gallery of Art, if available (11:30 a.m. to 12:00 p.m.).

CONTACT PERSON FOR MORE INFORMATION: Kate Merlino, Executive Secretary, NMSB; Telephone: 202/426–6577.

Dated: February 26, 1981.

Kate Merlino,

Executive Secretary, National Museum Services Board.

[S-351-81 Filed 3-2-81; 2:29 pm]

BILLING CODE 4000-01-M

11

NUCLEAR REGULATORY COMMISSION.

DATE: Week of March 2 (Revisions).

PLACE: Commissioners' Conference Room, 1717 H Street NW., Washington, D.C.

STATUS: Open/closed.

MATTERS TO BE CONSIDERED: Tuesday, March 3:

10 a.m.: 1. Discussion of Revised Licensing Schedules (public meeting, continued from Feb. 27)
2 p.m.: 1. Meeting with Representatives of Nuclear Insurance Pools (public meeting, as announced)

Wednesday, March 4:

10 a.m.: 1. Discussion of Management-Organization and Internal Personnel Matters (closed—Exemptions 2, 6) (previously announced for Wednesday, February 25)
10:30 a.m.: 1. Discussion of Policy, Planning and Program Guidance for fiscal year 1983–87 (public meeting) (previously announced for Friday, February 27)

Thursday, March 5:

10 a.m.: 1. Discussion of Policy on Proceeding with Pending Construction Permit and Manufacturing License Applications (public meeting)
2 p.m.: 1. Discussion of Revised Licensing Procedures (continued) (2 hours, public meeting)
2. Affirmation/Discussion Session (public meeting). Affirmation and/or Discussion and Vote:
a. Proposed Rulemaking, "Qualification of Reactor Operators"
b. Therapeutic Treatment of Cardiac Dysfunction by Iodine-131

Friday, March 6:

2 p.m.: 1. Continuation of Discussion of Application of the Hearing Process to Pending Proceedings (closed)

ADDITIONAL INFORMATION: February 27 Affirmation/Discussion Session, Item E. Withdrawal of Proposed Rulemaking on the Burden of Proof in Enforcement Proceedings; February 27, 3:00 p.m., Discussion of Application of the Hearing Process to Pending Proceedings (open/portion closed) (previously announced for Wednesday, February 24).

AUTOMATIC TELEPHONE ANSWERING SERVICE FOR SCHEDULE UPDATE: (202) 634–1498. Those planning to attend a

meeting should reverify the status of the day of the meeting.

CONTACT PERSON FOR MORE INFORMATION: Walter Magee, (202) 634–1410.

Walter Magee,

Office of the Secretary.

February 27, 1981.

[S-352-81 Filed 3-2-81; 3:09 pm]

BILLING CODE 7590-01-M

12

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION.

TIME AND DATE: 10 a.m. on March 12, 1981.

PLACE: Room 1101, 1825 K Street NW., Washington, D.C.

STATUS: Because of the subject matter, it is likely that this meeting will be closed.

MATTERS TO BE CONSIDERED: Discussion of specific cases in the Commission adjudicative process.

CONTACT PERSON FOR MORE INFORMATION: Ms. Patricia Bausell, (202) 634–4015.

Dated: March 2, 1981.

[S-348-81 Filed 3-2-81; 12:54 pm]

BILLING CODE 7600-01-M

13

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION.

TIME AND DATE: 1 p.m. on March 18, 1981.

PLACE: Room 1101, 1825 K Street NW., Washington, D.C.

STATUS: Because of the subject matter, it is likely that this meeting will be closed.

MATTERS TO BE CONSIDERED: Discussion of specific cases in the Commission adjudicative process.

CONTACT PERSON FOR MORE INFORMATION: Ms. Patricia Bausell, (202) 634–4015.

Dated: March 2, 1981.

[S-349-81 Filed 3-2-81; 12:54 pm]

BILLING CODE 7600-01-M

14

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION.

TIME AND DATE: 10 a.m. on March 25, 1981.

PLACE: Room 1101, 1825 K Street NW., Washington, D.C.

STATUS: Because of the subject matter, it is likely that this meeting will be closed.

MATTERS TO BE CONSIDERED: Discussion of specific cases in the Commission adjudicative process.

CONTACT PERSON FOR MORE INFORMATION: Ms. Patricia Bausell (202) 634–4015.

Dated: March 2, 1981.

[S-350-81 Filed 3-2-81; 12:54 pm]

BILLING CODE 7600-01-M

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/FNS		DOT/COAST GUARD	USDA/FNS
DOT/FAA	USDA/FSQS		DOT/FAA	USDA/FSQS
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DOT/UMTA			DOT/UMTA	
CSA			CSA	

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.
Comments on this program are still invited.
Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408

REMINDERS

The "reminders" below identify documents that appeared in issues of the **Federal Register** 15 days or more ago. Inclusion or exclusion from this list has no legal significance.

Comments On Proposed Rules for the Week of March 8 through March 14, 1981

AGRICULTURE DEPARTMENT

Agricultural Marketing Service—

13222 2–20–81 / Milk in the Eastern South Dakota marketing area; recommended decision and opportunity to file written exceptions; comments by 3–9–81

12709 2–18–81 / Milk in the St. Louis-Ozarks and certain other marketing areas; recommended decision to file written exceptions on proposed amendments to tentative marketing agreements and to orders; comments by 3–10–81

Rural Electrification Administration—

3027 1–13–81 / Telephone borrowers: service entrance and station protector installations and station installations (Bulletin 345–52); comments by 3–13–81

CIVIL AERONAUTICS BOARD

85064 12–24–80 / Accounts and reports for certified air carriers, uniform system; reduction in financial and statistical reporting requirements; reply comments by 3–10–81

COMMERCE DEPARTMENT

1761 1–7–81 / Proposed quotas for taking of dolphins incidental to commercial tuna purse seine fishing in the tropical Pacific Ocean; comments by 3–9–81

International Trade Administration—

1258 1–6–81 / Expansion of foreign policy control; interim rule; comments by 3–9–81

Maritime Administration—

10515 2–3–81 / Cargo preference-U.S. Flag vessels geographical allocation of preference cargoes; comments by 3–9–81

[Originally published at 46 FR 2370, 1–9–81]

CONSUMER PRODUCT SAFETY COMMISSION

3034 1–13–81 / Benzene-containing consumer products; proposed withdrawal of proposed ban; comments by 3–13–81

DEFENSE DEPARTMENT

Army Department—

11672 2–10–81 / Obtaining information from financial institutions; comments by 3–12–81

ENERGY DEPARTMENT

Conservation and Solar Energy Office—

9005 1–27–81 / Residential Conservation Service program; Federal RCS plan; comments by 3–10–81

Federal Energy Regulatory Commission—

12760 2–18–81 / High-cost gas produced from tight formations; comments by 3–13–81

ENVIRONMENTAL PROTECTION AGENCY

11309 2–6–81 / Alaska State Implementation Plan; comments by 3–9–81

2544 1–9–81 / Canned and preserved seafood processing point source category; comments by 3–10–81

2344 1–9–81 / Hazardous waste management system; General and EPA administered permit programs; the hazardous waste permit program; comments by 3–10–81

11310 2–6–81 / Illinois State Implementation Plan; proposed disapproval of Administrative Order; comments by 3–9–81

11311 2–6–81 / Indiana State Implementation Plan; ambient air quality monitoring, data reporting and surveillance provisions; comments by 3–9–81

1858 1–7–81 / Iron and steel manufacturing point source category effluent limitations guidelines, pretreatment standards, and new source performance standards; comments by 3–9–81

11680 2–10–81 / Isophorone, Exemption from the requirement of a tolerance, amendment; comments by 3–12–81

11312 2–6–81 / Nebraska State Implementation Plan; comments by 3–9–81

11681 2-10-81 / Potassium hydroxide, Exemption from the requirement of a tolerance; comments by 3-12-81

3967 1-16-81 / Preliminary notice of determination concluding the rebuttable presumption against registration of pesticides containing ethylene dibromide; comments by 3-10-81

11678 2-10-81 / Proposed revision of the Maryland State Implementation Plan; comments by 3-12-81

2369 1-9-81 / Pulp, paper, and paperboard industry point source categories; effluent limitations guidelines, pretreatment standards, and new source performance standards; comments by 3-9-81

[Originally published at 46 FR 1430, Jan. 6, 1981]

11557 2-9-81 / Standards of performance for new stationary sources; surface coating of metal furniture; comments by 3-10-81

[Originally published at 45 FR 79390, 11-28-80]

11323 2-6-81 / Testing requirements for specification of disposal sites for dredged or fill material; comments by 3-9-81

8590 1-27-81 / Textile mills point source category, effluent limitations guidelines, pretreatment standards, and new source performance standards; comments by 3-13-81

[Corrected at 46 FR 11322, 2-6-81]

11320 2-6-81 / Washington State Implementation Plan; comments by 3-9-81

11321 2-6-81 / Wisconsin State Implementation Plan; ambient air quality monitoring, data reporting, and surveillance provisions; comments by 3-9-81

FEDERAL COMMUNICATIONS COMMISSION

82973 12-17-80 / AM broadcast stations, automation of use of measurement data; comments by 3-9-81

3573 1-15-81 / AM stereophonic broadcasting; reply comments extended to 3-9-81

[*See also* 45 FR 59350, 9-9-80 and 45 FR 81797, 12-12-80]

9143 1-28-81 / Emergency radio service; additional systems on secondary basis; reply comments by 3-10-81

11847 2-11-81 / Geographic reallocation of certain channels in the Detroit area to the business radio service; comments by 3-9-81

63305 9-24-80 / Providing for additional technologies which can improve efficiency of radio spectrum use; comments by 3-9-81

FEDERAL TRADE COMMISSION

11830 2-11-81 / Franchising and business opportunity ventures; disclosure requirements and prohibitions; comments by 3-11-81

[Corrected at 46 FR 13525, 2-23-81]

12005 2-12-81 / Franchising and business opportunity ventures, disclosure requirements and prohibitions; petition for exemption; comments by 3-12-81

[Corrected at 46 FR 13525, 2-23-81]

2361 1-9-81 / J. Walter Thompson Co.; consent agreement with analysis to aid public comment; comments by 3-9-81

2355 1-9-81 / Standard Brands, Inc. and Ted Bates & Co., Inc.; consent agreement with analysis to aid public comment; comments by 3-9-81

2359 1-9-81 / Teledyne, Inc. et al.; consent agreement with analysis to aid public comment; comments by 3-9-81

HEALTH AND HUMAN SERVICES DEPARTMENT

Child Support Enforcement Office—

1319 1-6-81 / Child Support Enforcement Program; withholding of advance funds for not reporting; comments by 3-9-81

1321 1-6-81 / Child Support Enforcement Program; requests for collection by Secretary of the Treasury; comments by 3-9-81

Food and Drug Administration—

81154 12-9-80 / Classification of hypophosphatemia and hyperphosphatemia drug products for over-the-counter human use; comments by 3-9-81

73955 11-7-80 / Hair grower and hair loss prevention drug products for over-the-counter human use; reply comments by 3-9-81

[Corrected at 46 FR 3030, 1-13-81]

82014 12-12-80 / Vaginal contraceptive (OTC); monograph establishment; comments by 3-12-81

[Corrected at 46 FR 11292, 2-6-81]

Health Care Financing Administration—

1268 1-6-81 / Medicaid Program; plans of correction for intermediate care facilities for the mentally retarded; comments by 3-9-81

Public Health Service—

7176 1-22-81 / Mental health authorities; State, equitable arrangements for employee protection; comments by 3-9-81

Office of the Secretary—

7011 1-22-81 / Public assistance programs, State agency cost allocation plans, preparation, submission and approval [2 documents]; comments by 3-9-81

INTERIOR DEPARTMENT

National Park Service—

1312 1-6-81 / Bighorn Canyon National Recreation Area; snowmobile regulations; comments by 3-9-81

INTERSTATE COMMERCE COMMISSION

8601 1-27-81 / Special docket proceedings—waiver of insignificant amounts and simplification of procedures; comments by 3-13-81

LABOR DEPARTMENT

Pension and Welfare Benefits Programs Office—

1304 1-6-81 / Summary annual report furnished participants and beneficiaries of employee benefit plans, amendments; comments by 3-9-81

NUCLEAR REGULATORY COMMISSION

85459 12-29-80 / Protection of unclassified safeguards information; comments by 3-9-81

81060 12-9-80 / Requirement for advance notification to Governors concerning shipments of irradiated reactor fuel; comments by 3-9-81

81058 12-9-80 / Requirement for advance notification to states of transportation of certain types of nuclear waste; comments by 3-9-81

PANAMA CANAL COMMISSION

9942 1-30-81 / Order of passage of vessels through the Panama Canal; interim rule; comments by 3-13-81

PERSONNEL MANAGEMENT OFFICE

1278 1-6-81 / Actions in the interest of the employee; comments by 3-9-81

STATE DEPARTMENT

Foreign Service Grievance Board—

11180 2-5-81 / Grievances and separation for causes cases; comments by 3-9-81

TRANSPORTATION DEPARTMENT

Coast Guard—

81616 12-11-80 / Lifesaving equipment; line throwing appliances required equipment on merchant vessels; comments by 3-11-81

[Corrected at 46 FR 3573, 1-15-81]

12524 2-17-81 / Marine engineering regulations for merchant vessels; acceptance of ASME U or UM Symbol Stamp for Pressure Vessels, Fittings and Accumulators; comments by 3-12-81

[Originally published at 45 FR 85488, 12-29-80]

Federal Aviation Administration—

80972 12-8-80 / Increase in approved takeoff weights and passenger seating capacities; comments by 3-9-81

Research and Special Programs Administration—

80843 12-8-80 / Limited quantities of radioactive materials; comments by 3-13-81
[Corrected at 45 FR 82681, 12-16-80 and 45 FR 84108, 12-22-80]

National Highway Traffic Safety Administration—

10969 2-5-81 / Confidential business information; extension of time for filing petitions for reconsideration; file by 3-9-81
[*See also* 46 FR 2049, 1-8-81]

10179 2-2-81 / Federal Motor Vehicle Safety Standards; seat belt assembly anchorages; extension of comment period; comments by 3-11-81
[Originally published at 45 FR 81625, 12-11-80]

10969 2-5-81 / Occupant crash protection safety standard; extension of time for filing petitions for reconsideration, file by 3-9-81
[*See also* 46 FR 2064, 1-8-81]

TREASURY DEPARTMENT

Internal Revenue Service—

1753 1-7-81 / Addition of items to category of specially defined energy property; comments by 3-9-81

1744 1-7-81 / Limitations on reorganization treatment for investment companies; comments by 3-9-81

1754 1-7-81 / Net income limitation on windfall profit; comments by 3-9-81

Deadlines for Comments On Proposed Rules for the Week of March 15 through March 21, 1981

AGRICULTURE DEPARTMENT

Commodity Credit Corporation—

9616 1-29-81 / Honey; 1981 crop price support program; comments by 3-16-81

Federal Crop Insurance Corporation—

3236 1-14-81 / Canning and freezing sweet corn crop insurance regulations; comments by 3-16-81

3229 1-14-81 / Corn crop insurance regulations; comments by 3-16-81

3221 1-14-81 / Cotton crop insurance regulations; comments by 3-16-81

3232 1-14-81 / Dry bean crop insurance regulations; comments by 3-16-81

3539 1-15-81 / Flax crop insurance regulations, additional counties; comments by 3-16-81

3537 1-15-81 / Grain sorghum crop insurance regulations; additional counties; comments by 3-16-81

3536 1-15-81 / Grape crop insurance regulations; additional counties; comments by 3-16-81

3224 1-14-81 / Oat crop insurance regulations; comments by 3-16-81

3538 1-15-81 / Potato crop insurance regulations; additional counties; comments by 3-16-81

3223 1-14-81 / Peanut crop insurance regulations; comments by 3-16-81

3226 1-14-81 / Soybean crop insurance regulations; comments by 3-16-81

3540 1-15-81 / Sunflower crop insurance regulations; additional counties; comments by 3-16-81

3233 1-14-81 / Tobacco (Dollar Plan) crop insurance regulations; comments by 3-16-81

3234 1-14-81 / Tobacco (quota plan) crop insurance regulations; comments by 3-16-81

3235 1-14-81 / Tobacco (guaranteed production) crop insurance regulations; comments by 3-16-81

3541 1-15-81 / Tomato crop insurance regulations; additional counties; comments by 3-16-81

Food and Nutrition Service—

3905 1-16-81 / National School Lunch Program and School Breakfast Program; Competitive foods; comments by 3-17-81

3903 1-16-81 / National School Lunch Program; Nutritional requirements; comments by 3-17-81

4642 1-16-81 / Food Stamp Program; 1980 amendments to the Food Stamp Act of 1977; policy interpretations, misc. technical amendments; comments by 3-17-81

Rural Electrification Administration—

3906 1-16-81 / Electric loan policies and application procedures—supplemental resource financing; comments by 3-17-81

3908 1-16-81 / Loan terms and conditions and supplemental financing policies; comments by 3-17-81

3906 1-16-81 / Procedures for cable television system; comments by 3-17-81

COMMERCE DEPARTMENT

National Oceanic and Atmospheric Administration—

10182 2-2-81 / Pacific Fishery Management Council; amendments to "Fishery Management Plan for Commercial and Recreational Salmon Fisheries off the Coasts of Wash. and Oregon and Cal. Commencing in 1978"; comments by 3-16-81

8658 12-31-80 / South Atlantic Fishery Management Council, draft fishery management plan for Atlantic Billfish; comments by 3-20-81

10182 2-2-81 / South Atlantic Fishery Management Council, Billfish Fishery Management Plan; comments by 3-20-81

COMMODITY FUTURES TRADING COMMISSION

79498 12-1-80 / Minimum financial and related reporting requirements; comments by 3-21-81

3953 1-16-81 / Terms and conditions of the Three-Month Domestic Certificates of Deposit Futures Contract of the Chicago Mercantile Exchange; comments by 3-17-81

3955 1-16-81 / Terms and conditions of the three-month Euro dollar futures contract of the Chicago Mercantile Exchange; comments by 3-17-81

3957 1-16-81 / Terms and conditions of the 90-day Certificates of Deposit Futures Contract of the New York Futures Exchange Inc.; comments by 3-17-81

COMMUNITY SERVICES ADMINISTRATION

5632 1-19-81 / Nondiscrimination on the basis of handicap in programs and activities receiving or benefiting from financial assistance provided by CSA; comments by 3-20-81

DEPOSITORY INSTITUTIONS DEREGULATION COMMITTEE

85057 12-24-80 / Retirement accounts; comments by 3-20-81

EDUCATION DEPARTMENT

5410 1-19-81 / Centers for independent living program; comments by 3-20-81
[*See also* 46 FR 12495, 2-17-81]

5236 1-19-81 / Financial assistance to local and State agencies to meet special educational needs; and financial assistance to local educational agencies for children with special needs; comments by 3-20-81

4560 1-16-81 / General Education Assistance for Cuban and Haitian Refugee Children Program; comments by 3-17-81

3400 1-14-81 / Graduate and Professional Study Fellowships; comments by 3-16-81
[*See also* 46 FR 12496, 2-17-81]

3866 1-16-81 / Guaranteed Student Loan Program; comments by 3-17-81

3922 1-16-81 / Guaranteed Student Loan Program; comments by 3-17-81

5238, 5295 1-19-81 / National direct student loan program, college work-study program, and supplemental educational opportunity grant program; comments by 3-20-81
[*See also* 46 FR 12496, 2-17-81]

Office of the Secretary—

3350 1-14-81 / Acreage limitation; water and power rules and regulations; comments by 3-16-81

INTERSTATE COMMERCE COMMISSION

9114 1-28-81 / Motor, rail and water carriers, etc.; reduction of accounting and reporting requirements; comments by 3-16-81

10180 2-2-81 / Regulations governing designation of process agents by motor carriers and brokers—modification; comments by 3-19-81

JUSTICE DEPARTMENT

Parole Commission—

81213 12-10-80 / "Salient factor score" revision to assess risk of recidivism; comments by 3-20-81

LABOR DEPARTMENT

Employment and Training Administration—

3910 1-16-81 / Labor certification process for the permanent employment of aliens in the U.S.; certification of Canadian Railway workers; comments by 3-17-81

Occupational Safety and Health Administration—

3916 1-16-81 / Conveyor standard; comments by 3-17-81

MANAGEMENT AND BUDGET OFFICE

Federal Procurement Policy Office—

8055 1-26-81 / Contractor acquisition of automatic data processing equipment; comments by 3-20-81

SECURITIES AND EXCHANGE COMMISSION

14132 2-26-81 / Customer Complaint Registries; comments by 3-20-81

8568 1-27-81 / Net capital requirements for brokers and dealers; comments by 3-16-81

1288 1-6-81 / Separate reports of other accountants; amendments to proxy rules and Regulation S-X; comments by 3-15-81

83517 12-19-80 / Standardization of financial statement requirements in investment company registration statements and reports to shareholders; comments extended to 3-16-81

[Corrects at 46 FR 12760, 2-18-81]

12756 2-18-81 / Standardization of financial statement requirements in investment company registration statements and reports to shareholders; comments extended to 3-16-81

[Originally published at 45 FR 83517, 12-19-80]

SMALL BUSINESS ADMINISTRATION

4937 1-19-81 / Business loans; Delegation of certain authority and responsibility to preferred lending institutions; comments by 3-20-81

TRANSPORTATION DEPARTMENT

Coast Guard—

75712 11-17-80 / Foreign tank vessles, minimum manning levels; comments by 3-16-81

83290 12-18-80 / Tankerman requirements; comments by 3-18-81

Federal Aviation Administration—

10163 2-2-81 / Airworthiness directives; Hamilton Standard Hydromatic Propellers; comments by 3-16-81

National Highway Traffic Safety Administration—

12033 2-12-81 / Occupant crash protection, delay of automatic restraint requirements; comments by 3-16-81

82293 12-15-80 / Tire identification and record keeping; comments by 3-16-81

Urban Mass Transportation Administration—

5832 1-19-81 / Technology introduction program; comments by 3-20-81

TREASURY DEPARTMENT

Alcohol, Tobacco and Firearms Bureau—

83530 12-19-80 / Labeling and advertising of wine, distilled spirits, and malt beverages; comments by 3-19-81

Internal Revenue Service—

4950 1-19-81 / Windfall profit tax administrative provisions; comments by 3-20-81

Next Week's Meetings

ACTUARIES, JOINT BOARD FOR ENROLLMENT

11925 2-11-81 / Acturial Examination Advisory Committee, Boston, Mass., (closed), 3-10-81

AGRICULTURE DEPARTMENT

Forest Service—

12039 2-12-81 / Nezperce National Forest Grazing Advisory Board, Grangeville, Idaho (open), 3-11-81

Rural Electrification Administration—

11326 2-6-81 / Dairyland Power Corp., Intent to Prepare an Environmental Impact Statement, Alma, Wisc., and Eau Claire, Wisc. (open), 3-11 and 3-12-81 respectively

ARTS AND HUMANITIES, NATIONAL FOUNDATION

14095 2-25-81 / Artists-in-Education Panel, Washington, D.C. (open), 3-12 through 3-14-81

13434 2-20-81 / Dance Panel, Grants to Dance Companies Section, Washington, D.C. (closed) 3-9 through 3-13-81

12565 2-17-81 / Design Arts Panel (Design Fellowships Section), Washington, D.C. (closed), 3-10 and 3-11-81

13434 2/20/81 / Expansion Arts Panel, Interdisciplinary/ Community Cultural Centers Section, Washington, D.C. (closed), 3-9 through 3-11-81

13435 2-20-81 / Expansion Arts Panel, Visual/Media/Design and Literary Arts Section, Washington, D.C. (closed), 3-12 and 3-13-81

11638 2-9-81 / Humanities Panel, Washington, D.C. (closed), 3-9 thru 3-13-81

9269 1-28-81 / Humanities Panel, Washington, D.C. (closed), 3-11 through 3-13-81

13611 2-23-81 / Humanities Panel, Washington, D.C. (closed), 3-12 and 3-13-81

13435 2-30-81 / Inter-Arts Panel, Artists Colonies Section, Washington, D.C. (closed), 3-11-81

13435 2-30-81 / Visual Arts Panel, Services to the Field Section, Washington, D.C. (closed), 3-10 through 3-13-81

CIVIL RIGHTS COMMISSION

12995 2-19-81 / Alabama Advisory Committee, Birmingham, Ala. (open), 3-9-81

12995 2-19-81 / District of Columbia Advisory Committee, Washington, D.C. (open), 3-10-81

13531 2-23-81 / Georgia Advisory Committee, Atlanta, Ga. (open), 3-13-81

12996 2-19-81 / Massachusetts Advisory Committee; Boston, Mass. (open), 3-12-81

12040 2-12-81 / South Carolina Advisory Committee, Columbia, S.C. (open), 3-9-81

12996 2-19-81 / South Carolina Advisory Committee, Columbia, S.C. (open), 3-9-81

COMMERCE DEPARTMENT

National Oceanic and Atmospheric Administration—

13541 2-23-81 / Regional Fishery Management councils and their panels, Atlanta, Ga. (open), 3-12-81

CONSUMER PRODUCT SAFETY COMMISSION

9636 1-24-81 / Safety standards; proposed methodology for commission consideration of findings; Washington, D.C. (open), 3-9 and 3-10-81

[*See also* 45 FR 85772, 12-30-80]

COPYRIGHT ROYALTY TRIBUNAL

10522 2-3-81 / Jukebox Royalty Distribution Proceedings, Washington, D.C., 3-10-81

DEFENSE DEPARTMENT

Air Force Department—

12225 2-13-81 / USAF Scientific Advisory Board, Norton AFB, Calif. (closed), 3-11 and 3-12-81

Army Department—

1326 2–20–81 / Army Science Board, Warren, Mich. (closed), 3–9 and 3–10–81

10974 2–5–81 / Coastal Engineering Research Board, Galveston, Tex. (open), 3–10 and 3–12–81

Navy Department—

11658 2–11–81 / Chief of Naval Operations Executive Panel Advisory Committee, Alexandria, Va. (closed), 3–11 and 3–12–81

Office of the Secretary—

12049 2–12–81 / Defense Advisory Committee on Women in the Services, Washington, D.C. (open), 3–8 and 3–9–81

12228 2–13–81 / Defense Intelligence Agency Advisory Committee, Sunnyvale, Calif. (closed), 3–10 and 3–11–81

10975 2–5–81 / Defense Science Board, Anti-Tactical Missiles task force, Arlington, Va. (closed), 2–24 and 2–25–81 changed to 3–12 and 3–13–81

85812 12–30–80 / DOD Advisory Group on Electron Devices, New York, N.Y. (closed), 3–9 and 3–10–81

7428 1–23–81 / Wage Committee, Washington, D.C. (closed), 3–10–81

EDUCATION DEPARTMENT

13060 2–19–81 / Bilingual Education National Advisory Council, Washington, D.C. (open), 3–7 through 3–9–81

ENERGY DEPARTMENT

13318 2–20–81 / Dose Assessment Advisory Group, Las Vegas, Nev. (open), 3–12 and 3–13–81

14034 2–25–81 / International Energy Agency, Industry Advisory Board, Industry Supply Advisory Group, San Francisco, Calif. (closed), 3–12–81

3590 1–15–81 / National Petroleum Council, Arctic Oil and Gas Resources Committee, Environmental Protection Task Group, Los Angeles, Calif. (open), 3–11–81

11703 2–10–81 / National Petroleum Council, Emergency Prepardness Subcommittee, Washington, D.C. (open), 3–10–81

Economic Regulatory Administration—

11575 2–9–81 / National Petroleum Council, Emergency Prepardness Committee, Coordination Subcommittee, Washington, D.C. (open), 3–10–81

Office of Environment—

13565 2–23–81 / Environmental Advisory Committee, Synthetic Fuels Subcommittee, Washington, D.C. (open), 3–11–81

ENVIRONMENTAL PROTECTION AGENCY

13809 2–24–81 / FIFRA Scientific Advisory Panel, Arlington, Va. (open), 3–10–81

13372 2–20–81 / Science Advisory Board, Clean Air Scientific Advisory Committee, Arlington, Va. (open), 3–10 and 3–11–81

FEDERAL PREVAILING RATE ADVISORY COMMITTEE

13372 2–20–81 / Meeting, Washington, D.C. (open), 3–12–81

GENERAL SERVICES ADMINISTRATION

National Archives and Records Service—

14063 2–25–81 / Preservation Advisory Committee, Executive Committee, Baltimore, Md. (open), 3–12–81

13815 2–24–81 / Preservation Advisory Committee, Information capture, storage, retrieval, and perpetuation, Washington, D.C. (open), 3–11–81

13815 2–24–81 / Preservation Advisory Committee, Long Range Policy and Planning, Washington, D.C. (open), 3–11–81

HEALTH AND HUMAN SERVICES DEPARTMENT

12856 2–18–81 / Federal Council on the Aging, Washington, D.C. (open), 3–9, 3–10, and 3–11–81

Alcohol, Drug Abuse, and Mental Health Administration—

11708 2–10–81 / Epidemiologic and Services Research Review Committee, Washington, D.C. (partially open), 3–9 through 3–12–81

11708 2–10–81 / Mental Health Research Education Review Committee, Washington, D.C. (partially open), 3–11 through 3–13–81

11708 2–10–81 / Research Scientist Development Review Committee, Washington, D.C. (partially open), 3–12 through 3–14–81

11708 2–10–81 / Treatment Development and Assessment Research Review Committee, Washington, D.C. (partially open), 3–9 through 3–11–81

Disease Control Centers—

13580 2–23–81 / Physiological and Behavioral Effects of Diurnal Shifts and Cold Stress, Cincinnati, Ohio (open), 3–12–81

Food and Drug Administration—

11712 2–10–81 / Psychopharmacologic Drugs Advisory Committee, Rockville, Md. (open), 3–12 and 3–13–81

11710 2–10–81 / Surgical and Rehabilitation Devices Panel, General and Plastic Surgery Device Section, Washington, D.C. (partially open), 3–12–81

National Institutes of Health—

10208 2–2–81 / Animal Resources Review Committee, Subcommittee on Animal Resources, Bethesda, Md. (partially open), 3–11 and 3–12–81

11715 2–10–81 / Cancer Control Grant Review Committee, Bethesda, Md. (partially open), 3–9 and 3–10–81

83674 12–19–80 / Cancer Special Program Advisory Committee, Bethesda, Md. (partially open), 3–12 and 3–13–81

10207 2–2–81 / Mental Retardation Research Committee, Bethesda, Md. (partially open), 3–10 and 3–11–81

10208 2–2–81 / Pharmacological Sciences Review Committee, Bethesda, Md. (partially open), 3–12 and 3–13–81

3289 1–14–81 / Population Research Committee, Bethesda, Md. (partially open), 3–12–81

6074 1–21–81 / Various Study Sections, Bethesda, Md. (partially open), 3–8 through 3–14–81

INTERIOR DEPARTMENT

Fish and Wildlife Service—

13379 2–20–81 / International Trade in Endangered Species of Wild Fauna and Flora, Conference of the Parties to the Convention, Washington, D.C. (open), 3–13–81

Land and Management Bureau—

11049 2–5–81 / Carson City District Advisory Council, Carson City, Nev. (open), 3–13–81

[Corrected at 46 FR 11718, 2–10–81]

11049 2–5–81 / Outer Continental Shelf National Advisory Board, Pacific States Regional Technical Working Group Committee, Los Angeles, Calif. (open), 3–13–81

12145 2–12–81 / Powder River Regional Coal Team, Billings, Mont. (open), 3–10–81

11894 2–11–81 / Rock Springs District Advisory Council, Evanston, Wyo. (open), 3–12–81

9791 1–29–81 / Susanville District Grazing Advisory Board, Cedarville, Calif. (open), 3–11–81

9790 1–29–81 / Worland District Advisory Council, Worland, Wyo. (open), 3–11–81

National Park Service—

13389 2–20–81 / Rock Creek Park Bicycle Trail Study, Washington, D.C. (open), 3–11 and 3–14–81

12551 2–17–81 / Santa Monica Mountains National Recreation Area Advisory Commission, Woodland Hills, Calif. (open), 3–10–81

LIBRARY OF CONGRESS

11388 2-6-81 / American Folklife Center, Washington, D.C. (open), 3-13-81

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

9822 1-29-81 / NASA Wage Committee, Washington, D.C. (open), 3-12-81

NATIONAL SCIENCE FOUNDATION

13611 2-23-81 / Earth Sciences Advisory Committee, Geology, Geophysics, Geochemistry and Petrology Subcommittee, Washington, D.C. (closed), 3-11 through 3-13-81

NUCLEAR REGULATORY COMMISSION

14505 2-27-81 / Reactor Safeguards Advisory Committee, Washington, D.C. (partially open), 3-12 through 3-14-81

13612 2-23-81 / Reactor Safeguards Advisory Committee, Generic Items Subcommittee, Washington, D.C. (open), 3-11-81

13612 2-23-81 / Reactor Safeguards Advisory Committee, NRC Safety Research Program Subcommittee, Washington, D.C. (open), 3-11-81

13437 2-20-81 / Reactor Safeguards Advisory Committee, Reactor Operations Subcommittee, Washington, D.C. (open), 3-9 and 3-10-81

13614 2-23-81 / Reactor Safeguards Advisory Committee, Reactor Radiological Effects Subcommittee, Washington, D.C. (open), 3-10 and 3-11-81

13613 2-23-81 / Reactor Safeguards Advisory Committee, San Onofre Units 2 and 3 Subcommittee, Washington, D.C. (partially open), 3-11-81

[Time changed at 46 FR 14506, 2-27-81]

13613 2-23-81 / Reactor Safeguards Advisory Committee, Transportation of Radioactive Materials Subcommittee, Washington, D.C. (open), 3-10-81

PRESIDENT'S COMMISSION FOR THE STUDY OF ETHICAL PROBLEMS IN MEDICINE AND BIOMEDICAL AND BEHAVIORAL RESEARCH

13866 2-24-81 / Health Care Distribution and Availability, Washington, D.C. (open), 3-13 and 3-14-81

STATE DEPARTMENT

14515 2-27-81 / Fine Arts Committee, Washington, D.C. (open), 3-14-81

TRANSPORTATION DEPARTMENT

National Highway Traffic Safety Administration—

7123 1-22-81 / Safety Standards International Harmonization Construction of Vehicles Group of Experts on Sixty-third Session, Geneva, Switzerland, 3-9 through 3-13-81

VETERANS ADMINISTRATION

12387 2-13-81 / Structural Safety of Veterans, Administration Facilities, Advisory Committee, Washington, D.C. (open), 3-13-81

Next Week's Public Hearings

National Oceanic and Atmospheric Administration—

13244 2-20-81 / Gulf of Mexico Fishery Management Council; Atlantic Billfishes Fishery Management Plan; New Orleans, La. and Biloxi, Miss., 3-9-81; Lake Charles, La. and Mobile, Ala., 3-10-81; Galveston, Tex. and Destin, Fla., 3-11-81; Corpus Christi, Tex. and St. Petersburg, Fla., 3-12-81; Port Isabel, Tex., 3-13-81

ENERGY DEPARTMENT

Bonneville Power Administration—

12659 2-17-81 / Proposed transmission and rate adjustment; Missoula, Mont., 3-9-81; Boise, Idaho, 3-10-81; Richland, Wash., 3-11 and 3-12-81; and San Francisco, Ca., 3-13-81

12668 2-17-81 / Proposed wholesale power rate adjustment; Missoula, Mont.; 3-9-81 and Boise, Idaho, 3-10-81

ENVIRONMENTAL PROTECTION AGENCY

9974 1-30-81 / Coil coating point source category; effluent guidelines and standards, Washington, D.C., 3-12-81

INTERIOR DEPARTMENT

Heritage Conservation and Recreation Service—

5566 1-19-81 / Archeological Resources Protection Act of 1979; Proposed Uniform rulemaking, Denver, Colo., 3-14-81

Land Management Bureau—

12145 2-12-81 / Paradise-Denio Resource Area, Nev.; livestock grazing management program, environmental impact statement; Reno, Nev., 3-10-81; Winnemucca, Nev., 3-11-81

SUSQUEHANNA RIVER BASIN COMMISSION

13868 2-24-81 / Drought Emergency Action, Harrisburg, Pa., 3-12-81

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws.**

Last Listing February 19, 1981

Documents Relating to Federal Grant Programs

This is a list of documents relating to Federal grant programs which were published in the Federal Register during the previous week.

DEADLINES FOR COMMENTS ON PROPOSED RULES

13676 2-23-81 / HUD/CPD—Community Development Block Grants Program, Small Cities Program; interim rules; effective 3-27-81 (comments by 4-24-81)

APPLICATIONS DEADLINES

13754 2-24-81 / Commerce/MBDA—Financial Assistance Application Announcement; apply by 3-12-81

14374 2-27-81 / ED—Follow Through Program; noncompeting continuation awards for local projects and demonstration (sponsors); apply by 4-3-81

13876 2-24-81 / HHS/HDSO—New Native American Projects; Availability of FY 1981 Financial Assistance; apply by 5-11-81

13884 2-24-81 / HHS/HDSO—Native American Status Clarification Projects; Availability of Fiscal Year 1981 Financial Assistance; apply by 5-11-81

13880 2-24-81 / HHS/HDSO—Native American Status Clarification Resource Mobilization Projects; availability of FY 1981 Financial Assistance; apply by 5-11-81

13962 2-24-81 / HHS/HDSO—Runaway and Homeless Youth Program; Availability of Financial Assistance; apply by 4-27-81

13818 2-24-81 / HHS/SSA—Title II and Title XVI Research Grants; apply by 5-10-81

14069 2-25-81 / HUD/CPD—Community development block grant program; apply by 3-31-81

MEETINGS

13815 2-24-81 / HHS/NIH—Advisory Committee to the Director, Bethesda, Md. (open), 3-16 and 3-17-81

13816 2-24-81 / HHS/NIH—General Research Support Review Committee, Biomedical Research Support Subcommittee, Bethesda, Md. (open), 3-30 and 3-31-81

13816 2-24-81 / HHS/NIH—Research Grants Division, Behavioral Medicine Study Section, Washington, D.C. (open), 3-3 through 3-6-81 (originally scheduled for 3-4 through 3-6-81. See 46 FR 6073, 1-21-81)