

Federal Register

OK
Thursday
December 9, 1982

Selected Subjects

Administrative Practice and Procedure
Federal Labor Relations Authority

Air Pollution Control
Environmental Protection Agency

Aviation Safety
Federal Aviation Administration

Bridges
Coast Guard

Freedom of Information
Postal Rate Commission

Government Contracts
Immigration and Naturalization Service

Grazing Lands
Land Management Bureau

Imports
Animal and Plant Health Inspection Service

Loan Programs—Housing and Community Development
Farmers Home Administration

Marine Safety
Coast Guard

Marketing Agreements
Agricultural Marketing Service

National Parks
National Park Service

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Selected Subjects

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Rules and Regulations

Federal Register

Vol. 47, No. 237

Thursday, December 9, 1982

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

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

FEDERAL LABOR RELATIONS AUTHORITY

FEDERAL SERVICE IMPASSES PANEL

5 CFR Part 2429

Processing of Cases; General Requirements

AGENCY: Federal Labor Relations Authority, General Counsel of the Federal Labor Relations Authority and Federal Service Impasses Panel.

ACTION: Amendment of rules and regulations.

SUMMARY: At the request of the Archivist of the United States and upon recommendation of its Court Administration Committee, the Judicial Conference of the United States has adopted the 8½ x 11 inch paper size standard for use throughout the Federal Judiciary and directed the elimination of the use of paper measuring 8½ x 14 inches effective January 1, 1983. Since documents filed with the Authority and the General Counsel on and after the effective date may reach the judicial review stage after the deadline for eliminating 8½ x 14 inch paper in the Federal courts, the Authority and the Acting General Counsel have determined that the rules and regulations should be amended accordingly. Therefore, unless otherwise provided and with the exception of any prescribed forms, effective January 1, 1983, any document filed under the rules and regulations must be submitted on 8½ x 11 inch paper.

EFFECTIVE DATE: January 1, 1983.

FOR FURTHER INFORMATION CONTACT: James J. Shepard, Executive Director, Federal Labor Relations Authority, 500

C Street, SW., Washington, D.C. 20424; (202) 382-0711.

List of Subjects in 5 CFR Part 2429

Administrative practice and procedure.

PART 2429—MISCELLANEOUS AND GENERAL REQUIREMENTS

Subpart B—General Requirements

Section 2429.25 is revised to read as follows:

§ 2429.25 Number of copies and paper size.

Unless otherwise provided by the Authority or the General Counsel, or their designated representatives, as appropriate, or under this subchapter, and with the exception of any prescribed forms, any document or paper filed with the Authority, General Counsel, Administrative Law Judge, Regional Director, or Hearing Officer, as appropriate, under this subchapter, together with any enclosure filed therewith, shall be submitted on 8½ x 11 inch size paper in an original and four (4) legible copies. A clean copy capable of being used as an original for purposes such as further reproduction may be substituted for the original.

* * * * *

Note.—In accordance with section 605(b) of the Regulatory Flexibility Act of 1980, 5 U.S.C. 605(b), the Authority, and the Acting General Counsel of the Authority have determined that this amendment does not require preparation of a regulatory flexibility analysis.

(5 U.S.C. 7134)

Dated: December 6, 1982.
Federal Labor Relations Authority.
Ronald W. Haughton,
Chairman.

Henry B. Frazier III,
Member.

Leon B. Applewhaite,
Member.

S. Jesse Reuben,
Acting General Counsel.

[FR Doc. 82-33530 Filed 12-8-82; 8:45 am]

BILLING CODE 6727-01-M

DEPARTMENT OF AGRICULTURE Agricultural Marketing Service

7 CFR Part 907

[Navel Orange Reg. 554, Amdt. 1; Navel Orange Reg. 555]

Navel Oranges Grown in Arizona and Designated Part of California; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation establishes the quantity of fresh California-Arizona navel oranges that may be shipped to market during the period December 10-16, 1982, and increases the quantity of such oranges that may be so shipped during the period December 3-9, 1982. Such action is needed to provide for orderly marketing of fresh navel oranges for the periods specified due to the marketing situation confronting the orange industry.

DATES: This regulation becomes effective December 10, 1982, and the amendment is effective for the period December 3-9, 1982.

FOR FURTHER INFORMATION CONTACT: William J. Doyle, 202-447-5975.

SUPPLEMENTARY INFORMATION: Findings

This rule has been reviewed under USDA procedures and Executive Order 12291 and has been designated a "non-major" rule. The Deputy Administrator, Agricultural Marketing Service, has determined that this action will not have a significant economic impact on a substantial number of small entities. This action is designed to promote orderly marketing of the California-Arizona navel orange crop for the benefit of producers and will not substantially affect costs for the directly regulated handlers.

This regulation and amendment are issued under the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The action is based upon the recommendation and

information submitted by the Navel Orange Administrative Committee and upon other available information. It is hereby found that this action will tend to effectuate the declared policy of the Act.

This action is consistent with the marketing policy for 1982-83. The marketing policy was recommended by the committee following discussion at a public meeting on September 21, 1982. The committee met again publicly on December 7, 1982 at Lindsay, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of navel oranges deemed advisable to be handled during the specified weeks. The committee reports the demand for navel oranges is good.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the *Federal Register* (5 U.S.C. 553), because of insufficient time between the date when information became available upon which this regulation and amendment are based and the effective date necessary to effectuate the declared policy of the Act. Interested persons were given an opportunity to submit information and views on the regulation at an open meeting, and the amendment relieves restrictions on the handling of navel oranges. It is necessary to effectuate the declared purposes of the Act to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and the effective time.

List of Subjects in 7 CFR Part 907

Marketing agreements and orders, California, Arizona, Oranges (navel).

PART 907—[AMENDED]

1. Section 907.855 is added as follows:

§ 907.855 Navel orange regulation 555.

The quantities of navel oranges grown in Arizona and California which may be handled during the period December 10, 1982, through December 16, 1982, are established as follows:

- (a) District 1: 1,500,000 cartons;
- (b) District 2: Unlimited cartons;
- (c) District 3: Unlimited cartons;
- (d) District 4: Unlimited cartons;

2. Section 907.854 Navel Orange Regulation 554 (47 FR 54281), is hereby amended by revising paragraphs (a), (b), (c), and (d) to read:

§ 907.854 Navel orange regulation 554.

- (a) District 1: 1,395,000 cartons;
- (b) District 2: Unlimited cartons;

- (c) District 3: 105,000 cartons;
- (d) District 4: Unlimited cartons.

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

Dated: December 8, 1982.

D. S. Kuryloski,

Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 82-33724 Filed 12-8-82; 12:05 pm]

BILLING CODE 3410-02-M

Farmers Home Administration

7 CFR Part 1922

Appraisal of Real Estate Security for Rental, Cooperative, and Labor Housing Loans

AGENCY: Farmers Home Administration, USDA.

ACTION: Final rule.

SUMMARY: The Farmers Home Administration (FmHA) amends its regulations regarding appraisal of real estate security which pertain to multiple family housing loan and grant projects. These amendments revise provisions governing the Rural Housing Site (RHS) loan program, clarify that the designated appraisers from Multiple Family Housing (MFH) will make the appraisals, clarify the selection of district field appraisers, revise the appraisal form number, clarify certain appraisal definitions, and add sections explaining the use and the addition of the new appraisal review form.

This action is being taken in response to requests by FmHA personnel to improve the present appraisal form and to provide a MFH appraisal review form. FmHA recognizes the need to provide an appraisal report form and an appraisal review form that will allow the field staff to produce a more professional appraisal report and enhance the capability to review the appraisals that are made. The intended effect of this action is to clarify the appraiser's responsibilities and remove from the regulation certain form preparation requirements which do not apply to the new appraisal report. This appraisal report form will not contain the directions for completion. Instead the directions for completing the appraisal report form are included in the Forms Manual Insert (FMI) for the appraisal report form.

EFFECTIVE DATE: December 9, 1982.

FOR FURTHER INFORMATION CONTACT: George W. Porter, Real Estate Loan Officer, Multi-Family Housing Servicing and Property Management Division, USDA, FmHA, 14th Street and Independence Avenue, SW., Room 5321-

S. Washington, DC. 20250, Telephone (202) 382-1617.

SUPPLEMENTARY INFORMATION: This rule has been reviewed under USDA procedures established in Secretary's Memorandum 1512-1 which implements Executive Order 12291 and has been determined to be exempt from those requirements because it involves only internal agency management related to appraisal of real estate serving as Agency security. Charles W. Shuman, Administrator, FmHA, has determined that this action will not have a significant economic impact on a substantial number of small entities because the purpose of this change is to improve FmHA appraisal reports by providing a new report form for the designated appraisers and to increase the appraiser's professionalism. It is the policy of this Department that rules relating to public property, loans, grants, benefits, or contracts shall be published for comment notwithstanding the exception in 5 U.S.C. 553 with respect to such rules. This action, however, is not published for proposed rulemaking since the purpose of this change involves only internal Agency management and publication for comment is unnecessary.

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

This revision clarifies certain areas identified by Agency personnel. The revision is designed to make the regulations more workable and understandable for the Agency, and hence less costly in the long term.

This final action describes new form requirements for FmHA Multiple Family Housing appraisals and the review of those appraisals by the National and State Office Appraiser/Trainers. The adoption of the new forms will reduce the time presently required to make the MFH appraisal and will provide a less confusing format in which the appraisers will record their conclusions and final estimates of value.

The FmHA programs and projects which are affected by this regulation are subject to state and local clearinghouse review in the manner delineated in FmHA Instruction 1901-H.

The Catalog of Federal Domestic Assistance Number for the Rural Rental Housing Loans program affected by this

document is 10.415; for the Farm Labor Housing Loans and Grants program, it is 10.405; and for the Rural Housing Site Loans program, it is 10.411.

FmHA revises Subpart B of Part 1922 in Chapter XVIII, Title 7, Code of Federal Regulations. The following is a list of the major changes made by this action:

1. The introductory paragraph to § 1922.51 has been revised to include RHS loans, clarify the number of units where a MFH appraisal is required, and clarify who will make appraisals for RHS loans.

2. Section 1922.51, paragraph (a) has been revised to clarify that MFH program appraisers may make the appraisals and that the State Appraiser/Trainer conducts the training of the designated appraisers, and to clarify the sentence structure.

3. Section 1922.51, paragraph (b) has been revised to clarify where the selected District Offices are located and who in those offices will be selected to make MFH appraisals.

4. Section 1922.51, paragraph (c) has been revised to change the appraisal form number.

5. Section 1922.52 has been amended to revise the definition of certain appraisal terms.

In paragraph (a) Capitalization value has been redefined for clarity.

In paragraph (d) Present market value has been redefined to agree with the Society of Real Estate Appraisers terminology book.

In paragraph (e) Depreciation has been redefined to clarify physical obsolescence.

In paragraph (f) Obsolescence has been redefined to clarify functional and economic obsolescence.

Paragraph (g) regarding definition of economic life of housing has been renumbered from § 1922.53(b)(3).

6. In § 1922.53(a), the type of roads and rights-of-way have been added for clarity.

7. In § 1922.53, paragraphs (b) (4) and (5) have been renumbered to paragraphs (a) (6) and (5), respectively.

8. In § 1922.53(b)(1), functional features has been clarified as obsolescence and (b)(3) has been added for energy saving measures of "Value-in-Use".

9. Section 1922.53(e)(2)(ii) has been revised to clarify the health agencies who approve the domestic water supply systems.

10. Section 1922.54(b) has been clarified by stating that the needs study would be reviewed.

11. Section 1922.56 has been revised to reflect the use of the new Form FmHA 1922-13, "Reviewer's Appraisal

Analysis," when reviewing appraisals involving more than two units.

12. Section 1922.57 has been revised to clarify the State Appraiser/Trainer's responsibility.

13. Section 1922.58 has been revised to clarify appraisal training that should be provided.

List of Subjects in 7 CFR Part 1922

Loan programs—Housing and community development, Low and moderate income housing, Rural housing.

Accordingly, FmHA revises Subpart B of Part 1922 in Chapter XVIII, Title 7, Code of Federal Regulations to read as follows:

PART 1922—APPRAISAL

* * * * *

Subpart B—Appraisal of Real Estate Security for Rental, Cooperative, and Labor Housing Loans

Sec.

1922.51 General.

1922.52 Definitions of appraisal terms.

1922.53 Considerations influencing value.

1922.54 Steps preliminary to making the appraisal.

1922.55 Description and evaluation of building for insurance purposes.

1922.56 Appraisal review form.

1922.57 State Appraiser/Trainer's responsibility.

1922.58 Appraisal training.

1922.59-1922.100 [Reserved]

Exhibit A: Guide for Appraisal of Energy Saving Measures, the "Value-in-Use" Approach

Authority: 42 U.S.C. 1480 (j); 7 CFR 2.23; 7 CFR 2.70.

* * * * *

Subpart B—Appraisal of Real Estate Security for Rental, Cooperative, and Labor Housing Loans

§ 1922.51 General.

This Subpart prescribes the policies and procedures for appraising real property involving more than two living units serving as security for Rural Rental Housing (RRH), Rural Cooperative Housing (RCH), and Farm Labor Housing (LH) loans and grants, and Rural Housing Site (RHS) loans. Real estate security for LH loans to finance dormitory type housing will also be appraised in accordance with this Subpart. Security for multiple family housing loans consisting of single family dwellings involving two or fewer living units will be appraised on the same basis as security for a Section 502 loan. RHS loans will be appraised in accordance with Subpart G of Part 1822 (FmHA Instruction 444.8) by the designated Multiple Family Housing

(MFH) appraiser or the State Appraiser/Trainer. Real estate securing RRH, RCH, LH and RHS loans will be appraised for its present market value. Capitalization, replacement and comparable sales values will be considered in arriving at present market value.

(a) *Employee authorized to appraise the property.* The employees designated by the State Director as the MFH Appraisers for the State will normally include those designated, such as, the Multiple Housing Coordinator, other qualified State staff members, and selected District Directors and Assistant District Directors. The authorization will be made in writing to the selected District Directors and Assistant District Directors on an individual basis, subject to proper training being given by the appointed State Appraiser/Trainer. The Appraiser/Trainer will review a minimum number (generally three) of the selected person's appraisal reports and determine that the reports are adequate, and the employee is demonstrating competence and ability in conducting multi-unit appraisals. In extremely large and/or complicated projects the State Appraiser/Trainer should make the appraisal or provide the necessary assistance to complete the appraisal.

(b) *Selection of District Offices and designation of district staff to conduct MFH appraisals.* The State Director will select a limited number of District Directors and/or Assistant District Directors within the jurisdiction of the State Office to serve as the appraiser for a geographical area. In establishing the geographical area, consideration will be given to the appraisal activity for MFH loans in the area. The selected number of designated appraisers will be based on the number of MFH appraisals normally made in one fiscal year and should allow each designated appraiser the opportunity to complete at least 10 appraisals annually. This will include appraisals made for loan processing and servicing. The State Director should consider the recommendations of the Chief of Rural Housing and the Multiple Housing Coordinator in the evaluation of the employees to be designated as MFH appraisers in the field.

(c) *Appraisal form.* Form FmHA 1922-7, "Appraisal Report for Multi-unit Housing," will be used to make RRH, RCH, and LH appraisals involving more than two living units.

(d) *Assumed operation.* The appraiser will assume that the property will be used for the purpose proposed.

(e) *Nondiscrimination appraiser criteria.* The Fair Housing Act, Title VIII of Civil Rights Act of 1968, 42 U.S.C.

3601 *et seq.* prohibits discrimination on the basis of race, color, religion, sex or national origin, in the sale, rental, leasing or financing of housing. Since a determination of specific value by an appraiser substantially affects not only a specific sale price, but also establishes the outside limit on the value of a property, it is essential that an appraiser utilize objective and nondiscriminatory criteria in reaching a determination of value in accordance with the Subpart.

§ 1922.52 Definitions of appraisal terms.

(a) *Capitalization value.* This is the value that a prudent investor would likely pay for the property based on its estimated future earnings. This would be the direct ratio between Annual Net Operating Income (NOI) and Value or Sales Price.

(b) *Replacement value.* This is the summation of the costs of the property including land, fees, and services that would be required to replace or duplicate the property as improved, giving proper consideration to allowances for obsolescence and depreciation.

(c) *Comparable sales value.* This is a measure of the market value of a property estimated by comparison with similar properties recently sold in the open market.

(d) *Present market value.* The most probable price in terms of money which a property should bring in a competitive and open market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus.

(e) *Depreciation.* A loss of utility and hence value from any cause. An effect caused by deterioration and/or obsolescence. Deterioration or physical depreciation is evidenced by wear and tear, decay, dry rot, cracks, encrustations, or structural defects.

(f) *Obsolescence.* One of the causes of depreciation. It is the impairment of desirability and usefulness brought about by new inventions, current changes in design, and improved processes for production, or from external influencing factors which make a property less desirable and valuable for continued use. Obsolescence may be either economic or functional.

(1) Functional obsolescence may be due to poor design, mechanical inadequacy or overadequacy, functional inadequacy or overadequacy due to size, style, age, etc. It is evidenced by conditions within the property.

(2) Economic obsolescence is caused by impairment of desirability or useful life arising from factors external to the property, such as neighborhood

infiltrations of inharmonious groups or property uses, legislation, or environmental changes which affect supply-demand relationships in the market. It is also the actual decline in market value of the improvement to land from time of purchase to the time of resale, other than physical deterioration and functional obsolescence. Also referred to as Locational or Environmental Obsolescence.

(g) *Economic life of housing.* The economic life of a building can never be greater than its physical life, but frequently is less. A structure may be sound and in good physical condition with a number of years of physical life remaining and yet have reached the end of its economic life. The end of economic life is reached when a structure fails to return sufficient income to cover the cost of operation and maintenance, plus adequate returns for the use of the site. This important consideration in the appraisal of security for housing for elderly or handicapped persons and LH loans requires a careful evaluation of the housing itself and the economic environment in which it is located.

§ 1922.53 Considerations influencing value.

(a) *General.* The location of the housing development with respect to availability of essential goods and services, employment, transportation, schools, water and sewer services, places of worship, medical services, education and recreation, shopping facilities, community setting, and potential alternative uses are important considerations in appraising multi-unit housing. These considerations are necessary because the presence of these amenities may serve the needs of the inhabitants. Preferably the housing should be on a hard-surfaced public road. Any roads and rights-of-way from and to public roads must be adequate and unrestricted.

(1) The appraiser should recognize any significant unfavorable location factors and reflect them in the recommended present market value. This is one of the most important variables in determining the value of the property. Objectivity is essential in identifying and discussing unfavorable location factors. These factors include the potential risks to human health and safety caused by either the presence of floodplains, mudslide areas, steep slopes, coastal high hazard areas, high shrink-swell soils, seismic conditions, localized drainage problems or the property's exposure to high levels of noise, traffic

conditions, gaseous, liquid or solid pollutants, etc.

(2) Housing located so that the occupants will have ready access to their daily needs and be close to medical and hospital facilities generally will have a higher present market value than similar property located where essential services are not readily available.

(3) Consideration should be given to the population trend of the local community in the case of an RRH loan and farming trends in the case of an LH loan to determine the likelihood that there will be a demand for the housing in the foreseeable future. The appraiser should avoid generalization with respect to population trends of neighborhoods. Older neighborhoods, as well as newer neighborhoods, may attract a wide range of residents. In developing areas, these changes or shifts can often be determined by the ongoing visible changes in land use. In undeveloped or sparsely developed areas, local zoning and comprehensive plans may serve as the best available information source for projecting future conditions that affect value.

(4) Potential alternative uses of the property in its location should be noted and must be considered in arriving at the present market value. Flexibility and future utility of the property are important. There may be some disadvantages which will limit the use and value of the property for other purposes. There may be some expenditures which were necessary for special-purpose housing that would have little or no application for other uses. In evaluating the future utility of the property, community trends and future requirements in the community are important.

(5) Since the amortization period for housing usually will be over a long period of time, it is necessary to consider environmental changes that are likely to affect the value of the property. Industrial encroachment, shifts in economic levels of the people, technological improvements in housing, shifts in agricultural production, and introduction of labor-saving machinery likely will affect value over the period of the loan. Each of these shifts may bring a different type of potential buyer into the picture, or may sharply reduce or eliminate the demand for special purpose housing at the location. In developing areas, these changes or shifts can often be determined by the ongoing, visible changes in land use. In undeveloped or sparsely developed areas, local zoning and comprehensive plans may serve as the best available

information source for projecting future conditions that affect value.

(6) Specifically designed housing primarily suited for only one type of use and located to accommodate a special need generally has limited resale probabilities. Such properties ordinarily carry a high risk factor, and net earnings are capitalized at a high rate to attract investors. Extremes in design are likely to have limited market appeal from either a resale or rental standpoint. Only those design features that have general appeal can be considered as adding value if resale depends on buyers from the open market.

(b) *Types of structures.* (1) New structures well located in areas where a continuing demand exists and which are appropriately designed to meet the needs of elderly or handicapped persons, or farm laborers generally will have a present market value approximating the cost of development plus the value of the site. Special note should be made of functional obsolescence features since improper design or faulty construction requires an immediate depreciation charge.

(2) Older structures being remodeled to house elderly or handicapped persons, or farm laborers present complex appraisal problems. Depreciation and obsolescence may have almost terminated the property's economic life. The design of the remodeled structure may be less satisfactory than new construction. The property, however, will have value, although possibly not improved for its highest and best use, provided it will produce a net return that would justify improving the property. In this type of situation, improvements to the old structures plus the mechanical equipment and accessories which are to be installed as part of the security must be given value to the extent that they enhance total property value. The cost of these features, which are usually subject to rapid deterioration and obsolescence, is one of the primary reasons why the cost of renovating old properties is often uneconomical in relation to the probable net returns. The present market value of this type of property will not exceed the value of the site plus the depreciated replacement value of the buildings.

(3) Compute "Value in Use" for FmHA appraisals of Energy Saving Measures according to Exhibit A to this Subpart.

(c) *Special consideration for housing projects designed for elderly or handicapped persons.* Housing projects designed for elderly and/or handicapped persons will likely consist of new apartments, duplex units, cottage-type arrangements, single family

dwelling and housing created by remodeling existing structures. The following are some of the special factors to be considered by the appraiser which affect present market value of rental housing for elderly and/or handicapped persons:

(1) The distances to shopping centers, places of worship, neighborhood stores, and civic, social, medical, and recreational facilities should be considered. Since it is usually difficult to find all of these facilities close at hand, the availability of transportation is an important consideration. Its availability and quality are significant factors in evaluating the location of rental housing units for elderly and/or handicapped persons.

(2) Adequacy of police, fire, municipal services, and hospital facilities are important.

(3) The site should lend itself physically to a good site plan, permitting the economical and convenient installation of housing improvements and related facilities for use by tenants such as parking, community service buildings and recreational areas.

(4) Given that this type housing contains a larger percentage of the population that have mobility problems and a greater sensitivity to health and safety risks, the site must be carefully analyzed in terms of the presence of and exposure to the type of health and safety risks previously indicated in § 1922.53(a)(91).

(d) *Special considerations for Congregate Housing.* Housing involving group living arrangements for elderly and/or handicapped persons sharing living spaces within a rental unit and requiring a resident assistant may be one or more single family dwellings or a multi-unit structure. In the case of group living arrangements appraisals will be made in accordance with this Subpart. Also under special conditions such as a congregate housing project or a project housing handicapped tenants, space may be provided for cafeteria and dining areas, and infirmary, therapy room, special bathing room, and other special areas needed by the elderly and handicapped tenants when determined to be economically feasible. The cost of kitchen equipment such as stoves, ovens, steam tables and other such items may be included in the project cost. When ranges, refrigerators, dish washing machines, dryers and other kitchen equipment are included, they will become a part of the security. The appraiser will consider the cost of those items in arriving at the replacement value.

(e) *Special considerations for LH projects.* Housing for domestic farm

laborers may consist of separate houses, apartments, rooms, or dormitory facilities and related facilities such as dining halls, central sanitary facilities, and group kitchens. The following are some of the special factors the appraiser will need to consider in determining the present market value of the property:

(1) Frequently, labor housing will be so located and the type of construction will be such that it can only be used for housing domestic farm laborers; therefore, it will have little or no secondary value as far as other uses are concerned. Because of this fact, the appraiser will be concerned with two possibilities:

(i) If the facility is being appraised in an area where a community survey shows that a strong demand for labor housing exists, and is likely to continue in the foreseeable future, it may be assumed that future use of this property will likely be for housing domestic farm laborers. The appraiser will assume that the economic life of the development will equal or approximate the amortization period of the loan. The present market value will then likely approach the construction cost if permanent-type buildings are suitably designed and constructed.

(ii) When housing facilities being appraised are in an area where a community survey indicates a strong demand for farm labor does not exist or the demand is likely to decline significantly in the future to a level where the housing may no longer be needed, the present market value ordinarily would be considerably less than the cost of the facility.

(2) It is important that labor housing be situated within reasonable distance of the place of employment. Preferably the housing should be on a hard-surfaced public road. Any roads and rights-of-way from and to public roads must be adequate and unrestricted. The surroundings and site must be carefully selected to avoid health problems and physical hazards, provide privacy, and be homelike and comfortable.

(i) The availability of schools, service centers, and stores must be considered the same as for farm families. Transportation for school children should be available when the housing is located beyond walking distance.

(ii) The domestic water supply for labor housing is an important consideration. A system should be developed that is necessary in connection with the housing, meets all State and local health requirements and is conveniently accessible.

(iii) Construction and material should be durable since labor housing is usually

treated more severely than housing for more permanent tenants. Construction that will require high maintenance and utility costs will likely have a lower value than similar housing designed for low maintenance.

(iv) Housing should be suited to the type of laborers being employed. Generally, the housing should be for family units, or be readily convertible to accommodate families.

§ 1922.54 Steps preliminary to making the appraisal.

The appraisal will be made when the applicant has been found to be eligible, and sufficient information has been developed to enable the appraiser to evaluate the property properly. Plans and specifications for the building and site improvements, and cost estimates will be furnished the appraiser in sufficient detail to determine the size and type of structure to be built or improved, the materials to be used, and the improvements to be made to the site. The applicant will be required to furnish photographs of the front, rear, and side exposures in situations involving repair or remodeling of existing housing. Current tax information, the best legal description available, location map and a plot plan will be provided. The tentative operating plan and budget also will be furnished the appraiser. When the above information is not adequate or available, the site is found to be unsuitable, or if for any other reason the appraiser determines that an appraisal should not be made the appraiser should list the reason, notify the proper loan official and if applicable, reschedule the appraisal.

(a) *Inspection of property.* The appraiser should first identify the property. Boundary lines should be checked for accuracy against the plot plan and legal description. Any impressions of the proposed housing should be based on a careful inspection of the site, factual information previously gathered in the community, and general observations. If the proposal involves remodeling existing buildings, the appraiser will make a careful examination of the property to be sure that plans and descriptions furnished are accurate and adequate to carry out the proposed remodeling job. If the appraiser has any reservations as to whether the plans or sketches furnished fully comply with all local ordinances which control the erection of the type of housing under consideration, the applicant should be required to obtain approval of the plans from the local approval authority.

(b) *Obtaining background information.* An overall analysis of the

community and the area immediately surrounding the property should be made by the appraiser before proceeding to evaluate the property. It may be necessary to review the needs study provided by the borrower to determine the potential need for elderly, handicapped persons, or farm labor housing before inspecting the property. The value of the property for such specific use will be influenced by the strength of the demand for such housing.

(1) The appraiser should study the community to determine the trends of the area. The appraiser should note whether the community is progressing or declining, estimate its stability, and note the age, composition, and income levels of the people. Information submitted to justify the need for the housing should be made available to the appraiser. If the information furnished is inadequate, the appraiser will be expected to make a suitable survey as a basis for the evaluation of the property. The appraiser must be sure that the information is complete and adequate and is from reliable sources. Some of the information will be available from census reports, the housing element of the area's comprehensive plan, a HUD sponsored Housing Assistance Plan, chambers of commerce, farm organizations, and facts gathered from other organizations such as places of worship and welfare agencies which may have useful knowledge about the housing needs and income levels of citizens and/or farm laborers in the community. Careful consideration should be given to income levels of families in the area and the likelihood that those who may want to occupy the housing will be able to pay the rental rates that will be needed for a sound investment. The appraiser will record on the appraisal report conclusions regarding the demand for the proposed housing.

(2) The appraiser should observe the development in the area immediately surrounding the property under consideration, note undesirable properties in the area, and determine whether there are any activities such as junk yards, industrial developments, or similar nuisance elements which would adversely affect the comfort of the housing occupants or the attractiveness of the neighborhood. Zoning and land use plans for the area should be reviewed and the possible extension of noticeable trends should be projected in attempting to picture the future development surrounding the property under consideration. Available data should be reviewed to determine health and safety risks such as floodplain maps and soil surveys and local health and

environmental officials should be consulted. Natural barriers against blight or undesirable use of neighboring properties should be noted. Boulevards, parks, rivers, layout of streets, and other natural barriers may offer protection against possible infiltration of undesirable influences.

(3) The appraiser should include with the report a sketch of the area in which the property is located showing the approximate distances to desirable and undesirable features of the community such as shopping areas, parks, highways, railroads, and industrial areas.

§ 1922.55 Description and evaluation of building for insurance purposes.

The appraiser will be responsible for recording the evaluation of buildings for insurance purposes on Form FmHA 426-1, "Valuation of Buildings." The value of the buildings will be determined by careful examination of each building with appropriate consideration given to replacement cost and depreciation.

§ 1922.56 Appraisal review form.

Form FmHA 1922-13, "Reviewer's Appraisal Analysis," will be used to review RRH, RCH and LH appraisals involving more than two units.

§ 1922.57 State Appraiser/Trainer's responsibility.

The State Appraiser/Trainer will review a sufficient number of appraisals from each designated field appraiser's area of responsibility, including comparable properties used in the appraisal report, to satisfy themselves that accurate appraisals are being made. However, at least one appraisal review will be made for each designated field appraiser per year. The State Appraiser/Trainer will make this inspection review "on-the-ground" at the property in the presence of the designated appraiser who made the appraisal. More frequent reviews should be made for those appraisers whose quality of appraisal work indicates a need for additional training. The training will be given by the State Appraiser/Trainer to those designated field appraisers that need it. The State Director will make assignments for training in the areas of the State where needed. These assignments will be made on the basis of (a) appraisal reviews, (b) review of loan dockets by State Appraiser/Trainer and (c) the District Directors' reports.

§ 1922.58 Appraisal training.

Initial appraisal training should be provided for the designated field appraisers having limited experience in making appraisals. The appointed State

Appraiser/Trainers will provide training within each State, on at least an annual basis for all designated field appraisers. This annual training should, as much as possible, be coordinated with the training given the State Appraiser/Trainer by the National Office. It is also recommended that each State Director authorize the Appraiser/Trainer and the designated field appraisers to take the principles of appraising courses from the Society of Real Estate Appraisers (SREA), the American Institute of Real Estate Appraisers (AIREA), or other comparable courses, whenever they are provided within a reasonable distance from the appraiser's office. Outside appraisal courses are encouraged so that the expertise of the MFH appraisers will continue to improve. The instructions given in this subpart take precedence over all other instructions.

§ 1922.59-1922.100 [Reserved]

Exhibit A.—Guide for Appraisal of Energy Saving Measures, the "Value-in-Use" Approach

Introduction

This guide may be used for appraisal of energy saving measures or for estimating the impact of energy saving measures on market value.

The described methodology, indicated in this guide, is an adaptation of the procedure for Life Cycle Cost Analysis developed by the Department of Energy and published in 10 CFR Part 436. This methodology is applicable for use on those energy saving measures which have been approved by the State Director and/or are otherwise acceptable in accordance with Farmers Home Administration procedures and policy.

Definitions

Value-in-Use. The value of an economic good to its owner/user/investor based upon its expected productivity or savings.

Energy Saving Measure. Any device, equipment, material, process, construction method, system, structure or combination thereof that will result in a reduction of energy usage when compared to conventional energy related practice in the area of the project.

Conventional Energy Related Practice. Any device, equipment, material, process, construction method, system, structure or combination thereof as they relate to energy usage, that are common to a particular area and/or are required by local, State or federal regulations or standards.

Representative Structure. A building or facility similar in all ways to the proposed or existing building or facility with the exception that conventional energy related practice has been substituted for the proposed energy saving measures.

Economic Life. The period of time over which the energy saving measure may reasonably be expected to perform the function for which it was designed or intended without major renewal or overhaul.

Study Period. The period of time equal to the economic life of the energy saving measure of 25 years whichever is shorter.

Annual Energy Cost Savings. The difference in the first year cost of energy of the proposed or existing building or facility as compared to the energy cost of its representative structure. For the purpose of this methodology the cost of energy may be based upon the unit fuel cost applicable in the project area at the time of the appraisal.

Annual Operation and Maintenance Cost. The incremental cost to operate and maintain an energy saving measure as compared to the operation and maintenance costs of its representative structure.

Methodology

Worksheet A (below) may be used to organize the information and calculations of the Value-in-Use appraisal.

Step 1: Identify the energy saving measures.

Step 2: Identify the representative structure upon which energy cost savings, incremental construction cost and incremental operation and maintenance costs will be based.

Step 3: Determine the study period of the energy saving measure. (Item C on worksheet) The study period is equal to the economic life of the energy saving measure or 25 years, whichever is shorter.

In determining the economic life, consideration may be given to obsolescence, age, durability and reliability of components, cost and complexity of operation and maintenance procedures and the likelihood that the owner will carry out the necessary operation and maintenance or undertake necessary repairs. In this regard, the availability of qualified service personnel, spare parts and the quality of operation and maintenance manuals as well as warranties and long term service contracts may be considered.

Ordinary, energy saving measures which depend upon the operation of mechanical subsystems are not assigned a useful life greater than 15 years. Furthermore, of these systems, only durable, low maintenance, non-complex systems with well documented operations and maintenance procedures, located in areas having ready access to service personnel are assigned a useful life as high as 15 years.

If the study period of identified energy savings measures differ, the energy saving measures having similar study periods should be grouped together. Each of these groups will form the basis of a separate Value-in-Use computation. The composite Value-in-Use is simply the sum of the Value-in-Use computed for each of these groups.

Step 4: Determine the first year annual energy cost savings. (Item D on worksheet) This determination may be made from information provided by the proponent of the project, an energy auditor, the manufacturer/supplier of the energy saving measure or as determined by FmHA analysis of the proposed energy saving measures. If energy cost savings cannot be reasonably determined using accepted calculation procedures, or if the savings are otherwise indeterminable, the Value-in-Use methodology is not applicable. It may be

possible in some of these instances, however, to establish a minimum level for expected energy cost savings. This savings may be used in the Value-in-Use analysis. The annual energy cost savings may be increased by 10 percent for proposed or newly implemented energy saving measures to approximate the value of energy savings that may not be reflected in the current average price of fuel.

Step 5: Determine the annual operation and maintenance (O&M) cost of the energy saving measures as compared to the representative structure. (Item E on worksheet) These costs include service contracts, energy required to operate the energy saving measure (pumps, motors, blowers etc.), insurance, chemicals, minor repairs and/or replacement of components and other costs necessary to operate and maintain the energy saving measures. For the purpose of this method the total incremental operation and maintenance cost may be averaged over its study period without regard to the actual timing of the costs. Unless other information is available, the annual incremental O&M costs may be assumed equal to one (1) percent of the incremental construction cost of the energy saving measure as compared to its representative structure. Energy saving measures which have no mechanical subsystem operations may be assumed to have zero annual O&M cost unless other information indicates that another incremental cost is appropriate. If annual energy cost savings are increased by 10 percent as described in Step 4, then applicable energy related O&M costs should be similarly increased by 10 percent.

Step 6: Determine the inflation modified uniform present worth factor as it applies to the energy saving measure, from the applicable tables (B-1 through B-10) published by the Department of Energy in 10 CFR Part 436. (These tables will be kept current and supplied to the appraisers by the Architect or Engineer in each State.) These modified uniform present worth factors are based on a real rate of return of 7 percent and are adjusted for the relative price inflation of various fuels over a period of 25 years. They are tabulated for each Department of Energy Region and type of facility (Residential, Commercial or Industrial). (See Items D and E on worksheet.)

Step 7: Determine the uniform present worth factor for future annually recurring costs. (See Item E on worksheet) This factor is given in table A-2 of 10 CFR Part 436. (These tables will be provided by the State Architect and/or Engineer.) It is used in conjunction with the annual O&M costs determined in Step 5. Note: The O&M costs may contain a fuel use component. For the purpose of this methodology the simplifying assumption is made that use of the factor given in Table A-2 for non-fuel and for fuel related O&M costs would not significantly reduce the accuracy of the Value-in-Use determination. If fuel usage, however, is a significant portion of the O&M costs as determined by the appraiser, it may be shown separately under a second category of O&M expenses. (See Item E 2 of worksheet.)

The appropriate discount factor for fuel related O&M costs would then be found in the applicable table of Tables B-1 through B-10 for the type of fuel used in operation and/or maintenance activities.

Step 8: Compute the Value-in-Use following the steps shown in Worksheet A. (See Item F on worksheet)

Appraisal. (See Item G on worksheet)

The total estimated property value is determined by adding the computed Value-in-Use or the incremental construction cost of the energy saving measures (whichever is lower) to the estimated value of the representative structure.

Value-in-Use and Cost Effectiveness

In general, an energy saving measure(s) will be considered cost effective, from the point of view of Federal government investment, when the Value-in-Use is greater than the incremental construction cost of the energy saving measure. If the incremental construction cost exceeds the Value-in-Use, the energy saving measure may still be cost-effective when:

1. Salvage value of energy saving measures having economic lives greater than 25 years is significant; or
2. The economic life of the energy saving measure is greater than the economic life of the alternative conventional energy related practice.

In these instances, further analysis may be necessary to determine cost-effectiveness. In most instances, however, the Value-in-Use will be an acceptable estimate for the cost-effective limit of FmHA investments in energy saving measures.

WORKSHEET "A"

PROJECT: _____
 ADDRESS: _____

ENERGY SAVING MEASURES:
 (List)

- A. DEPARTMENT OF ENERGY (DOE) REGION _____
 B. TYPE OF FUEL SAVED _____
 C. STUDY PERIOD _____ (YEARS)

CALCULATION OF VALUE-IN-USE

| | <u>\$/YEAR</u> | | <u>PRESENT WORTH FACTOR (1)</u> | |
|---|----------------|--------------------|-------------------------------------|--|
| D. ANNUAL ENERGY COST SAVINGS | _____ | X | From Table B | = "V1" |
| E. INCREMENTAL ANNUAL O&M COSTS | | | | |
| E-1 GENERAL O&M | _____ | X | From Table A-2 | = "V2" |
| E-2 FUEL RELATED O&M (optional) | _____ | X | From Table B | = "V3" |
| Fuel Type: _____ | | | | |
| F. VALUE-IN-USE | = | "V1" - "V2" - "V3" | | = \$ _____ |
| G. INCREMENTAL CONSTRUCTION COST: | | | | \$ _____ |
| APPRAISAL OF ENERGY SAVING MEASURE (2): | | | | \$ _____ |

NOTES

- (1) Present Worth factors are published by the Department of Energy in 10 CFR Part 436, "Methodology and Procedures for Life Cycle Cost Analysis".
- (2) Lower of Line F or Line G.

Dated: October 22, 1982.

Charles W. Shuman,
Administrator, Farmers Home
Administration.

[FR Doc. 82-33581 Filed 12-8-82; 8:45 am]

BILLING CODE 3410-07-M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 238

Contracts With Transportation Lines; Addition of Arista International Airlines, Inc. and Arrow Airways, Inc.

AGENCY: Immigration and Naturalization
Service, Justice.

ACTION: Final rule.

SUMMARY: This rule adds Arista International Airlines, Inc. and Arrow Airways, Inc. to the list of carriers which have entered into agreements with the Service to guarantee the passage through the United States in immediate and continuous transit of aliens destined to foreign countries.

EFFECTIVE DATE: November 18, 1982.

FOR FURTHER INFORMATION CONTACT: Stanley J. Kieszkiel, Acting Instructions Officer, Immigration and Naturalization Service, 425 Eye Street, N.W., Washington, D.C. 20536; telephone (202) 633-3048.

SUPPLEMENTARY INFORMATION: This amendment to 8 CFR 238.3 is published pursuant to 5 U.S.C. 552. The Commissioner of Immigration and Naturalization Service entered into agreements with Arista International Airlines, Inc. and Arrow Airways, Inc. on November 18, 1982 to guarantee passage through the United States in immediate and continuous transit of aliens destined to foreign countries.

The agreements provide for the waiver of certain documentary requirements and facilitate the air travel of passengers on international flights while passing through the United States.

Compliance with 5 U.S.C. 553 as to notice of proposed rulemaking and delayed effective date is unnecessary because the amendment merely makes editorial changes to the listing of transportation lines.

In accordance with 5 U.S.C. 605(b), the Commissioner of Immigration and Naturalization certifies that the rule will not have a significant impact on a substantial number of small entities.

This order constitutes a notice to the public under 5 U.S.C. 552 and is not a

rule within the definition of section 1(a) of E.O. 12291.

List of Subjects in 8 CFR Part 238

Air carriers, Airlines, Aliens, Common carriers, Government contracts, Inspections, Transportation, Travel, Travel restriction, Treaties.

Accordingly, 8 CFR Part 238 is amended as follows:

PART 238—CONTRACTS WITH TRANSPORTATION LINES

§ 238.3 [Amended]

In § 238.3 Aliens in immediate and continuous transit, the listing of transportation lines in paragraph (b) *Signatory lines* is amended by:

1. Adding in alphabetical sequence, "Arista International Airlines, Inc.", and "Arrow Airways, Inc."

* * * * *

(Secs. 103, 66 Stat. 173 (8 U.S.C. 1103); 238, 66 Stat. 202 (8 U.S.C. 1228))

Dated: December 3, 1982.

Andrew J. Carmichael, Jr.,

Associate Commissioner Examinations,
Immigration and Naturalization Service.

[FR Doc. 82-33494 Filed 12-8-82; 8:45 am]

BILLING CODE 4410-10-M

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 92

[Docket No. 82-076]

Relief of Restrictions on Importation of Horses from Italy

AGENCY: Animal and Plant Health
Inspection Service, USDA.

ACTION: Interim rule.

SUMMARY: This document removes Italy from the list of countries from which or through which horses are prohibited importation into the United States because of contagious equine metritis (CEM). This action relieves restrictions now in effect which are no longer necessary to protect the livestock of the United States from such disease.

EFFECTIVE DATE: December 9, 1982.

Comments must be received on or before February 7, 1983.

ADDRESS: Written comments to Deputy Administrator, USDA, APHIS, VS, Room 728, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

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

All written submissions made pursuant to this interim rule will be

made available for public inspection at the Federal Building, 6505 Belcrest Road, Room 728, Hyattsville, Maryland, during regular hours of business (8 a.m. to 4:30 p.m., Monday to Friday, except holidays) in a manner convenient to the public business (7 CFR 1.27(b)).

FOR FURTHER INFORMATION CONTACT:

Dr. D. E. Herrick, USDA, APHIS, VS, Federal Building, Room 838, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8530.

SUPPLEMENTARY INFORMATION:

Executive Order 12291 and Emergency Action

This action has been reviewed in conformance with Executive Order 12291 and Secretary's Memorandum 1512-1, and has been determined to be not a "major rule." The Department has determined that this action will not have a significant annual effect on the economy, will not cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; and will not have any adverse effects on competition, employment investment, productivity, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

For this rulemaking action, the Office of Management and Budget has waived their review process required by Executive Order 12291.

Dr. G. P. Pierson, Acting Director, National Program Planning Staffs, VS, APHIS, USDA, has determined that an emergency situation exists which warrants publication without prior opportunity for a public comment period on this interim action. This amendment relieves restrictions presently imposed on the importation of horses into the United States from Italy, and should be made effective immediately in order to permit affected persons to import such horses without unnecessary restrictions.

Therefore, pursuant to the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to this emergency interim action are impracticable, unnecessary and contrary to the public interest, and good cause is found for making this emergency interim action effective less than 30 days after publication of this document in the *Federal Register*.

Comments have been solicited for 60 days after publication of this document, and this emergency interim action will be scheduled for review so that a final document discussing comments received

and any amendments required can be published in the *Federal Register* as soon as possible.

Certification Under the Regulatory Flexibility Act

Dr. Harry C. Mussman, Administrator of the Animal and Plant Health Inspection Service, has determined that this action will not have a significant economic impact on a substantial number of small entities. Approximately 50 horses per year were imported from Italy prior to the CEM restrictions.

Background

On September 9, 1977 (42 FR 45895, September 13, 1977) a prohibition was placed on the importation into the United States of certain horses from England, Ireland, and France and the importation into the United States of certain horses that have been in such countries within the 60 days immediately preceding their export to the United States because of the existence of CEM in such countries. On September 16, 1977 (42 FR 48327-48328, September 23, 1977), the prohibition was extended to include Australia and all of the United Kingdom (England, Scotland, Northern Ireland, Wales, and Isle of Man); on November 30, 1978 (43 FR 58876, December 5, 1978), it was extended to include Belgium and the Federal Republic of Germany; on October 5, 1979 (44 FR 58896-58897, October 12, 1979), it was extended to include Italy; on July 1, 1980 (45 FR 45888-45889, July 8, 1980), it was extended to include Japan; on July 14, 1981 (46 FR 37240-37241, July 20, 1981), it was extended to include Denmark; on August 31, 1981 (46 FR 43650-43651, August 31, 1981), it was extended to include Austria; and on November 3, 1982 (47 FR 50845-50846, November 10, 1982), it was extended to include Sweden.

On December 8, 1977 (42 FR 63384-63385, December 16, 1977) an amendment extended the specified period as a condition for entry of such horses which have been in countries infected with CEM listed under § 92.2(i) of Title 9, Code of Federal Regulations, from 60 days to 12 months. This action was taken to protect the livestock of the United States against the introduction and dissemination of CEM, a communicable disease of horses, into the United States.

There has been a request to review the status of Italy with respect to Contagious Equine Metritis (CEM). Such a review has been made and the following information was developed.

Italy was placed on the Department's list of CEM-affected countries after

officials in a third country advised the Department they found an infected Italian horse in their quarantine station. Although the Department accepted this as official information, the Italians disputed its accuracy. In fact, this Department has not found any direct or indirect evidence of CEM's existence in the national equine herd of Italy.

Representatives of the Department made a comprehensive on-site review in Italy. All available history about the Italian horse industry did not reveal information to substantiate the presence of CEM in Italy. These representatives have recommended to the Animal and Plant Health Inspection Service that its regulations be amended to remove Italy from the list of countries it designates as CEM-affected.

Since this Department has no other documented information showing that CEM in fact does exist in Italy, it has decided to change its classification of Italy from infected to free of CEM.

List of Subjects in 9 CFR Part 92

Animal diseases, Contagious equine metritis (CEM), Imports, Livestock and livestock products, Quarantine, Transportation.

PART 92—IMPORTATION OF CERTAIN ANIMALS AND POULTRY AND CERTAIN ANIMAL AND POULTRY PRODUCTS; INSPECTION AND OTHER REQUIREMENTS FOR CERTAIN MEANS OF CONVEYANCE AND SHIPPING CONTAINERS THEREON

Accordingly, Part 92, Title 9, Code of Federal Regulations, is amended by revising § 92.2(i)(1) to read as follows:

§ 92.2 General prohibitions; exceptions.

* * * * *

(i)(1) Except as provided in paragraph (i)(2) of this section notwithstanding the other provisions of this part concerning the importation of horses into the United States, the importation of all horses from the following listed countries and the importation of all horses which have been in any such country within the 12 months immediately preceding their export to the United States is prohibited because of the existence of CEM in such countries: Australia, Austria, Belgium, Denmark, Ireland, Japan, Federal Republic of Germany, France, Sweden, and the United Kingdom (England, Scotland, Northern Ireland, Wales and the Isle of Man).

* * * * *

(Sec. 2, 32 Stat. 792, as amended; secs. 4 and 11, 76 Stat. 130, 132 (21 U.S.C. 111, 134c, 134f); 37 FR 28464, 28477; 38 FR 19141)

Done at Washington, D.C., this 3rd day of December 1982.

K. R. Hook,

Acting Deputy Administrator, Veterinary Services.

[FR Doc. 82-33613 Filed 12-8-82; 8:45 am]

BILLING CODE 3410-34-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 82-ASO-50]

Designation of Federal Airways, Area Low Routes, Controlled Airspace, and Reporting Points; Alteration of Transition Area, Laurel, Mississippi

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment alters the Laurel, Mississippi, Transition Area by revoking an arrival extension which is predicated on the Laurel VOR facility. Effective February 17, 1983, the Laurel VOR will be decommissioned and the instrument approach procedure predicated upon it will be cancelled, thus negating the need for the arrival extension. A new instrument approach procedure, predicated on the Eaton VORTAC, will be established. This new procedure, which will afford lower weather minimums, will not require an arrival extension.

DATES: 0901 G.m.t., February 17, 1983. Comments must be received on or before January 17, 1983.

ADDRESSES: Send comments on the rule in triplicate to: Federal Aviation Administration, Attn: Manager, Airspace and Procedures Branch, ASO-530, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320. The official docket may be examined in the Office of the Regional Counsel, Room 652, 3400 Norman Berry Drive, East Point, Georgia 30344, telephone: (404) 763-7646.

FOR FURTHER INFORMATION CONTACT: Donald Ross, Airspace and Procedures Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 763-7646.

SUPPLEMENTARY INFORMATION:

Request for Comments on the Rule

Although this action is in the form of a final rule, which involves revocation of a transition area arrival extension which is no longer required, and, thus, was not preceded by notice and public

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

The Rule

The purpose of this amendment to § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is to revoke a transition area arrival extension which is predicated on the Laurel VOR which is to be decommissioned. Section 71.181 of Part 71 of the Federal Aviation Regulations was republished in Advisory Circular AC 70-3 dated January 29, 1982. Under the circumstances presented, the FAA concludes that there is a need for a regulation to revoke an unneeded arrival extension associated with the Laurel, Mississippi, transition area. Therefore, I find that notice of public procedure under 5 U.S.C. 553(b) is unnecessary as this action reduces the amount of controlled airspace in the vicinity of Laurel, Mississippi, and that good cause exists for making this amendment effective in less than 60 days after its publication in the *Federal Register*.

List of Subject in 14 CFR Part 71

Aviation safety, Airspace, Transition area.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) (as amended) is further amended, effective 0901 G.m.t., February 17, 1983, as follows:

Laurel Hesler-Noble Field, MS [Revised]

By deleting the words, " * * * northwest of the RBN; within 3 miles each side of Laurel VOR 325° radial, extending from the 7-mile radius area to 8.5 miles northwest of the VOR * * * ", and substituting for them the words, " * * * northwest of the RBN * * * ",

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

Note.—The FAA has determined that this regulation only involves an established body

of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in East Point, Georgia, on November 30, 1982.

George R. LaCaille,
Acting Director, Southern Region.

[FR Doc. 82-33333 Filed 12-8-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 73

[Airspace Docket No. 82-AWA-21]

Special Use Airspace; Amendment to Prohibited Area P-66 Rancho del Cielo, Goletta, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This action amends the description of the prohibited airspace over the residence of the President of the United States for the purpose of enhanced security. The vertical dimension of this previously established prohibited area is amended from 3,500 feet MSL to 4,000 feet MSL. Aircraft flight is prohibited within this designated area.

DATES: Effective date December 9, 1982. Comments must be received on or before January 10, 1983.

ADDRESSES: Send comments on the rule in triplicate to: Director, FAA Western-Pacific Region, Attention: Manager, Air Traffic Division, Docket No. 82-AWA-21, Federal Aviation Administration, 15000 Aviation Boulevard, P.O. Box 92007, Worldway Postal Center, Los Angeles, CA 90009.

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

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

FOR FURTHER INFORMATION CONTACT: Bill Hill, Airspace Regulations and

Obstructions Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-8783.

SUPPLEMENTARY INFORMATION:

Request for Comments on the Rule

Although this action is in the form of a final rule, which involves flight restrictions immediately affecting the security of the President of the United States and, thus, was not preceded by notice and public procedure, comments are invited on the rule. When the comment period ends, the FAA will use the comments submitted, together with other available information, to review the regulation. After the review, if the FAA finds that changes are appropriate, it will initiate rulemaking proceedings to amend the regulation. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule and determining whether additional rulemaking is needed.

The Rule

The purpose of this amendment to § 73.93 of Part 73 of the Federal Aviation Regulations (14 CFR Part 73) is to amend the vertical dimension of the prohibited area established over the residence of the President of the United States on January 20, 1981. The United States Secret Service has determined there is an immediate need to raise the ceiling of the prohibited area from 3,500 feet MSL to 4,000 feet MSL to enhance the level of security provided the President.

Section 73.93 of Part 73 of the Federal Aviation Regulations was republished in Advisory Circular AC 70-3 dated January 29, 1982.

Under the circumstances presented, the FAA concludes that there is an immediate need for a regulation to amend the ceiling of Prohibited Area P-66 from 3,500 feet MSL to 4,000 feet MSL. Therefore, I find that notice or public procedure under 5 U.S.C. 553(b) is contrary to the public interest and that good cause exists for making this amendment effective upon publication in the *Federal Register*.

List of Subjects in 14 CFR Part 73

Prohibited areas.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 73.93 of Part 73 of the Federal Aviation Regulations (14 CFR Part 73) as amended (46 FR 23048), is

further amended, effective 0901 G.m.t., December 9, 1982 as follows:

P-66 Rancho del Cielo, Goletta, CA
[Amended]

By deleting the words "Surface to 3,500 feet MSL." and substituting for them the words "Surface to 4,000 feet MSL."

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

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

Issued in Washington, D.C., on December 1, 1982.

John W. Baier,

Manager, Airspace and Air Traffic Rules
Division.

[FR Doc. 82-33334 Filed 12-8-82; 8:45 am]

BILLING CODE 4910-13-M

Coast Guard

33 CFR Part 165

[COTP Hampton Roads, VA; Regulation
CCGD5-82-27P]

Safety Zone Regulations; Croatan Sound, North Carolina

AGENCY: Coast Guard, DOT.

ACTION: Emergency rule.

SUMMARY: The Coast Guard is establishing a safety zone in Croatan Sound, North Carolina, in the vicinity of the US-64 bridge. The zone is established to prevent further damage to and the possible collapse of the US-64 bridge which was severely damaged by a collision with a tug and tow on 5 November 1982. Entry into this zone is prohibited except as otherwise stated.

EFFECTIVE DATE: This regulation becomes effective on November 11, 1982. It terminates when repairs to the US-64 bridge are completed on February 1, 1983, whichever occurs first.

FOR FURTHER INFORMATION CONTACT: LCDR Wayne K. SIX, Port Operations Department, U.S. Coast Guard Marine Safety Office Hampton Roads, Norfolk Federal Building, 200 Granby Mall,

Norfolk, VA 23510, Tel: (804)441-3314,
FTS 827-3314.

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking was not published for this regulation and it is being made effective in less than 30 days after Federal Register publication. Publishing a NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to safeguard the bridge, watercraft, and their occupants.

Drafting Information: The principal person involved in the drafting of this rule is LCDR Wayne K. SIX, project officer for the Captain of the Port.

Discussion of the Rule: To prevent possible damage to watercraft, their occupants, and the US-64 bridge, no watercraft will be permitted to enter, remain in, moor in, or transit this safety zone unless specifically authorized by the Captain of the Port, Hampton Roads, Virginia. This action is necessary due to the heavy damage sustained by the bridge in a collision with a tug and tow. The sustained damage is of such a degree that another collision or excessive wake may cause the failure of the entire bridge structure. This rule is in response to a request by the North Carolina Department of Highways for Coast Guard assistance in precluding vessels from transiting the area.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

SUPPLEMENTARY INFORMATION:

PART 165—[AMENDED]

In consideration of the foregoing, Part 165 of Title 33, Code of Federal Regulations, is amended by adding a new § 165.511 to read as follows:

§ 165.511 Safety Zone: Croatan Sound, North Carolina.

(a) *Location.* The following area is a safety zone: The water under and one hundred yards on either side of the US-64 bridge over the Croatan Sound.

(b) *Regulation.* No person may enter or operate any tug and tow within this zone. No person may enter or operate any vessel through the channel span, or the two adjacent spans within this zone.

(33 U.S.C. 1225 and 1231; 49 CFR 1.46(n)(4); and 33 CFR 165.3)

Dated: November 11, 1982.

J. D. Webb,

Captain, Coast Guard, Captain of the Port,
Hampton Roads.

[FR Doc. 82-33531 Filed 12-8-82; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

Perry's Victory and International Peace Memorial, Ohio; Snowmobile Regulations

AGENCY: National Park Service, Interior.

ACTION: Final rule.

SUMMARY: On March 1, 1982, the National Park Service, Department of the Interior, published in the Federal Register (47 FR 6805) a proposed rule to designate those locations within the Perry's Victory and International Peace Memorial where snowmobiles may be used for recreation purposes. This is that portion of land between State Route 357 and the seawall marking the northern boundary of the Monument. This proposal was made available for public review and comment for a period of thirty (30) days following publication in the Federal Register and ending on March 31, 1982. Comments received consideration during preparation of the final rule. As a result of this rulemaking process, a final regulation is published to provide for the preservation and enjoyment of the park in a way that is consistent with both the snowmobile policy of the National Park Service and the off-road vehicle policy of the Department of the Interior.

EFFECTIVE DATE: January 10, 1983.

FOR FURTHER INFORMATION CONTACT: Harry C. Myers, Superintendent, Perry's Victory and International Peace Memorial, P.O. Box 78, Put-in-Bay, Ohio 43456; telephone (419) 285-2184.

SUPPLEMENTARY INFORMATION:

Background

Executive Order 11644 (Use of Off-Road Vehicles on Public Lands), issued on February 9, 1972, 37 FR 3877, directed Federal land managing agencies to develop unified regulations and to designate areas of use for off-road vehicles. Such areas must meet criteria which minimize resource damage, harassment of wildlife, disruption of wildlife habitat, and in the case of national parks, not adversely affect scenic, natural, and aesthetic values. In response to Executive Order 11644 (Use of Off-Road Vehicles on Public Lands) the Secretary of the Interior issued a Departmental memorandum of May 5, 1972, to assure full compliance with the Order and to provide policies and procedures for its implementation. The National Park Service, as required by the above directive, promulgated 36 CFR

2.34 on April 1, 1974, which closed all National Park System areas to snowmobile use except those specifically designated as open by Federal Register notice of special regulation.

In order to comply with the requirements of Executive Order 11644 and 36 CFR 2.34, the National Park Service developed a Servicewide policy revision which was published in the Federal Register on August 13, 1979 (44 FR 47412). This policy provides for the use of snowmobiles in units of the National Park System as a mode of transportation to provide the opportunity for the visitors to see, sense, and enjoy the special qualities of the park in winter; natural, cultural, scenic, and aesthetic values; safety considerations; park management objectives; and not disturb the wildlife or damage other park resources.

The policy further provides that, where permitted, snowmobiles shall be confined to properly designated routes and water surfaces which are used by motorized vehicles or motorboats during the other seasons. Routes and water surfaces to be designated for snowmobile use shall be promulgated as special regulation in the Code of Federal Regulations. This regulation is necessary to comply with Servicewide policy. Its promulgation also responds to public interest in additional recreational opportunities within a portion of Perry's Victory and International Peace Memorial when weather conditions are such that snow is on the ground. The designated permitted area of snowmobile use will be that portion of land situated between State Route 357 and the seawall which designates the north boundary of the Memorial. This route will extend from the extreme northeast corner of the boundary to the middle of the intersection of State Route 357 and Toledo Avenue. Snowmobile use on roads will be in accordance with State of Ohio laws.

Public Participation

The policy of the National Park Service is, whenever practicable, to afford the public opportunity to participate in the rulemaking process. Accordingly, a news release was distributed on March 12, 1982, to over 115 local newspapers, radio and television stations, and individuals inviting their comments on the proposed rule.

During the thirty (30) day public review period, the National Park Service received only one written comment. It was from a national organization and was in favor of the proposal. Consequently, the rule published here is

the same as the one proposed on March 1, 1982.

Paperwork Reduction Act

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

Compliance With Other Laws

Pursuant to the National Environmental Policy Act, 43 U.S.C. 4332, the Service has prepared an Environmental Assessment. Copies of the Environmental Assessment and the Finding of No Significant Impact are available for public review in the Office of the Park Superintendent.

The Department of the Interior has determined that this document is not a "major rule" under Executive Order 12291, and certifies that this document would not have a "significant economic effect on a substantial number of small entities," under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Use of the park for snowmobiling is expected to be local, thus representing a small number of individuals. No substantial costs are expected to result for small entities, though a slight positive effect on local business associated with snowmobiling is anticipated.

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

List of Subjects in 36 CFR Part 7

National parks.

PART 7—SPECIAL REGULATIONS AREAS OF THE NATIONAL PARK SERVICE

In consideration of the foregoing, Part 7 of Title 36 of the Code of Federal Regulations is amended by the addition of § 7.31 as follows:

§ 7.31 Perry's Victory and International Peace Memorial.

Snowmobiles. After consideration of existing special situations, i.e., depth of snow, and depending on local weather conditions, the superintendent may permit the use of snowmobiles on that portion of land situated between State Route 357 and the seawall which designates the north boundary of the Memorial. This route will extend from the extreme northeast corner of the boundary to the middle of the intersection of State Route 357 and Toledo Avenue.

Dated: November 5, 1982.

J. Craig Potter,
Acting Assistant Secretary for Fish and
Wildlife and Parks.

[FR Doc. 82-33395 Filed 12-8-82; 8:45 am]

BILLING CODE 4310-70-M

POSTAL RATE COMMISSION

39 CFR Part 3001

[Docket No. RM83-1; Order No. 466]

Order Amending Rules of Practice and Procedure

December 2, 1982.

AGENCY: Postal Rate Commission.

ACTION: Final rule; formal procedures for handling information.

SUMMARY: This rule is a response to Recommendation 82-1 adopted by the Administrative Conference of the United States, on the nature and scope of exemption (b)(4) of the Freedom of Information Act, 5 U.S.C. 552 (FOIA). It is intended to supplement 39 CFR 3001.42(c), the Commission's existing procedures regarding requests under FOIA. This rule establishes formal procedures for handling information which may fall within exemption 5 U.S.C. 552(b)(4) as part of the Commission's internal practices.

EFFECTIVE DATE: This rule is effective December 9, 1982.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, Assistant General Counsel, 2000 L Street, NW., Washington, D.C. 20268 (telephone: 202/254-3836).

SUPPLEMENTARY INFORMATION: On October 22, 1982, the Commission published a Notice of Proposed Rulemaking regarding new rule 39 CFR 3001.42a to provide procedures for requests for information which may fall within exemption (b)(4) of FOIA. The Commission solicited comments until November 26, 1982. Only one party, the Postal Service, submitted comments. The Service supports the addition of proposed section 42a to the Commission's Rules of Practice and Procedure. Additionally, it suggests a change in rule 31a, which covers *in camera* procedures in formal Commission proceedings.

It suggests that protections similar to those contained in the proposed rule be provided for *in camera* documents. We believe that the procedures for *in camera* materials currently provide adequate protection; for instance, parties to Commission proceedings receive copies of all documents served.

Therefore, parties would receive notice of a request for documents, and could provide explanations which would defend or refute that request. Consequently, we adhere to our position that the new FOIA rule need apply only to those documents generated outside proceedings under the Commission's rules of practice.

The Postal Service suggests that the last line of Rule 31a(c) be deleted, to ensure protection for *in camera* documents. This sentence provides that,

The Commission, on its own motion without notice to any affected party, may make *in camera* documents and testimony available for inspection, copying, or use by any other governmental agency.

The Postal Service states that government agencies "should not be in a more favorable position than other intervenors." Postal Service Comments at 2. We find that while the Service has presented an interesting proposal, it need not be decided in the instant proceeding. We believe that the Postal Service's proposal is separable, on the basis of its subject matter, from the proposed rule. Accordingly, rather than make an additional change which would require re-noticing of 39 CFR 3001.42a, we adopt that rule without change. We will consider the Service's proposal and expect to take appropriate action at an early date.

List of Subjects in 39 CFR Part 3001

Administrative practice and procedure, Freedom of Information.

PART 3001—RULES OF PRACTICE AND PROCEDURE

Accordingly, under the authority of 39 U.S.C. 3603, we hereby amend Title 39 of the Code of Federal Regulations, Part 3001, by adding the following new section:

§ 3001.42a Protection of trade secrets and commercial or financial information.

This section describes the procedures for evaluating Freedom of Information Act requests for information provided to the Commission by a submitter who believes it to be exempted from disclosure by 5 U.S.C. 552(b)(4). Protection of information made available pursuant to proceedings subject to these rules, 39 CFR Part 3001, including information provided pursuant to that subpart requiring the filing of periodic reports, is provided upon request to the Commission as described in rule 3001.31(a). Other information submitted to the Commission which the submitter believes to be a trade secret or commercial or financial information privileged or confidential and thereby

exempt from Freedom of Information Act disclosure under 5 U.S.C. 552(b)(4), should be accompanied by a brief written statement of why that material is exempt. When a request pursuant to rule § 3001.42(c) is made for information so designated, the Secretary promptly will notify the submitter, and provide an opportunity for filing an additional explanation of why the material should not be disclosed prior to decision on that request.

By the Commission.

Cyril J. Pittack,

Acting Secretary.

[FR Doc. 82-33392 Filed 12-9-82; 8:45 am]

BILLING CODE 7715-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[Docket No.—AW009WV; A—3—FRL 2252-1]

Approvals of Revision of the West Virginia State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This notice announces the Administrator's approval of a revision of the West Virginia State Implementation Plan (SIP). This revision, in the form of a State Consent Order, incorporates an alternate emission reduction plan or "bubble" for the Weirton Steel Division plant of the National Steel Corporation in Weirton, West Virginia. This plan consists of a program to control particulate matter emissions from roads and parking lots at the plant, in lieu of controlling fugitive process emissions from the Blast Furnace Cast Houses, the Basic Oxygen Furnace Shop Roof Monitor, the Sinter Plant Cooler and the Blooming Mill Machine Scarfing Operation. The plan satisfies the criteria in the Emission Trading Policy Statement (47 FR 15076).

EPA finds good cause in making this action effective immediately so the alternate control plan can proceed to achieve the emission reduction in particulate matter expeditiously.

EFFECTIVE DATE: December 9, 1982.

ADDRESSES: Copies of the revision and associated support material are available for public inspection during normal business hours at the following locations:

U.S. Environmental Protection Agency,
Air Programs & Energy Branch, Curtis
Building, 6th & Walnut Streets,

Philadelphia, PA 19106, ATTN:
Patricia Gaughan
West Virginia Air Pollution Control
Commission, 1558 Washington Street,
East, Charleston, WV 25311, ATTN:
Carl G. Beard, II
Public Information Reference Unit,
Room 2922, EPA Library, U.S.
Environmental Protection Agency, 401
M Street, S.W., Washington, D.C.
20460
The Office of the Federal Register, 1100
L Street N.W., Room 8401,
Washington, DC 20408

FOR FURTHER INFORMATION CONTACT:
Edward A. Vollberg (3AW13), at the
EPA, Region III address listed above or
by phone at 215/597-8990.

SUPPLEMENTARY INFORMATION: West Virginia has proposed an alternate emission control program (bubble) for the Weirton Division Steel Mill of the National Steel Corporation. The bubble, is in the form of a State Consent Order, and has been designed in accordance with EPA's Emission Trading Policy Statement, an interim guidance document published on April 7, 1982 (47 FR 15076). All written comments submitted to EPA, have been considered by EPA in making a final determination on the approvability of the plan. The nature of each comment and EPA's response are discussed below.

I. Background

On July 2, 1982, the West Virginia Air Pollution Control Commission (the Commission) held a public hearing on the consent order which detailed the "bubble" for the Weirton, WV plant of Weirton Steel Division, National Steel Corporation. The order was submitted by the Commission on July 6, 1982 as a revision to the State Implementation Plan (SIP). EPA proposed approval of the revision in the **Federal Register** on September 7, 1982 (47 FR 39202). Those wishing a complete description of the bubble are referred to the proposal notice.

II. Description of Plan

In summary, the consent order details a plan for controlling particulate matter emissions from the plant roads and parking lots in lieu of controlling fugitive process emissions from the Blast Furnace Cast Houses, the Basic Oxygen Furnace Shop Roof Monitor, the Sinter Plant Cooler and the Blooming Mill Machine Scarfing Operation. The controlled emission limits, representative of RACT, would require that the current emissions of 2120 tons/year of particulate matter from these process sources not exceed 301 tons/year for a net difference of 1819 tons/

year. The bubble would replace this 1819 tons/year of required emissions reductions with 2,659 tons/year of emissions reductions through control of the non-process fugitive dust emissions from plant roads and parking lots. These road dust emissions currently total 3,191 tons/year of particulate matter. The Order establishes a control program containing specific, enforceable measures which will reduce these emissions to a level of 532 tons/year of particulate matter. The bubble will therefore result in reduction of 840 tons/year over current required levels.

This additional reduction of 840 tons/year is required by this SIP revision as part of this bubble and is not available for future emissions trade. The Company has provided information which indicates a saving in pollution control costs of approximately \$30 million due to implementing the bubble.

III. SIP Demonstration

On August 14, 1980, and March 16, 1982, EPA approved with certain conditions, the Part D plan for the Weirton area, which demonstrates attainment of the TSP standards (45 FR 54042 and 47 FR 11280). Further, on August 20, 1982, EPA published a notice of findings of the Interregional TSP Study for the AQCR. (47 FR 36449). (See "Rationale Document for the Weirton Bubble", available for inspection at the Region III address above). On this basis then, the baseline for the emissions reductions to be traded must be consistent with the assumptions in the SIP (Emission Trading Policy Statement, 47 FR 15077, April 7, 1982). No new emission reductions from road dust were assumed to occur and therefore no credit for such reductions was taken in the Part D plan demonstration for the Weirton area. The baseline for the road dust emissions for the bubble then is the current actual emissions from the roads. The Regulation VII (as adopted by the Commission August 11, 1982) emission limitations for the four process operations have been determined to represent RACT.

IV. Ambient Impact

According to the Emissions Trading Policy Statement (47 FR 15078, April 7, 1982) the alternative emissions limitations must be at least as effective, as the approved SIP limitations where an approved Part D plan exists, or RACT where there is not an approved SIP, in terms of ambient impact.

EPA has examined the impact of the proposed bubble on levels of total suspended particulates (TSP) using diffusion modeling. EPA utilized a model acceptable in this situation for

comparing annual average concentrations of TSP and applied it conservatively to estimate the change in ambient impacts resulting from the bubble proposal. EPA found an improvement in annual average TSP levels at each receptor site, as compared to the current emission limits under the Consent Decree.

In the proposed rule, EPA noted that modeling short term impacts is difficult for this situation, i.e., a complex source in complex terrain where particulate deposition is of critical concern. EPA explored various techniques for performing the necessary Level II analysis. A conservative screening analysis was constructed based upon the diffusion algorithm used for the long term modeling. As noted in the proposed rule (47 FR 39203, September 7, 1982), the analysis confirmed that for the short term (24 hour) averaging time ambient equivalence is provided by the alternative plan. In addition, to determine the air quality effectiveness of the proposed emission trade, EPA is requiring extensive ambient air quality monitoring including the collection of on-site meteorological data.

V. Public Comments

This section describes the comments EPA has received on the Weirton "bubble" proposed rulemaking (47 FR 39202, September 7, 1982) and gives EPA's responses to those comments.

EPA received six (6) comments as a result of the proposal. Five of these supported the approval of the bubble. The State of Ohio Environmental Protection Agency (Ohio EPA) objected to the approval of the bubble. These comments and EPA's responses are given below.

1. The bubble approval was endorsed by the Board of County Commissioners for Jefferson County, Ohio, the Mayor of the City of Steubenville, Ohio on behalf of that City, the Mayor of the City of Weirton, West Virginia on behalf of that City, the President of the Independent Steel Workers Union on behalf of the Union and the Governor of the State of West Virginia on behalf of that State. EPA has noted these endorsements and urgings for expeditious final action.

2. *The State of Ohio EPA Comments.* The Ohio EPA objected to the bubble proposal on the basis of the demonstration of attainment in the West Virginia portion of the Steubenville-Weirton-Wheeling Interstate Air Quality Control Region (AQCR), and therefore included a copy of their comments submitted on September 17, 1982 in response to the Federal Register notice published August 20, 1982 (47 FR 36449) concerning the control strategy

demonstration. Since that notice (August 20, 1982) was not a rulemaking and because Ohio EPA was the only commenter and submitted the same comments with respect to the Weirton bubble rulemaking, EPA is responding to the comment in this notice only.

Concerning the bubble, the Ohio EPA stated in part,

"* * * If approved, the "bubble" would allow Weirton to substitute controls on non-traditional fugitive dust sources, such as roads, for controls on primary and secondary process fugitive sources such as Blast Furnace Cast Houses, Basic Oxygen Furnace roof monitor, the Sinter Plant Cooler and the Blooming Mill Machine Scarfing Operation.

It is obvious that this proposal is tied very closely to the August 20, 1982, proposal (47 FR 36449) in which it was "determined" that this area would attain the primary National Ambient Air Quality Standards for Total Suspended Particulates by December 31, 1982."

Ohio EPA objected to the methodology of the "Interregional TSP study for the Steubenville-Weirton-Wheeling Interstate Air Quality Control Region". Particularly, it points out the objection to the use of the "Pace Equation" as the most important. The comment goes on to state,

"* * * A decision to approve such a study as an attainment demonstration, in addition to being unwarranted, institutes an unfair competitive advantage to sources in the West Virginia portion of this air basin. This area is clearly one of concern due to its industry and extreme topography."

Further, Ohio expressed the opinion that

"It is obvious from visual inspection of this area that similar problems exist on both sides of the Ohio River."

Response: The Part D plan demonstration of attainment of the TSP standards for the Steubenville-Weirton-Wheeling AQCR was based upon proportional rollback. (See 36 FR 15489, August 14, 1971.) The rollback demonstration was in accordance with EPA regulations and no alternate analysis was available at the time. In the preamble of the final rule (45 FR 54047, August 14, 1980) EPA approved the demonstration of attainment, conditional upon submittal of state regulations, unrelated to this issue, but noted the limitations of this technique and stated that a consultant under contract to EPA was performing a study. The study, titled "Interregional TSP Study for the Steubenville-Weirton - Wheeling Interstate Air Quality Control

Region examined the source-receptor relationships for the entire AQCR.

In evaluating the bubble for Weirton Steel it became necessary to analyze the study and the attainment demonstration. This review revealed that the study results in relation to the attainment demonstration had not been announced, which led to the August 20, 1982 Federal Register Notice (47 FR 36449). The above comment refers to the study as an attainment demonstration. This is not the case. The study, as well as the latest emission inventory, (submitted September 3, 1982 and October 27, 1982) representing the application of the emission limitations of West Virginia Regulation VII adopted August 11, 1982, reflecting RACT on the iron and steel industry were analyzed by EPA and the State of West Virginia. The review of these emission reductions and the source-receptor relationships found in the study did not reveal any data which would support a disapproval of the attainment demonstration as modified by the updated emission inventory (September 3, 1982, and October 27, 1982 submittals).

Interested parties are directed to the "Rationale Document for the Weirton Bubble" for a complete and detailed description of the above discussed SIP Demonstration analysis.

As to the Ohio EPA objection to the use of the "Pace Equation" (a technique of analyzing the source receptor relationships) in the inter-regional TSP study, however, Ohio did not support the use of diffusion modeling (another technique for analyzing these relationships) during the contract effort. There is therefore no modeled impact on local air quality available for the Ohio sources. Limited modeling was performed for the West Virginia sources as part of a separate EPA Region III work task to the contractor.

EPA believes use of the "Pace Equation" together with filter analysis results and the study data is the best way to account for individual source impacts.

Therefore, EPA has concluded that the valley wide impacts determined in the study are the best indicators of the source impacts in West Virginia since it includes the West Virginia diffusion modeling results, the "Pace Equation" and the results of extensive filter analysis.

Finally, in addressing the position that use of the study results create an unfair competitive advantage and inequitable situation since different levels of control would be needed in Ohio and West Virginia, it must be recognized that differences exist. The comment assertion follows from the statement, "It

is obvious from visible inspection of this area that similar problems exist on both sides of the Ohio River". Although, to some extent, the nature of the sources of air pollution on both sides of the River is similar, the TSP study revealed that most of the emission points have a localized effect, resulting in impacts relatively close to the source. Additionally, visual inspection of the Valley fails to reveal the difference in monitored air quality on the two sides of the river. In general, the Ohio monitored values are higher than the West Virginia values. The fugitive emissions and road dust emissions will have their greatest impacts on the side of the River where they are generated. Therefore, these types of emissions generally would not have a substantial air quality impact after they cross the river. Analysis of the emission inventory indicates that as of 1977, the emissions (in tons/year) in the Ohio portion of the Valley was substantially larger than the emissions in the West Virginia portion. Reviewing the above discussion reveals information which does not support the supposition that there are similar problems on both sides of the river, hence the claim of "inequitable" treatment is not supported. The differences in monitored air quality indicates the differences in needed control.

In conclusion, EPA does not find a need to disapprove the demonstration of attainment as modified by our analysis for the West Virginia portion of Steubenville-Weirton-Wheeling Interstate AQCR and hence this is not an obstacle to the Weirton bubble.

VI. Policy Issues

This bubble has been evaluated under the principles of the interim guidance, Emission Trading Policy Statement (47 FR 15076, April 7, 1982).

VII. EPA Evaluation

EPA has reviewed the bubble proposal and has concluded that it satisfies the requirements of the interim guidance, Emission Trading Policy Statement (47 FR 15076, April 7, 1982).

The Order implementing the bubble is for a period of three years; however, if the monitoring program or other information available to EPA indicates that the program is not being effective, EPA can call for a plan revision under the authority of Section 110(a)(2)(H) of the Clean Air Act. At the end of the three year period, unless the State submits a new or extended order as a new revision, the effected sources will be covered by the applicable requirements of the West Virginia State Implementation Plan.

The Order contains a provision whereby the State and the Company will request a revision of the current Federal Consent Decree to reflect the bubble. The current Decree prohibits such an action from being undertaken until judicial review of EPA's approval of the bubble has been completed or foreclosed.

For a full description of EPA's analysis of the bubble, interested parties are directed to the technical support in the "Rationale Document for the Weirton Bubble", available for inspection at the above listed EPA Region III address.

Further, the consent order submitted by the State of West Virginia meets the procedural requirements of Section 110(a)(2) of the Clean Air Act and Part 51 of Title 40 of the Code of Federal Regulations.

VIII. Final Action

In view of this evaluation, the Administrator approves the Weirton bubble consent order as a revision of the West Virginia State Implementation Plan. As a result of EPA's decision to approve this revision to the West Virginia Implementation Plan, 40 CFR 52.2520 (Identification of Plan) and § 52.2522 (Approval Status) are being revised as shown below. This approval action is effective immediately. EPA finds that good cause exists for making this action effective immediately so that the alternate emission control plan can proceed to achieve the reduction of particulate matter emissions expeditiously and in a less costly manner.

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

Under Section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by February 7, 1983. This action may not be challenged later in proceedings to enforce its requirements. (See sec. 307(b)(2).)

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

Dated: December 3, 1982.

Anne M. Gorsuch,
Administrator.

Note.—Incorporation by Reference of the State Implementation Plan for the State of

West Virginia was approved by the Director of the Federal Register on July 1, 1982.

PART 52—[AMENDED]

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

Subpart XX—West Virginia

1. In § 52.2520, Identification of Plan, is amended by adding paragraph (c)(19).

§ 52.2520 Identification of plan.

(c) * * *

(19) Consent Order dated July 6, 1982 between National Steel Corporation, Weirton Steel Division and the West Virginia Air Pollution Control Commission submitted on July 6, 1982 by Mr. Donald R. Richardson providing for an alternate emission control plan (bubble) for the Weirton, West Virginia steel mill.

2. In § 52.2522, Approval Status, paragraph (a) is added to read as follows:

§ 52.2522 Approval status.

* * * * *

(a) The Consent Order submitted July 6, 1982 by the West Virginia Air Pollution Control Commission for the Weirton, WV plant of National Steel Corporation is approved for a period of three years to July 6, 1985 at which time the affected sources will have to comply with the applicable West Virginia State Implementation Plan requirements.

* * * * *

(42 U.S.C. 7401-7642)

[FR Doc. 82-33536 Filed 12-8-82; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 195

[Amdt. No. 195-25, Docket No. PS-75]

Transportation of Hazardous Liquids by Pipeline Weld Filler Metal

AGENCY: Materials Transportation Bureau (MTB), RSPA, DOT.

ACTION: Final rule.

SUMMARY: Section 195.220 requires that weld filler metal be as strong as the strongest piece of metal being welded. This requirement is ambiguous and redundant and is, therefore, deleted with no effect on pipeline safety.

EFFECTIVE DATE: January 10, 1983.

FOR FURTHER INFORMATION CONTACT:

F. S. Robinson, 202-426-2392.

ADDRESS: Copies of this final rule may be obtained from the Dockets Branch, Room 8426, Materials Transportation Bureau, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, D.C. 20590.

SUPPLEMENTARY INFORMATION: As part of its program to review existing regulations and eliminate those that are unnecessary for safety, MTB has reviewed § 195.220. Section 195.220 requires that "Filler metal must be at least equal in strength to the highest specified minimum yield strength of the pieces being welded and must fuse the pieces together." The review shows that this rule is ambiguous and redundant.

The rule is ambiguous because the term "filler metal," or the fusible material used in welding, may refer either to the material as it exists before welding (i.e., the welding rod) or the material after welding (i.e., the completed weld). The regulatory record (Docket No. HM-6) does not clarify the intended meaning. However, welding procedure qualification tests in common usage when § 195.220 was adopted included tests for weld tensile strength rather than for strength of the filler metal before welding. For this reason, MTB believes that the intent of the rule is to assure adequate tensile strength of completed welds.

Based on the assumption that § 195.220 regulates filler metal before usage, the American Petroleum Institute (API) petitioned the MTB (Docket P-19) on May 25, 1982, to delete the filler metal requirement. API argued that the requirement is unnecessary because under § 195.214(b), welding must be in accordance with a written procedure that has been tested to produce sound, ductile welds, and this procedure would have to specify the type of filler metal to be used. The essence of API's argument—that no additional safety in regard to filler metal is provided by § 195.220—was also the basis for not including a similar rule in Part 192 for gas pipelines. A requirement similar to § 195.220 was proposed for gas pipelines (Notice 70-1, 35 FR 112, January 28, 1970), but was rejected in the final rule document (35 FR 13248, August 19, 1970). The reason stated was "Since each welding procedure contains detailed requirements for filler metal, it is not necessary to have a separate requirement in these regulations."

If, as MTB believes, § 195.220 regulates the proper strength of completed welds, this objective also is

satisfied by compliance with § 195.214(b). To meet the performance criteria of this standard, it is common practice (namely, Section 2 of API Specification 1104, "Standard for Welding Pipelines and Related Facilities") to conduct tensile tests to assure that welding procedures will produce completed welds at least as strong as the design strength of the material being welded. Also, Part 195 prescribes other standards pertaining to welding (e.g., § 195.222) and pressure testing (Subpart E) that assure the strength of completed welds.

Therefore, because § 195.214(b) requires a written welding procedure incorporating the type of filler metal to be used and because the strength of completed welds is sufficiently regulated by § 195.214(b) and other applicable Part 195 requirements, MTB finds that § 195.220 is unnecessary for the safety of hazardous liquid pipelines.

Because a requirement similar to that of § 195.220 has been considered for gas pipelines and rejected with notice and public procedure, and the § 195.220 requirement is redundant with other Part 195 standards, good cause exists for finding that a notice of proposed rulemaking is unnecessary. Therefore, a final rule on this matter may be issued under 5 U.S.C. 553.

Since this final rule will have a positive effect on the economy of less than \$100 million a year, will result in a cost savings to consumers, industry, and government agencies, and no adverse effects are anticipated, the action is not "major" under Executive Order 12291 or "significant" under Department of Transportation procedures. Further, the available information indicates that the impact of this action is so slight that a Regulatory Evaluation to assess costs and benefits is unwarranted.

List of Subjects in 49 CFR Part 195

Pipeline safety.

PART 195—[AMENDED]

§ 195.220 [Removed]

In view of the above, Part 195 is amended by removing § 195.220.

(49 U.S.C. 2002; 49 CFR 1.53, Appendix A to Part 1)

Issued in Washington, D.C., on December 2, 1982.

L. D. Santman,

Director, Materials Transportation Bureau.

[FR Doc. 82-33562 Filed 12-8-82; 8:45 am]

BILLING CODE 4910-60-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 20

Migratory Bird Hunting; Late Seasons, and Bag and Possession Limits for Certain Migratory Game Birds in the United States; Correction

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule, correction.

SUMMARY: On September 27, 1982, (47 FR 42524) the Service published in the *Federal Register* seasons, limits, and shooting hours for waterfowl and certain other migratory game birds. The Service revises § 20.105(d) of 50 CFR to correct the season closing date for ducks in the South Zone of Maine and to clarify the dark goose limits in Kansas. Also, it corrects § 20.109 to allow the taking of geese in Colorado during the extended falconry season.

DATE: Effective on December 9, 1982.

FOR FURTHER INFORMATION CONTACT: John P. Rogers, Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240, telephone (202) 254-3207.

SUPPLEMENTARY INFORMATION: On September 27, 1982, the Service published in the *Federal Register* (47 FR 42524) seasons, limits, and shooting hours for waterfowl. In the table under § 20.105(d), Waterfowl and coots in the Atlantic, Mississippi, Central, and Pacific Flyways, the closing date for the second segment of Maine's South Zone waterfowl hunting season was incorrectly shown as December 12 rather than December 18. The limits for dark geese in Kansas are incorrectly

stated. Finally, provisions for the taking of geese in Colorado during the extended falconry season was inadvertently omitted.

PART 20—[AMENDED]

1. Accordingly, the Service corrects § 20.105(d) of 50 CFR Part 20 to read as follows:

§ 20.105 Seasons, limits, and shooting hours for waterfowl, coots, and gallinules.

(d) Waterfowl and coots in Atlantic, Mississippi, Central, and Pacific Flyways.

ATLANTIC FLYWAY

| | | Limits | |
|---|-------------------------------------|------------------|------------------|
| | | Bag | Pos-session |
| Maine: | | | |
| Ducks..... | | 4 | 8 |
| South Zone (Wildlife Management Units 6-8). Including no more than: | Oct. 1-Oct. 16 and Nov. 15-Dec. 18. | | |
| Black ducks..... | Oct. 1-Oct. 16..... | (¹) | (¹) |
| | Nov. 15-Dec. 18..... | 2 | 4 |

¹ Closed.

CENTRAL FLYWAY

| | | Limits | |
|---------------------|----------------------|--------|-------------|
| | | Bag | Pos-session |
| Kansas: | | | |
| Dark geese (3)..... | | 2 | 4 |
| Canada..... | Oct. 23-Nov. 28..... | 2 | 4 |
| | Nov. 29-Jan. 2..... | 1 | 2 |
| White-fronted..... | Oct. 23-Jan. 2..... | 1 | 2 |

2. Additionally, the Service corrects § 20.109 of 50 CFR Part 20 as follows:

§ 20.109 Extended seasons, limits, and hours for taking migratory game birds by falconry.

* * * * *

CENTRAL FLYWAY

Colorado:

Ducks, mergansers, geese, and coots Oct. 18-Oct. 29
(Possession is limited to 3 birds).

Public comment was received on proposed rules which addressed the seasons and limits contemplated herein. These comments were addressed in the *Federal Registers* dated June 15, 1982 (47 FR 25922), August 20, 1982 (47 FR 36578), and September 17, 1982 (47 FR 41252). These changes correct a misreading by the Service of State selections announced in the *Federal Register* dated September 27, 1982 (47 FR 42524), and do not portend effects upon the public or the environment not previously assessed. By their nature and the time available, these season and limit corrections must be effective immediately. Accordingly, the Notice and public comment required by the Administrative Procedure Act is unnecessary, and the Service finds that good cause exists for making this rule effective immediately upon publication in the *Federal Register*.

Dated: December 1, 1982.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 82-33510 Filed 12-8-82; 8:45 am]

BILLING CODE 4310-55-M

Proposed Rules

Federal Register

Vol. 47, No. 237

Thursday, December 9, 1982

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

FEDERAL TRADE COMMISSION

16 CFR Part 13

[File No. 811 0191]

Allied Corporation; Proposed Consent Agreement With Analysis To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent agreement, accepted subject to final Commission approval, would require Allied Corporation (Allied), a Morristown, N.J. producer and seller of three high-purity acids, among other things, to divest Hi-Pure Chemicals, Inc. (Hi-Pure) within 15 months from the effective date of the order. Hi-Pure, acquired from Fisher Scientific Company (Fisher), would have to be divested absolutely and in good faith as a viable business concern to a Commission-approved purchaser. Further, Allied would be required to grant Hi-Pure's acquirer a ten-year royalty-free nonexclusive license to all patents owned or applied for by Fisher which are used by Hi-Pure in the manufacturing or packaging of any of the three high-purity acids. Additionally, the company would be barred for a period of ten years from acquiring any business entity engaged in the manufacturing or packaging of high-purity acids, without prior Commission approval.

DATE: Comments must be received on or before February 7, 1983.

ADDRESS: Comments should be directed to: FTC/S, Office of the Secretary, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: FTC/CS-1, Rendell A. Davis, Jr., Washington, D.C. (202) 724-1679.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C.

46 and § 2.34 of the Commission's Rules of Practice (16 CFR 2.34), notice is hereby given that the following consent agreement containing a consent order to cease and desist and an explanation thereof, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with § 4.9(b)(14) of the Commission's Rules of Practice (16 CFR 4.9(b)(14)).

List of Subjects in 16 CFR Part 13

High-purity acids.

Before Federal Trade Commission

In the matter of; Allied Corp., a corporation; File No. 811 0191; agreement containing consent order.

The Federal Trade Commission having initiated an investigation of the acquisition of the Fisher Scientific Company by Allied Corporation and it now appearing that Allied Corporation, hereinafter sometimes referred to as proposed respondent, is willing to enter into an agreement containing an order with respect to the acquisition being investigated,

It is hereby agreed by and between Allied Corporation by its duly authorized officers and attorneys, and counsel for the Federal Trade Commission, that:

1. Allied Corporation is a corporation organized, existing, and doing business under and by virtue of the laws of the State of New York with its offices and principal place of business located at Columbia Road & Park Ave., Morristown, N.J. 07960.

2. Fisher Scientific Company is a corporation organized, existing and doing business under and by virtue of the laws of the Commonwealth of Pennsylvania with its office and principal place of business located at 711 Forbes Avenue, Pittsburgh, Pennsylvania 15219. Allied Corporation proposes to acquire Fisher Scientific Company through a tender offer which expires August 28, 1981 and through an agreement and plan of merger dated July 30, 1981.

3. Hi-Pure Chemicals, Inc. is a wholly-owned subsidiary of Fisher Scientific Company and is a corporation organized, existing, and doing business under and by virtue of the laws of the Commonwealth of Pennsylvania with its office and principal place of business at R.D. No. 3 (Edelman), Nazareth, Pennsylvania 18064.

4. Proposed respondent admits all the jurisdictional facts set forth in the draft of complaint here attached.

5. Proposed respondent waives:

(a) Any further procedural steps;

(b) The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law; and

(c) All rights to seek judicial review or otherwise to challenge or contest the validity of the order entered pursuant to this agreement.

6. This agreement shall not become part of the public record of the proceeding unless and until it is accepted by the Commission. If this agreement is accepted by the Commission it, together with the draft of complaint and explanatory material, pursuant to Rule 2.34, will be placed on the public record for a period of sixty (60) days and information with respect thereto publicly released. The Commission thereafter may either withdraw its acceptance of this agreement and so notify the proposed respondent, in which event it will take such action as it may consider appropriate, or issue and serve its complaint (in such form as the circumstances may require) and decision, in disposition of the proceeding.

7. This agreement is for settlement purposes only and does not constitute an admission by proposed respondent that the law has been violated as alleged in the draft of complaint here attached.

8. This agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of § 2.34 of the Commission's Rules, the Commission may, without further notice to proposed respondent, (1) issue its complaint corresponding in form and substance with the draft of complaint here attached and its decision containing the following order in disposition of the proceeding and (2) make information public with respect thereto. When so entered, the order shall have the same force and effect and may be altered, modified, or set aside in the manner and within the same time provided by statute for other orders. The order shall become final upon service. Mailing of the complaint and decision containing the agreed-to order to the proposed respondent's address as stated in this agreement shall constitute service. Proposed respondent waives any right it may have to any other manner of service. The complaint may be used in construing the terms of the order, and no agreement, understanding, representation or interpretation not contained in the terms of the order or this agreement may be used to vary or contradict the terms of the order.

9. Proposed respondent has read the proposed complaint and order contemplated hereby. It understands that once the order has been issued, it will be required to file one or more compliance reports showing that it has fully complied with the order, and that it may be liable for civil penalties in the amount provided by law for each violation of the order after it becomes final.

Order

For purposes of this Order,

(a) "Respondent" means Allied Corporation, its subsidiaries, affiliates, divisions, successors, and assigns;

(b) "Hi-Pure" means Hi-Pure Chemicals, Inc. and also means all assets of Fisher Scientific Company, and its subsidiaries, affiliates, and divisions, which are located at Nazareth, Pennsylvania and which are used in the manufacture or sale of high-purity acid;

"Fisher Scientific Company" means Fisher Scientific Company and its subsidiaries, affiliates and divisions; and

(d) "High-purity acid" means any nitric acid, hydrochloric acid, or hydrofluoric acid which is suitable for use in laboratories or in semiconductor manufacturing facilities.

I

It is ordered that, within 15 months from the date on which this Order becomes final and subject to the prior approval of the Federal Trade Commission, respondent shall divest absolutely and in good faith all of Hi-Pure as a viable business concern to a third party that represents that it intends to use the assets of Hi-Pure in the manufacture, distribution or sale of high-purity acid in the United States. Pending divestiture, respondent shall neither make nor permit any deterioration of Hi-Pure, except for normal wear and tear, that may impair its operating abilities, competitive viability or market value.

II

It is further ordered that in connection with any divestiture made pursuant to Paragraph I of this Order, respondent will grant to the acquirer of Hi-Pure a royalty-free nonexclusive license for a term of ten years to all patents owned or applied for by Fisher Scientific Company on the date that this Order becomes final and which on said date are used by Hi-Pure in the manufacture or packaging of high-purity acid.

III

It is further ordered that respondent, for a period of ten (10) years from the date this Order shall become final, shall not acquire, directly or indirectly, without the prior approval of the Federal Trade Commission, any assets of or any stock interest in any company engaged in the manufacture of high-purity acid in the United States (other than products, machinery, and equipment sold by any such company in the normal course of business and nonexclusive patent and know-how licenses); provided, however, nothing in this Paragraph III prohibits respondent from acquiring stock for investment purposes only which does not exceed one (1) percent of the outstanding shares of equity securities in any such corporation. As used in the preceding sentence, the phrase "assets" shall refer to assets relating to the manufacture or sale of high-purity acid in or to the United States.

IV

It is further ordered that within sixty (60) days after the date this Order becomes final, and every sixty (60) days thereafter until

respondent has fully complied with the provisions of Paragraph I of this Order, respondent shall submit to the Federal Trade Commission a verified written report setting forth in detail the manner and form in which it intends to comply with, is complying with, or has complied with that provision. All such reports shall include, among other things that are required from time to time, a full description of contacts or negotiations with any party for the sale of properties specified in Paragraph I of this Order, and the identity of all such parties. Respondent shall furnish to the Commission copies of all written communications to and from such parties, and all internal memoranda, reports, and recommendations concerning divestiture.

On the first anniversary of the date this Order becomes final and on every anniversary date thereafter for the following nine (9) years, respondent shall submit to the Commission a verified written report setting forth the manner and form in which it has complied or is complying with this Order.

V

It is further ordered that respondent notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent, such as dissolution, assignment or sale resulting in the emergence of a successor corporation, or any other proposed change in the corporation, which may affect compliance obligations arising out of this Order.

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission has accepted an agreement to a proposed consent order from Allied Corporation ("Allied").

The proposed consent order has been placed on the public record for sixty (60) days for reception of comments by interested persons. Comments received during this period will become part of the public record. After sixty (60) days, the Commission will again review the agreement and the comments received and will decide whether it should withdraw from the agreement or make final the agreement's proposed order.

On October 27, 1981 Allied completed its acquisition of Fisher Scientific Company ("Fisher"). As part of that acquisition, Allied acquired a Fisher subsidiary, Hi-Pure Chemicals, Inc. ("Hi-Pure").

Prior to the acquisition, Hi-Pure and Allied competed with each other in the manufacture and sale of high-purity nitric acid, high-purity hydrochloric acid, and high-purity hydrofluoric acid. The Commission's complaint asserts that the effect of the acquisition may be substantially to lessen competition or to tend to create a monopoly in markets for those three high-purity acids in violation of Section 7 of the Clayton Act and Section 5 of the Federal Trade

Commission Act. The purpose of this proposed order is to restore the competition between Hi-Pure and Allied which was lost as a result of the acquisition.

Paragraph I of the proposed order requires that within 15 months of the date upon which the order becomes final, Allied must divest itself of Hi-Pure and divest itself of those assets of Fisher located at Hi-Pure's principal place of business which were used in the manufacture of the three high-purity acids. The order requires that the divestiture be approved by the Commission and requires that Allied shall not permit any deterioration of Hi-Pure, except for normal wear and tear.

Paragraph II requires that Allied grant to Hi-Pure's acquirer a ten-year royalty-free nonexclusive license to all patents owned or applied for by Fisher which are used by Hi-Pure in the manufacture or packaging of any of the three high-purity acids.

Paragraph III prevents Allied, for a period of ten years, from acquiring without Commission approval any stock or assets of any company engaged in the domestic manufacture of any of the three high-priority acids. However, Allied will be permitted to acquire products, machinery, and equipment sold by a seller in the normal course of business, to acquire nonexclusive patent and know-how licenses, and to acquire up to one percent of the stock of a corporation for investment purposes only.

Paragraph IV requires that Allied submit a report to the Commission setting forth the way in which Allied has been complying with Paragraph I of the order every sixty days until Allied has fully complied with that paragraph. In addition, Paragraph IV requires that for ten years Allied must annually submit a report setting forth the way it has been complying with the order.

Paragraph V requires that Allied notify the Commission thirty days prior to any organizational change that would affect Allied's compliance with the order.

The purpose of this analysis is to facilitate public comment on the proposed order, and it is not intended to constitute an official interpretation of the agreement and proposed order or to modify in any way their terms.

Carol M. Thomas,

Secretary.

[FR Doc. 82-33533 Filed 12-9-82; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 177

[069263]

Powernet Fabric; Change of Practice Considered

Correction

In FR Doc. 82-31299 beginning on page 51587 in the issue of Tuesday, November 16, 1982, make the following correction:

On page 51588, first column, under "DATE:", the comments due date now reading "January 7, 1983" should have read "January 17, 1983".

BILLING CODE 1505-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD 01-82-015]

Drawbridge Operation Regulations; Back Cove, Portland, Maine

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: At the request of the Canadian National Railway, the Coast Guard is considering changing the regulations for the railway drawbridge across Back Cove to allow the railway draw to remain closed. During the past four years there have been no requests to open the bridge. The change will provide for the reasonable needs of navigation.

DATE: Comments must be received on or before January 24, 1983.

ADDRESS: Comments should be submitted to and will be available for examination at the office of the Commander (obr), First Coast Guard District, 150 Causeway Street, Boston, Massachusetts 02114.

FOR FURTHER INFORMATION CONTACT: William J. Naulty, Chief, Bridge Branch, First Coast Guard District, Boston, MA, 02114 (617-223-0645).

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this proposed rule making by submitting written views, comments, data or arguments. Persons submitting comments should include their name and address, identify the bridge and give reasons for concurrence with or any recommended change in the proposal. Persons desiring acknowledgement that their comments have been received should enclose a stamped, self-addressed envelope or postcard.

The Commander, First Coast Guard District will evaluate all comments received and decide on the final course of action. The proposed regulations may be changed in light of comments received.

Drafting Information

The principal persons involved in drafting this proposal are: William J. Naulty, Chief, Bridge Branch, First Coast Guard District, and Lieutenant Susan M. Krupanski, Project Attorney, Assistant Legal Officer, First Coast Guard District.

Discussion of the Proposed Regulation

The proposed amendment is being considered because the drawspan has not been opened during the last four years, except for test openings. Current regulations, in force since 1979, require a 24-hour advance notice if an opening is desired.

There is no commercial activity and very little, if any, recreational boating in Back Cove. The Cove is almost entirely exposed at mean low water. The greatest water depth is within the U.S. Army, Corps of Engineers project which extends about 2,500 feet south of the fixed highway bridge one quarter mile above the drawspan. There does not seem to be any potential for significant development at Back Cove.

The Canadian National Railway has requested permission to maintain the drawspan in a closed position in order to eliminate the expense of maintaining the draws operating machinery.

List of Subjects in 33 CFR Part 117

Bridges.

PART 117—[AMENDED]

In consideration of the foregoing, the Coast Guard proposes to amend Part 117 of Title 33 of the Code of Federal Regulations by revising § 117.20 as follows:

§ 117.20 Back Cove, Portland, Maine; Canadian National Railway bridge.

(a) The drawspan of this bridge need not be opened for the passage of vessels.

(b) The draw shall be returned to operable condition within six months after notification from the Commandant to take such action.

[33 U.S.C. 499; 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5); 33 CFR 1.05-1(g)(3)]

Dated: November 16, 1982.

W. B. Clark,

Captain, U.S. Coast Guard, Acting District Commander, First Coast Guard District.

[FR Doc. 82-33521 Filed 12-9-82; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-9-FRL 2234-6]

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

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed rulemaking.

SUMMARY: Part D of the Clean Air Act requires states to revise their State Implementation Plan (SIP) for all areas that have not attained the National Ambient Air Quality Standards (NAAQS). As part of California's control strategy for attainment of the NAAQS for ozone, the State has revised its SIP to require additional control of volatile organic compounds (VOC). These revisions to the State's SIP control VOC emitted from certain industrial sources, including sources covered by EPA's Group I and II Control Techniques Guideline (CTG) documents.

EPA invites public comments on these revisions, the identified deficiencies, the suggested corrections and whether these revisions should be approved or conditionally approved, especially with respect to the requirements of Part D of the Act.

DATES: Comments may be submitted up to January 10, 1983.

ADDRESSES: Comments may be sent to: Regional Administrator, Attn: Air Management Division, Air Programs Branch, State Implementation Plan Section (A-2-3), Environmental Protection Agency, Region 9, 215 Fremont Street, San Francisco, CA 94105.

Copies of the proposed revisions and EPA's associated Evaluation Report are available for public inspection during normal business hours at the EPA Region 9 office at the above address and at the following location: California Air Resources Board, 1102 "Q" Street, P.O. Box 2815, Sacramento, CA 95812.

FOR FURTHER INFORMATION CONTACT: Dennis Beaugard, State Implementation Plan Section, Air Programs Branch, Air Management Division, Environmental Protection Agency, Region 9, (415) 974-7639.

SUPPLEMENTARY INFORMATION:

Background—CTG II

The April 4, 1979 General Preamble (44 FR 20376) describes requirements for agencies to submit VOC Reasonably Available Control Technology (RACT)

regulations for certain sources located in ozone nonattainment areas. The first set of RACT regulations were required for sources covered by the Group I CTG documents published before January 1978. Regulations for sources covered by the Group I documents were to have been submitted by January 1, 1979. A second set of RACT regulations are required for sources covered by the Group II CTG documents, published between January 1978 and January 1979. Regulations for sources covered by the Group II CTG documents were to have been submitted by January 1, 1981.

This notice primarily addresses the adequacy of rules submitted relative to the requirement for Group II CTGs. In addition, this notice proposes action on several other VOC control regulations which are regionally important to ozone control strategies in California.

EPA published the CTGs in order to assist the states in determining RACT. The CTGs provide information on available air pollution control techniques and provide recommendations on what EPA calls the "presumptive norm" for RACT. Group II CTGs cover the following source categories:

- Factory Surface Coating of Flat Wood Paneling.
- Petroleum Refinery Fugitive Emissions (Leaks).
- Synthetic Pharmaceutical Manufacture.
- Rubber Tire Manufacture.
- Surface Coating of Miscellaneous Metal Parts and Products.
- Graphic Arts (Printing).
- Dry Cleaning (Perchloroethylene).
- Gasoline Tank Trucks, Leak Prevention.
- Petroleum Liquid Storage, Floating Roof Tanks.

Description of Regulations

The State of California submitted the following regulations, which cover Group II CTG categories, on the dates indicated:

Bay Area AQMD

Regulation 8

Rule 5—Storage of Organic Liquid (3/1/82)

Rule 24—Pharmaceutical and Cosmetic Manufacturing Operations (7/30/81)

Kern County APCD

Rule 410.7—Graphic Arts Industry (7/30/81)

Sacramento County APCD

Rule 4A—Rotogravure and Flexographic Printing (10/23/81)

Rule 4B—Pharmaceutical Manufacturing (10/23/81)

Rule 51—Perchloroethylene Dry Cleaning (10/23/81)

San Diego County APCD

Rule 67.8—Dry Cleaning Facilities Using Halogenated Organic Solvent (10/23/81)

South Coast AQMD

Rule 1107—Manufactured Metal Parts and Products Coatings (3/1/82 and 8/6/82)

Ventura County APCD

Rule 74.5—Dry Cleaning (10/23/81)

In addition, the State submitted revisions to the following rules, which cover Group I CTG categories, on the indicated dates.

Kern County APCD

Rule 412—Transfer of Gasoline into Stationary Storage Containers (7/30/81)

San Diego County APCD

Rule 67.6—Solvent Cleaning Operations (3/1/82)

South Coast AQMD

Rule 1108—Cutback Asphalt (3/1/82)

Rule 1108.1—Emulsified Asphalt (3/1/82)

Rule 1125—Can and Coil Coating Operations (3/1/82)

Rule 1126—Magnet Wire Coating Operations (3/1/82)

Ventura County APCD

Rule 74.6—Surface Cleaning and Degreasing (3/1/82)

The State submitted other VOC rules as follows:

Bay Area AQMD

Regulation 8

Rule 2-112—Miscellaneous Operations (3/1/82)

Rule 3—Architectural Coatings (7/30/81 and 8/6/82)

Kern County APCD

Rule 414.4—Polystyrene Foam Manufacturing (7/30/81)

Sacramento County APCD

Rule 10—Petroleum Solvent Dry Cleaners (10/23/81)

South Coast AQMD

Rule 107—Determination of Volatile Organic Compounds in Coating Material (3/1/82)

Evaluation

EPA has evaluated the rules listed above and determined that the requirement for RACT for these Group II CTG categories is satisfied.

EPA has also reviewed the revisions to the CTG Group I rules listed above and determined that the RACT

requirement is satisfied except as noted below.

San Diego County's solvent cleaning rule provides for adequate removal of VOC which are captured and vented through the control equipment. However, the rule does not specify a minimum capture efficiency of the total VOC emitted from the operation, and thus, does not insure an adequate overall control level. The District has agreed to revise their rule to specify the minimum capture efficiency.

The South Coast Air Quality Management District's (SCAQMD) cutback asphalt rule contains an exemption from the rule requirements for areas above 2000 feet mean sea level (i.e. the extreme eastern portion of the Los Angeles Basin). This exemption could result in a significant emissions increase. The SCAQMD has agreed to reevaluate this exemption with respect to RACT.

Further, EPA has determined that the other VOC rules listed above provide control requirements necessary for the attainment and maintenance of the NAAQS.

Proposed Actions

EPA proposes to approve, under Part D, the rules listed above for the Group I and II CTG categories, with the exception of the SCAQMD cutback asphalt rule. We are proposing to approve San Diego's rule 67.6 with the understanding that the district has begun action to correct the deficiency noted above.

We propose to retain previously approved cutback asphalt requirements unless the SCAQMD demonstrates that the revised rule represents RACT, even with the new exemption.

In addition, EPA proposes to approve the other rules listed in this notice, since they are consistent with Section 110 of the Clean Air Act, EPA policy and 40 CFR Part 51.

The Administrator has certified that SIP approvals do not have a significant economic impact on a substantial number of small entities. The Office of Management and Budget has reviewed this regulation under the Terms of E.O. 12291.

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

(Secs. 110, 129, 171 to 178 and 301(a) of the Clean Air Act as amended (42 U.S.C. 7410, 7429, 7501 to 7508, and 7601 (a)))

Dated: October 15, 1982.

Sonia F. Crow,

Regional Administrator.

[FR Doc. 82-33534 Filed 12-8-82; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 4100

Grazing Administration, Exclusive of Alaska; Intent To Propose Rulemaking

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intention to propose rulemaking and solicitation of comments.

SUMMARY: The final rulemaking amending the regulations on Grazing

Administration, Exclusive of Alaska—43 CFR Part 4100, was published in the *Federal Register* on September 21, 1982 (47 FR 41702). These regulations will be reviewed and, if necessary, amended in 1983 in response to Executive Order 12291 of February 17, 1982, to eliminate needless, burdensome and counterproductive regulations. The specific schedule for amending 43 CFR Part 4100 will appear in the Department of Interior's Semiannual Agenda for Rulemaking which will be published in April, 1983. As part of the development process for the proposed rulemaking, the public is asked to carefully review all provisions of 43 CFR Part 4100 and comment on any provision, giving their reasons for any proposed changes.

DATE: In order to be available for consideration in the proposed rulemaking process, comments must be

received by the Bureau of Land Management by January 24, 1983.

ADDRESS: Comments should be sent to: Director (140), Bureau of Land Management, 18th and C Sts. N.W., Washington, D.C. 20240. Comments will be available for public review in Room 5555 of the above address during regular business hours (7:45 a.m. to 4:15 p.m.), Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Billy Templeton (202) 653-9193.

List of Subjects in 43 CFR Part 4100

Administrative practice and procedure, Grazing lands, Livestock, Penalties, Range management.

Garrey E. Carruthers,
Assistant Secretary of the Interior.
December 6, 1982.

[FR Doc. 82-33524 Filed 12-8-82; 8:45 am]

BILLING CODE 4310-84-M

Notices

Federal Register

Vol. 47, No. 237

Thursday, December 9, 1982

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.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Agreement Regarding the Garrison Diversion Unit Construction in North Dakota

AGENCY: Advisory Council on Historic Preservation.

ACTION: Notice.

SUMMARY: The Advisory Council on Historic Preservation proposes to execute a Programmatic Memorandum of Agreement, pursuant to Section 800.8 of the Council's regulations "Protection of Historic and Cultural Properties" (36 CFR Part 800), with the Bureau of Reclamation (BR), U.S. Department of the Interior, and the North Dakota State Historic Preservation Officer (SHPO), providing the protection of historic and cultural properties in connection with the construction of the remaining elements of the Garrison Diversion Unit. The proposed Programmatic Memorandum of Agreement will establish mechanisms by which historic and cultural properties will be identified, evaluated and protected in order to meet the requirements of Section 106 of the National Historic Preservation Act (16 U.S.C. 470f).

COMMENTS DUE: January 10, 1983.

ADDRESS: Executive Director, Advisory Council on Historic Preservation, Western Division of Project Review, 730 Simms Street, Room 450, Golden, CO 80401.

FOR FURTHER INFORMATION CONTACT: Louis S. Wall, Chief, Western Division of Project Review, 730 Simms Street, Room 450, Golden, CO 80401.

Dated: December 6, 1982.

Robert R. Garvey, Jr.,
Executive Director.

[FR Doc. 82-33516 Filed 12-8-82; 8:45 am]

BILLING CODE 4310-10-M

DEPARTMENT OF AGRICULTURE

Forest Service

Fossil Ridge Wilderness Study Area; Hearing

Notice is hereby given that public hearings will be held on the proposed future management of the Fossil Ridge Wilderness Study Area.

The Fossil Ridge Wilderness Study Area is comprised of approximately 47,400 acres and is located within the Gunnison National Forest in the County of Gunnison in the State of Colorado.

Hearings will be held as follows:

Tuesday, January 11, 1983, 7:00-10:00 p.m., Student Union Ballroom, Western State College, Gunnison, Colorado

Wednesday, January 12, 1983, 7:00-10:00 p.m., John C. Mitchell Hall, Denver Botanic Gardens, 1005 York Street, Denver, Colorado

A brochure containing a map and information about the proposal may be obtained from the Forest Supervisor, Grand Mesa, Uncompahgre, and Gunnison National Forests, 2250 Highway 50, Delta, Colorado 81416.

Individuals and organizations may express their views by appearing at this hearing or may submit written comments for inclusion in the official record to the Forest Supervisor at the above address. The time available to each speaker will be limited depending on the number of people who wish to speak. To be included in the official record, written comments must be received by February 19, 1983.

Dated: December 6, 1982.

R. Max Peterson,
Chief.

[FR Doc. 82-33538 Filed 12-8-82; 8:45 am]

BILLING CODE 3410-11-M

Coal Leasing Within Routt National Forest; Jackson County, Colorado; Application of Coal Unsuitability Criteria

Pursuant to the Federal Coal Leasing Amendments Act of 1976, as amended (90 Stat. 1083-1092) and Title 43, Subpart 3461, of the Code of Federal Regulations (43 CFR Part 3461), the Forest Service, Department of Agriculture, has applied coal unsuitability criteria to lands in which the United States owns an interest in the coal resource within the

boundary of the Routt National Forest. These criteria were applied as part of the Routt National Forest land and resource planning process to identify lands suitable for further consideration for coal leasing. If and when the Bureau of Land Management proposes to lease specific tracts which are suitable, mineral leasing direction in the Forest Plan will be applied.

The coal unsuitability criteria were applied to 320 acres of National Forest System land in Section 3 and 10, T7N, R82W, 6th p.m.

A preliminary coal unsuitability assessment is in Appendix H of the draft Environmental Impact Statement on the proposed Routt National Forest Land and Resource Management Plan. Copies are available for public review at Forest Service offices in Walden, Kremmling, Craig, Yampa, Steamboat Springs, and Granby, Colorado. Detailed maps and information are available at the Forest Supervisor's Office in Steamboat Springs, Colorado.

Comments on the draft coal unsuitability assessment must be sent to Forest Supervisor, Routt National Forest, P.O. Box 771198, Steamboat Springs, Colorado 80477 by March 25, 1983, to be considered. For further information, contact Loren Kroenke at the above address or call (303) 879-1722.

Dated: December 3, 1982.

Jack Weissling,

Forest Supervisor, Routt National Forest.

[FR Doc. 82-33487 Filed 12-8-82; 8:45 am]

BILLING CODE 3410-11-M

Umatilla National Forest Grazing Advisory Board; Meeting

The meeting date for the Umatilla National Forest Grazing Advisory Board has been scheduled for 1:00 p.m., January 10, 1983. It will be held at the U.S. Forest Service Office, 2517 S. W. Hailey Avenue in Pendleton, Oregon. The purpose of the meeting is to develop the Forest's 1984 Range Improvement Program and review the progress on the 1983 program. The status of range allotment analysis and planning will be reviewed.

The meeting will be open to the public. Persons who wish to attend should notify the Forest Supervisor's Office at 2517 S. W. Hailey Avenue, Pendleton, Oregon, 97801, or call 276-3811, ext. 415. Written statements may

be filed with the Forest Service before or after the meeting.

The established rules for public participation are that a time period will be set up for the public to participate. Time limits may be set on individual public participation.

December 3, 1982.

John E. Lowe,
Forest Supervisor.

[FR Doc. 82-33492 Filed 12-9-82; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF COMMERCE

International Trade Administration

Preliminary Determinations of Sales at Less Than Fair Value; Certain Stainless Steel Sheet and Strip Products From France

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of preliminary determinations of sales at less than fair value: Certain stainless steel sheet and strip products from France.

SUMMARY: We have preliminarily determined that certain stainless steel sheet and strip products from France are being sold, or are likely to be sold, in the United States at less than fair value. Therefore, we have notified the United States International Trade Commission (ITC) of our determinations, and we have directed the United States Customs Service to suspend liquidation of all entries of the subject merchandise which are entered, or withdrawn from warehouse, for consumption, on or after the date of publication of this notice and to require a cash deposit or bond for each such entry in an amount equal to the estimated dumping margins as described in the "Suspension of Liquidation" section of this notice.

If these investigations proceed normally, we will make final determinations by February 21, 1983.

DATE: Effective Date: December 9, 1982.

FOR FURTHER INFORMATION CONTACT: Raymond B. Busen, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 377-1784.

SUPPLEMENTARY INFORMATION:

Preliminary Determinations

We have preliminarily determined that there is a reasonable basis to believe or suspect that certain stainless steel sheet and strip products from France are being sold, or are likely to be

sold, in the United States at less than fair value, as provided in section 733 of the Tariff Act of 1930, as amended (19 U.S.C. 1673) (the Act).

The estimated margins for individual products investigated are given in the "Suspension of Liquidation" section of this notice.

The estimated margins for Ugine-Gueugnon are based on the best information available as explained in the section of this notice which describes our fair value comparisons.

If these investigations proceed normally, we will make final determinations by February 21, 1983.

Case History

On May 10, 1982, we received a petition filed by counsel on behalf of eleven U.S. specialty steel producers and on behalf of the United Steelworkers of America. In compliance with the filing requirements of § 353.36 of the Commerce Regulations (19 CFR 353.36), the petition alleged that imports from France of certain stainless steel sheet and strip products are being sold, or are likely to be sold, in the United States at less than fair value within the meaning of section 731 of the Act and that these imports are materially injuring, or are threatening to materially injure, a United States industry.

After reviewing the petition, we determined that it contained sufficient grounds to initiate an antidumping investigation. We notified the ITC of our action and initiated the investigations on June 1, 1982 (47 FR 24764). On June 24, 1982, the ITC found that there is a reasonable indication that imports of stainless steel sheet and strip products are materially injuring, or are threatening to materially injure, a United States industry. We determined this case to be "extraordinarily complicated," as defined in section 733(c) of the Act. Therefore, we extended the period for making our preliminary determinations by 50 days until December 6, 1982 (47 FR 41799).

Questionnaires were presented to the Chatillon Division of Union Siderurgique (Usinor), Peugeot-Loire, and Ugine-Gueugnon of June 9, June 10, and June 18, 1982, respectively. The responses of Usinor and Peugeot-Loire were received in October 1982.

Scope of Investigations

The products covered by these investigations are certain stainless steel sheet and strip products. For a further description of these products, see the appendix appearing with this notice.

Since Usinor, Ugine-Gueugnon, and Peugeot-Loire manufacture and export virtually all the certain stainless steel

sheet and strip products exported from France to the United States, we limited our investigations to them.

These investigations cover the period from August 1, 1981 to May 31, 1982 for purchase price sales, August 1, 1981 to April 30, 1982 for exporter's sales price transactions, and the last four most recently completed fiscal quarters for cost of production information.

Fair Value Comparison

To determine whether sales of the subject merchandise in the United States were made at less than fair value, we compared the United States price with the foreign market value.

United States Price

As provided in section 772 of the Act, we used the purchase price of the subject merchandise to represent the United States price for sales by Usinor and Peugeot-Loire because the merchandise was sold prior to the date of importation to unrelated United States purchasers. We made deductions, where appropriate, for United States inland freight, United States inland insurance, foreign inland freight, foreign inland insurance, customs brokerage, ocean freight, marine insurance, discounts and rebates. We also made deductions for collected export duties and other duties pursuant to section 772(d)(2)(B) of the Act. We made additions, where appropriate, for uncollected import duties pursuant to section 772(d)(1)(B) of the Act.

Foreign Market Value

In accordance with section 773 of the Act, we calculated foreign market value based on home market sales for both Usinor and Peugeot-Loire. For purposes of determining similar merchandise under section 771(16) of the Act, we made comparisons based on dimensional categories selected by a Commerce Department industry expert. For Ugine-Gueugnon we used the best information available as required by section 776(b) of the Act.

The petitioners also alleged that sales in the home market were at prices below the cost of production. In letters dated September 21 and 22, 1982, petitioners provided information in support of their allegation. On October 15 and 18, 1982, after having determined that the petitioners' information was adequate to support their allegation, we requested that the French producers provide cost of production information by not later than December 2, 1982. That information, if received in a timely manner, will be analyzed prior to our final determinations.

In the cases of Usinor and Peugeot-Loire, we calculated the home market prices on the basis of ex-mill unpacked prices to unrelated purchasers. We made deductions, where appropriate, for discounts, foreign inland freight, and foreign inland insurance. We also made adjustments, where appropriate, for credit expenses, commission, warranty, technical services, and other direct selling expenses.

We are also requesting Usinor and Peugeot-Loire to provide us with clarifying information concerning home market and United States selling expenses. We will also request certain information regarding similarity of merchandise in both markets. We consider the additional information requested as necessary refinements of data submitted in the response. If this supplemental information is not received by December 21, 1982, we may use only some or none of the information already received relative to these costs in making our final determinations. In that instance, we may resort to using the best information available for our final determinations.

In the case of Ugine-Gueugnon, we used the best information available because adequate responses were not submitted in time to allow analysis of the information. A full discussion of the reasons for using the best information available is contained in the "Supplemental Information Requested" section of this notice. The best information available for purposes of these preliminary determinations was the information on fair value margins, based on selling prices in the United States and France, contained in the petition. We used a simple average of the margins contained in the petition as the best information available because these margins were higher than the margins based on data supplied by Usinor and Peugeot-Loire.

Supplemental Information Requested

Section 776(b) of the Act states that whenever any party refuses or is unable to produce information requested, the Commerce Department may use the best

information otherwise available for determining the existence of sales at less than fair value. We did so with respect to Ugine-Gueugnon for the following reasons.

We presented the questionnaire to Ugine-Gueugnon on June 18, 1982. The response was due not later than July 19, 1982. Subsequently, at the request of the respondent, we granted an extension for the response to August 2, 1982. The response was not received by that date. On August 24, 1982, we decided to extend the investigation period by an additional four months, and established September 30, 1982, as the new deadline for submission of a response.

On September 30, 1982, counsel for Ugine-Gueugnon notified us by letter that its response to our questionnaire would be late and that Ugine-Gueugnon would need an additional two to three weeks to file a complete response. On October 1, 1982, we notified counsel that if we did not receive the response by October 12, 1982, we might not be able to use the information in making our preliminary determinations and, in that instance, may resort to using the best information available.

Ugine-Gueugnon submitted computer tapes regarding sales information on November 17, 1982, and its partial response was received on November 24, 1982. The late filings did not allow us sufficient time to analyze the data.

We will take into account for our final determinations the information submitted plus any additional information requested and submitted on or before December 21, 1982, which is subsequently verified.

Verification

We will verify all data used in reaching the final determinations in these investigations.

Suspension of Liquidation

In accordance with section 733(d) of the Act, we are directing the United States Customs Service to suspend liquidation of all entries of stainless steel sheet and strip products. This suspension of liquidation applies to all

merchandise entered, or withdrawn from warehouse, for consumption, on or after the date of publication of this notice in the Federal Register. The Customs Service shall require a cash deposit or the posting of a bond equal to the estimated margin amount by which the foreign market value of the merchandise subject to these investigations exceeds the United States price. The suspension of liquidation will remain in effect until further notice. The margins are as follows:

| | Margins (per- cent) |
|--|---------------------------|
| Hot-Rolled Stainless Steel Sheet | |
| All Manufacturers/Producers/Exporters..... | 15.8 |
| Hot-Rolled Stainless Steel Strip: | |
| All Manufacturers/Producers/Exporters..... | 15.8 |
| Cold-Rolled Stainless Steel Sheet: | |
| Usinor..... | 8.0 |
| Peugeot-Loire..... | 6.2 |
| All Other Manufacturers/Producers/Exporters... | 17.2 |
| Cold-Rolled Stainless Steel Strip: | |
| Peugeot-Loire..... | 5.5 |
| All Other Manufacturers/Producers/Exporters... | 18.0 |

ITC Notification

In accordance with section 733(f) of the Act, we will notify the ITC of our determinations. In addition, we are making available to the ITC all non-privileged and non-confidential information relating to these investigations. We will allow the ITC access to all privileged and confidential information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order, without the written consent of the Deputy Assistant Secretary for Import Administration.

Public Comment

In accordance with § 353.47 of the Commerce Department Regulations, if requested, we will hold a public hearing to afford interested parties an opportunity to comment on these preliminary determinations at 10 a.m. on January 4, 1983, at the United States

Department of Commerce, Room 6802, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230. Individuals who wish to participate in the hearing must submit a request to the Deputy Assistant Secretary for Import Administration, Room 3099B, at the above address within 10 days of this notice's publication. Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; (3) the reason for attending; and (4) a list of the issues to be discussed. In addition, prehearing briefs in at least 10 copies must be submitted to the Deputy Assistant Secretary by December 28, 1982. Oral presentations will be limited to issues raised in the briefs. All written views should be filed in accordance with 19 CFR 353.46, within 30 days of this notice's publication, at the above address and in at least 10 copies.

Judith Hippler Bello,

Acting Deputy Assistant Secretary for Import Administration.

December 3, 1982.

Appendix—Product Description: Certain Stainless Steel Sheet and Strip Products

For the purpose of these investigations, the term "certain stainless steel sheet and strip products" covers hot- or cold-rolled stainless steel sheet or strip, excluding hot- or cold-rolled stainless steel strip not over 0.01 inch in thickness, as currently provided for in items 607.7610, 607.9010, 607.9020, 608.4300, and 608.5700 of the *Tariff Schedules of the United States Annotated*.

Hot-rolled stainless steel sheet covers hot-rolled stainless steel sheet products whether or not corrugated or crimped and whether or not pickled; not cold-rolled; not cut, not pressed, and not stamped to non-rectangular shape; and under 0.1875 inch in thickness and not over 12 inches in width.

Hot-rolled stainless steel strip is a flat-rolled stainless steel product whether or not corrugated or crimped and whether or not pickled; not cold-rolled; not cut, not pressed, and not stamped to non-rectangular shape; and under 0.1875 inch in thickness and not over 12 inches in width. Hot-rolled stainless steel strip, including razor blade strip, not over 0.01 inch in thickness is not included.

Cold-rolled stainless steel sheet covers cold-rolled stainless steel sheet products whether or not corrugated or crimped and whether or not pickled; not cut, not pressed, and not stamped to non-rectangular shape; not coated or plated with metal; and under 0.1875 inch in thickness and over 12 inches in width.

Cold-rolled stainless strip is a flat-rolled stainless steel strip product whether or not corrugated or crimped and whether or not pickled; not cut, not pressed, and not stamped to non-rectangular shape; under 0.1875 inch in thickness and over 0.50 inch in width but not over 12 inches in width. Cold-rolled stainless steel strip, including razor

blade strip, not over 0.01 inch in thickness is not included in this investigation.

(FR Doc. 82-33495 Filed 12-8-82; 8:45 am)

BILLING CODE 3510-25-M

Bicycle Tires and Tubes From Taiwan; Preliminary Results of Administrative Review of Countervailing Duty Order

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of preliminary results of administrative review of countervailing duty order.

SUMMARY: The Department of Commerce has conducted an administrative review of the countervailing duty order on bicycle tires and tubes from Taiwan. The review covers the period October 28, 1981 through December 31, 1981, and the single company subject to the order, Cheng Shin Rubber Company, Ltd. As a result of this review, the Department has preliminarily determined the amount of the net subsidy to be 0.90 percent of the f.o.b. invoice price of the merchandise. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: December 9, 1982.

FOR FURTHER INFORMATION CONTACT: Charles Anderson or Laura Kneale, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C., 20230; telephone: (202) 377-2786.

SUPPLEMENTARY INFORMATION:

Background

On February 17, 1982, the Department of Commerce ("the Department") published in the *Federal Register* (47 FR 6913) a countervailing duty order with respect to bicycle tires and tubes manufactured by one Taiwanese company, Cheng Shin Rubber Company, Ltd. ("Cheng Shin"), and announced its intent to conduct an administrative review of the order within twelve months. As required by section 751 of the Tariff Act of 1930 ("the Tariff Act"), the Department has now conducted that administrative review.

Scope of the Review

Imports covered by the review are pneumatic bicycle tires and tubes of rubber or plastic, manufactured by Cheng Shin, whether such tires and tubes are sold together as units or separately. Bicycle tires and tubes are currently classifiable under items 772.4800 and 772.5700 of the Tariff Schedules of the United States Annotated.

The review covers the period October 28, 1981, the date of suspension of

liquidation, through December 31, 1981, and the two programs found countervailing in the "Reopened Investigation—Final Countervailing Duty Determination" (46 FR 53201, October 28, 1981): A preferential income tax rate ceiling and a program of preferential export financing.

Analysis of Programs

(1) Preferential Income Tax Rate Ceiling

Firms whose establishment or expansion was "approved" before December 31, 1973 under the Statute for the Encouragement of Investment qualify for a tax rate ceiling of 25 percent of the firm's taxable income. The standard tax rate is 35 percent of taxable income.

Prior to 1982, we considered benefits from any income tax-related subsidy program to be received in the tax year in which the income was earned. As set forth in the notices of "Final Results of Administrative Review of Countervailing Duty Order" on Brazilian castor oil and scissors and shears (46 FR 62487, 47 FR 10266), and more recently in the notice of "Final Affirmative Countervailing Duty Determinations and Countervailing Duty Orders" on certain steel products from South Africa (47 FR 39379), we now consider the benefit in a review period to stem from reductions in taxes on income earned in the previous year, for it is only after a company's books have closed that the magnitude of the benefit, if any, can be known.

Thus, in order to determine the benefit received by Cheng Shin from the income tax rate ceiling in 1981, we require 1980 income tax data. Although we requested this data several times, the firm did not provide it. Therefore, we have used the income tax benefit from the latest year prior to 1981 for which we have the information as the best information available. That year is 1977, the period covered by the original and reopened investigations.

In the final determination of the reopened investigation, we calculated the ratio of bicycle tire and tube sales to total sales and applied that ratio to total taxable income, thereby computing a taxable income assignable to bicycle tire and tube sales. By comparing the taxes paid on that amount with what would have been paid on that amount, absent the ceiling, we arrived at a net subsidy. As the Government of Taiwan bestows the benefit on the basis of taxable income earned on total sales, however, a more appropriate method of calculating the benefit is to divide the tax savings attributable to total taxable income by Cheng Shin's total sales.

Modifying the calculations for 1977 in this manner, we find the *ad valorem* subsidy from the income tax rate ceiling to be 0.90 percent.

(2) Preferential Export Financing

Under the Export Financing Program, an exporter receives a short-term loan at the prevailing commercial rate of interest upon the presentation of a letter of credit from a foreign buyer. This rate is subsequently lowered by the lending institution upon approval by the Central Bank of China. During the period of review, Cheng Shin did not receive any preferential export financing for bicycle tires and tubes.

Preliminary Results of the Review

As a result of our review, we preliminarily determine that the net subsidy conferred upon Cheng Shin during the period of review is 0.90 percent *ad valorem*. Accordingly, the Department intends to instruct the Customs Service to assess countervailing duties of 0.90 percent of the f.o.b. invoice price on all shipments by Cheng Shin of Taiwanese bicycle tires and tubes entered, or withdrawn from warehouse, for consumption on or after October 28, 1981 and exported on or before December 31, 1981.

Further, as provided for by section 751(a)(1) of the Tariff Act, we intend to instruct the Customs Service to collect a cash deposit of estimated countervailing duties of 0.90 percent of the f.o.b. invoice price on all shipments of this merchandise from Cheng Shin entered, or withdrawn from warehouse, for consumption on or after the date of public publication of the final results of the current review. This deposit requirement shall remain in effect until publication of the final results of the next administrative review.

Interested parties may submit written comments of these preliminary results within 30 days of the date of publication of this notice and may request disclosure and/or a hearing within 10 days of the date of publication. Any request for an administrative protective order must be made no later than 5 days after the date of publication. The Department will publish the final results of this administrative review including the results of its analysis of issues raised in any such written comments or at a hearing.

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 § 355.41 of the Commerce Regulations (19 CFR 355.41).

December 2, 1982.

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 82-33580 Filed 12-8-82; 8:45 am]

BILLING CODE 3510-25-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjusting the Import Restraint Level for Certain Cotton Apparel Products From the People's Republic of China

December 6, 1982.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Deducting 36,351 dozen of imports charged to the level of restraint established for women's, girls', and infants' cotton coats in Category 335, produced or manufactured in China and exported during the agreement year which began on January 1, 1982.

(A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the *Federal Register* on February 28, 1980 (45 FR 13172), as amended on April 23, 1980 (45 FR 27463), August 12, 1980 (45 FR 53506), December 24, 1980 (45 FR 85142), May 5, 1981 (46 FR 25121), October 5, 1981 (46 FR 48963), October 27, 1981 (46 FR 52409), February 9, 1982 (47 FR 5926), May 13, 1982 (47 FR 20654), and November 24, 1982 (47 FR 53091))

SUMMARY: Under the terms of the Bilateral Cotton, Wool, and Man-Made Fiber Textile Agreement of September 17, 1980, as amended, between the Governments of the United States and the People's Republic of China, the United States Government has agreed to deduct 36,351 dozen in imports charged to the 1982 level of restraint established for cotton textile products in Category 335. This amount represents 1981 overshipments currently charged to the 1982 level. The two governments have further agreed that the 36,351 dozen will be charged to whatever limit may be established for Category 335 in 1983.

EFFECTIVE DATE: December 9, 1982.

FOR FURTHER INFORMATION CONTACT:

Carl J. Ruths, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377-4212).

SUPPLEMENTARY INFORMATION: On December 17, 1981, there was published in the *Federal Register* (46 FR 61495) a letter dated December 14, 1981 from the Chairman of the Committee for the Implementation of Textile Agreements, to the Commissioner of Customs which

established levels of restraint for certain specific categories of cotton, wool, and man-made fiber textile products, including Category 335, produced or manufactured in the People's Republic of China, which may be entered into the United States for consumption, or withdrawn from warehouse for consumption, during the twelve-month period which began on January 1, 1982 and extends through December 31, 1982. In the letter published below, the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs to deduct 36,351 dozen from the imports charged to the level of restraint for Category 335 during the agreement year which began on January 1, 1982.

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

Commissioner of Customs,
Department of the Treasury, Washington,
D.C. 20229.

Dear Mr. Commissioner: To facilitate implementation of the Bilateral Cotton, Wool, and Man-Made Fiber Textile Agreement of September 17, 1980, as amended, between the Governments of the United States and the People's Republic of China, it would be appreciated if, effective on December 9, 1982, you would deduct 36,351 dozen from the imports charged to the level of restraint established for cotton textile products in Category 335 during the agreement year which began on January 1, 1982.

This letter will be published in the *Federal Register*.

Sincerely,

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 82-33497 Filed 12-8-82; 8:45 am]

BILLING CODE 3510-25-M

Adjusting the Import Restraint Level for Certain Cotton and Man-Made Fiber Apparel Products From Macau

December 6, 1982.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Increasing by the application of swing the levels of restraint established for cotton and man-made fiber coats in Categories 333/334/335 and 633/634/635 to 91,904 dozen and 221,604 dozen respectively, produced or manufactured in Macau and exported during the agreement year which began on January 1, 1982.

(A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the *Federal Register* on February 28, 1980 (45 FR 13172), as amended on April 23, 1980 (45 FR 27463), August 12, 1980 (45 FR 53506), December 24, 1980 (45 FR

85142), May 5, 1981 (46 FR 25121), October 5, 1981 (46 FR 48963), October 27, 1981 (46 FR 52409), February 9, 1982 (47 FR 5926), and May 13, 1982 (47 FR 20654))

SUMMARY: The Bilateral Cotton, Wool, and Man-Made Fiber Textile Agreement of November 29 and December 18, 1979, as amended, between the Governments of the United States and Macau, concerning textile and apparel products produced or manufactured in Macau, provides, among other things, for percentage increases in certain specific ceilings during an agreement year (swing). Pursuant to the terms of the bilateral agreement, the levels of restraint for Categories 333/334/335 and 633/634/635 are being adjusted for the twelve-month period which began on January 1, 1982.

DATE: Effective December 9, 1982.

FOR FURTHER INFORMATION CONTACT: Diana Bass, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377-4212).

SUPPLEMENTARY INFORMATION: On December 14, 1981, there was published in the *Federal Register* (46 FR 60872) a letter dated December 9, 1981, from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs, which established levels of restraint for certain specified categories of cotton, wool, and man-made fiber textile products, including Categories 333/334/335 and 633/634/635, produced or manufactured in Macau, which may be entered into the United States for consumption, or withdrawn from warehouse for consumption, during the twelve-month period which began on January 1, 1982 and extends through December 31, 1982. In the letter published below, the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs to increase the levels of restraint previously established for these categories to the designated amount.

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

Commissioner of Customs,
Department of the Treasury, Washington,
D.C. 20229.

Dear Mr. Commissioner: On December 9, 1981, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry during the twelve-month period beginning on January 1, 1982 and extending through December 31, 1982 of cotton, wool, and man-made fiber textile products, produced or manufactured in Macau, in excess of designated levels of restraint. The Chairman further advised you

that the levels of restraint are subject to adjustment.¹

Effective on December 9, 1982, the directive of December 9, 1981 is amended to increase the levels of restraint established for cotton and man-made fiber textile products in Categories 333/334/335 and 633/634/635 to the following amounts:

| Category | Amended 12-month level of restraint ¹ |
|-------------|--|
| 333/334/335 | 91,904 dozen. |
| 633/634/635 | 221,604 dozen. |

¹ The level of restraint has not been adjusted to reflect any imports after December 31, 1981.

The actions taken with respect to the Government of Macau and with respect to imports of cotton textile products from Macau have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the *Federal Register*.

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 82-33498 Filed 12-8-82; 8:45 am]

BILLING CODE 3510-25-M

DEPARTMENT OF DEFENSE

Corps of Engineers; Department of the Army

Environmental Impact Report for a Proposed Channel Dredging Project in the Ports of Los Angeles and Long Beach, Los Angeles County, California; Intent To Prepare a Draft Environmental Impact Statement

AGENCY: US Army Corps of Engineers, Department of Defense; local lead agencies (for CEOA) are the Ports of Los Angeles and Long Beach.

ACTION: Notice of Intent to prepare a Draft Environmental Impact Statement/Environmental Impact Report.

SUMMARY: 1. Proposed Action. The U.S. Army Corps of Engineers is undertaking the preparation of a planning study in coordination with the Ports of Long

¹ The term "adjustment" refers to those provisions of the Bilateral Cotton, Wool, and Man-Made Fiber Textile Agreement of November 29 and December 18, 1979, as amended, between the Governments of the United States and Macau, which provide, in part, that: (1) Within the aggregate and applicable group limits of the agreement, specific levels of restraint may be exceeded by designated percentages; (2) these same levels may be increased for carover and carryforward; and (3) administrative arrangements or adjustments may be made to resolve minor problems arising in the implementation of the agreement.

Beach and Los Angeles, which identifies and analyzes alternative channels and disposal sites for expansion of the Los Angeles and Long Beach Harbors in San Pedro Bay. The U.S. Army Corps of Engineers will act as lead Federal agency under the National Environmental Policy Act (NEPA) with the Ports of Long Beach and Los Angeles as co-lead agencies under the California Environmental Quality Act (CEQA), for the preparation of a joint Environmental Impact Statement (EIS)/Environmental Impact Report (EIR). This EIS/EIR is known as the Los Angeles-Long Beach Harbors Channel Improvements.

Concurrently, the Ports of Long Beach and Los Angeles are preparing a planning study on alternative landfill configurations designed to meet the projected demands for cargo throughput to the year 2020. The Ports of Long Beach and Los Angeles will act as co-lead agencies under CEQA with the U.S. Army Corps of Engineers as the Federal agency under NEPA for preparation of a joint EIR/EIS. This planning study and EIR/EIS is known as the Los Angeles-Long Beach Harbors Landfill Development. This document will be prepared on the programmatic level. That is, an overall view of the project will be taken to address the cumulative impacts of the total plan implementation. The project will be carried out in a series of separate actions; each specific action will be analyzed for conformance with the programmatic plan and will require a project specific EIR/EIS or EA. This EIR/EIS is the subject of a separate Notice of Intent.

The Los Angeles-Long Beach Channel Improvements EIS/EIR will analyze the need for channel development and spoil disposal in relation to the proposed landfill expansion for the Ports of Long Beach and Los Angeles. The channel locations, depths and widths will be developed for each of the alternatives outlined in the Los Angeles-Long Beach Landfill Development EIR/EIS. The factors which will be taken into consideration are engineering constraints, the projected vessel fleet, safety, and National defense.

2. Alternatives. Preliminary analysis of channel needs for the proposed landfill expansion has estimated channels of approximately 1200-1500 feet wide and depths from 65-80 feet. Three alternatives will tentatively be examined for the disposal of the spoil material. Alternative 1 is to dispose of the material at the Environmental Protection Agency's ocean disposal site where there will be no significant environmental impacts. Alternative 2 is

to dispose of material in landfills provided by the Ports of Los Angeles and Long Beach in their proposed landfill development. Alternative 3, the No Action Alternative, will examine the future port conditions in the event of no channel development. Other alternatives may be identified through the scoping process.

3. Scoping Process. An extensive mailing list has been prepared by the Army Corps of Engineers and the Ports of Los Angeles and Long Beach. The mailing list consists of affected Federal, State, and local agencies and other interested private organizations and parties. Each entity on the mailing list will receive a copy of the Ports' Notice of Preparation which has the details of the proposed studies including the figures and potential environmental impacts. This information will provide the basic information for the scoping meeting. In addition to the scoping meeting, initial meetings will be held with the U.S. Fish and Wildlife Service, National Marine Fisheries Service, Environmental Protection Agency, California Department of Fish and Game, and California Coastal Commission. This will be one of many meetings with the resource agencies. All comments from the scoping meeting, resource agencies meetings, and comments received from reviewers of the Notice of Preparation will serve as the basis of the scoping process which will be ongoing throughout the project.

4. Future Public Meetings. A scoping meeting for all interested parties to discuss environmental issues and alternatives to be examined in the EIS/EIR will be held at the Port of Los Angeles Administrative Building, 425 South Palos Verdes, San Pedro, on 16 December 1982 from 4:00-7:00 p.m. in the Second Floor Board Room. A presentation of the project will be made at 4:00 p.m. and again at 6:00 p.m. This meeting will also cover the joint EIR/EIS for the Los Angeles-Long Beach Harbors Landfill Development.

5. Publication of the Draft EIS/EIR. The Draft EIS/EIR is expected to be available to concerned agencies and the interested public for review and comment about July of 1983.

ADDRESS: Questions about the proposed action and draft environmental impact statement/environmental impact report can be answered by Mr. Dan Muslin, Project Manager, Coastal Resources Branch, U.S. Army Corps of Engineers, P.O. Box 2711, Los Angeles, California 90053.

Dated: December 2, 1982.

Paul W. Taylor,
Colonel, CE, District Engineer.

[FR Doc. 82-33523 Filed 12-9-82; 8:45 am]

BILLING CODE 3710-KF-M

Environmental Impact Statement for a Proposed Landfill Project in the Ports of Los Angeles and Long Beach, Los Angeles County, California; Intent To Prepare a Draft Programmatic Environmental Impact Report

AGENCY: US Army Corps of Engineers, Department of Defense; local lead agencies (for CEQA) are the Ports of Los Angeles and Long Beach.

ACTION: Notice of Intent to prepare a Draft Programmatic Environmental Impact Report/Environmental Impact Statement.

SUMMARY: 1. Proposed Action. The Ports of Long Beach and Los Angeles are preparing a planning study on alternative landfill configurations designed to meet the projected demands for cargo throughput to the year 2020. The Ports of Long Beach and Los Angeles will act as co-lead agencies under the California Environmental Quality Act (CEQA) with the U.S. Army Corps of Engineers as the Federal agency under the National Environmental Policy Act (NEPA) for preparation of a joint Environmental Impact Report (EIR)/Environmental Impact Statement (EIS). This planning study and EIR/EIS is known as the Los Angeles-Long Beach Harbors Landfill Development. This document will be prepared on the programmatic level. That is, an overall view of the project will be taken to address the cumulative impacts of the total plan implementation. The project will be carried out in a series of separate actions; each specific action will be analyzed for conformance with the programmatic plan and will require a project specific EIR/EIS or EA.

Concurrently, the U.S. Army Corps of Engineers is undertaking the preparation of a planning study in coordination with the Ports of Long Beach and Los Angeles, which identifies and analyzes alternative channels and disposal sites (landfill versus ocean) for expansion of Los Angeles and Long Beach Harbors in San Pedro Bay. The U.S. Army Corps of Engineers will act as lead Federal agency under NEPA with the Ports of Long Beach and Los Angeles as co-lead agencies under CEQA, for the preparation of a joint EIS/EIR. This EIS/EIR is known as the Los Angeles-Long Beach Harbors Channel Improvements. This EIS/EIR is the subject of a separate Notice of Intent.

The Los Angeles-Long Beach Harbor Landfill Development EIR/EIS will cover alternative concepts for the creation of new landfill to be used to develop cargo handling terminals for primary port uses and port-related or support uses such as transportation corridors. (The EIS/EIR on the Los Angeles-Long Beach harbors Channel Improvements will cover impacts of water access to existing and proposed landfill sites as well as other alternatives for disposal of dredge materials. This is covered in a separate Notice of Intent).

2. Alternatives. Analysis of projected uses and cargo throughput has led to the tentative selection of three alternative concepts. Updated cargo projections indicate a demand for approximately 2,600 acres of new land after maximum intensification of existing port lands. Alternative Concept 1A includes development of approximately 2,600 acres of landfill within existing harbor boundaries. Major landfill development would occur off Terminal Island in Planning Area 9 of the Port of Los Angeles and the Southwest District in the Port of Long Beach. Alternative Concept 1B is similar to concept 1A except that the major landfill in the Port of Long Beach is reconfigured to permit a central channel. Alternative Concept 2 includes development of approximately 2,250 acres of fill outside of San Pedro Bay with approximately 300 additional acres proposed for locations within the Bay. The major impetus for the development of this alternative was to place major landfills in ocean waters less biologically productive than the waters inside the breakwater. This Alternative will require an access bridge (transportation corridors) from Terminal Island and possibly the Cabrillo Beach area of San Pedro. Relocation of "Angels Gate," the main entrance through the breakwater to Los Angeles Harbor, is also included in this alternative. Alternative Concept 3, the No Action Alternative, will examine the future port conditions in the event of no additional major landfill development. Other alternatives may be identified through the scoping process.

3. Scoping Process. An extensive mailing list has been prepared by the Army Corps of Engineers and the Ports of Los Angeles and Long Beach. The mailing list consists of affected Federal, State, and local agencies and other interested private organizations and parties. Each entity on the mailing list will receive a copy of the Ports' Notice of Preparation which has the details of the proposed studies including the figures and potential environmental impacts. This information will provide

the basic information for the scoping meeting. In addition to the scoping meeting, initial meetings will be held with the U.S. Fish and Wildlife Service, National Marine Fisheries Service, Environmental Protection Agency, California Department of Fish and Game, and California Coastal Commission. This will be one of many meetings with the resource agencies. All comments from the scoping meeting, resource agencies meetings, and comments received from reviewers of the Notice of Preparation will serve as the basis of the scoping process which will be ongoing throughout the project.

4. Future Public Meetings. A scoping meeting for all interested parties to discuss environmental issues and alternatives to be examined in the EIR/EIS will be held at the Port of Los Angeles Administrative Building, 425 South Palos, Verdes, San Pedro, on 16 December 1982 from 4:00-7:00 p.m. in the Second Floor Board Room. A presentation of the project will be made at 4:00 p.m. and again at 6:00 p.m. This meeting will also cover the joint EIS/EIR for the Los Angeles-Long Beach Harbors Channel Improvement.

5. Publication of the Draft EIR/EIS. The Draft EIR/EIS is expected to be available to concerned agencies and the interested public for review and comment about July of 1983.

ADDRESS: Questions about the proposed action and draft environmental impact report/environmental impact statement can be answered by Mr. Dan Muslin, Project Manager, Coastal Resources Branch, U.S. Army Corps of Engineers, P.O. Box 2711, Los Angeles, California 90053.

Dated: December 2, 1982.

Paul W. Taylor,

Colonel, CE, District Engineer.

(FR Doc. 82-33522 Filed 12-8-82; 8:45 am)

BILLING CODE 3710-KF-M

DEPARTMENT OF ENERGY

Energy Information Administration

Inventory of Current DOE Reporting and Recordkeeping Requirements

AGENCY: Energy Information Administration.

ACTION: Notice of inventory of current Department of Energy reporting or recordkeeping requirements.

SUMMARY: The Energy Information Administration (EIA) of the Department of Energy (DOE) hereby gives notice to respondents and other interested parties of an inventory of current energy information collection as defined in the Paperwork Reduction Act of 1980 (Public Law 96-511).

The listing that follows this notice includes each requirement approved as of October 1, 1982. Part I lists each requirement associated with a structured form, showing the current DOE control or form number, the title of the requirement, and the Office of Management and Budget (OMB) control number and approval expiration date. Part II lists those recordkeeping and reporting requirements not associated with a structured form, showing also the appropriate Code of Federal Regulations citation.

FOR FURTHER INFORMATION CONTACT: Carolyn Sinclair, Energy Information Administration, Mail Stop 1H-023, Forrestal Building, 1000 Independence Avenue, SW., Washington, D.C. 20585, (202) 252-2313.

SUPPLEMENTARY INFORMATION: In an effort to keep respondents, users, and other interested parties informed concerning changes during the fiscal year in DOE information collection requests subject to clearance by the Office of Management and Budget pursuant to the Paperwork Reduction Act, the Energy Information Administration will publish, on a quarterly basis, a notice of change in reporting status.

Issued in Washington, D.C., December 2, 1982.

J. Erich Evered,
Administrator, Energy Information Administration.

PART I.—DOE ACTIVE INFORMATION COLLECTIONS (UTILIZING STRUCTURED FORMS)

| DOE No. | Title | OMB Control No. | Expiration date |
|--|---|-----------------|-----------------|
| Conservation and Renewable Energy | | | |
| CE-741 | State Energy Conservation Plan Application | 19040035 | 12/31/83 |
| CS-199 | Grant Management Activities Report | 19040007 | 06/30/83 |
| CS-434 | Weatherization Assistance Progress Report | 19040027 | 08/31/83 |
| CS-438 | Technical Assistance and Energy Conservation Measures Report Forms | 19040011 | 01/31/83 |
| CS-476 | Subcontractor's Survey | 19040006 | 12/31/83 |
| EIA-145 | Grant Application for Technical Assistance and Energy Conservation Measures | 19040095 | 10/31/82 |
| Defense Programs | | | |
| AEC-378 | Application for Access Permit to Restricted Data | 19010004 | 05/31/83 |
| DOE-284 | Nuclear Material Transfer Receipt | 19010113 | 06/30/83 |
| DOE/NRC-740M | Concise Note | 19010122 | 06/30/83 |
| DOE/NRC-741 | Nuclear Material Transaction Report | 19010123 | 06/30/83 |
| DOE/NRC-741A | Nuclear Material Transaction Report (continuation Page) | 19010123 | 06/30/83 |
| DOE/NRC-742 | Material Balance Report | 19010124 | 06/30/83 |
| DOE/NRC-742C | Physical Inventory Listing | 19010125 | 06/30/83 |
| DP-1 | Personnel Security Questionnaire | 19010017 | 07/31/83 |
| DP-186 | Milk Cow and Population Survey | 19010108 | 12/31/83 |
| DP-354 | Data Report on Spouse | 19010002 | 03/31/85 |
| DP-467 | Survey of Lifestyles, Food Habits and Agricultural Practices | 19010254 | 12/31/83 |
| DP-733 | ADP Transcription Sheet for Inventory Data | 19010115 | 06/30/83 |
| DP-733A | ADP Transcription Sheet for Inventory Data—Continuation Sheet | 19010116 | 06/30/83 |
| DP-734 | ADP Transcription Sheet for Concise Notes | 19010117 | 06/30/83 |
| DP-735 | ADP Transcription Sheet for Material Balance Report Data | 19010118 | 06/30/83 |
| DP-740 | ADP Transcription Sheet, Nuclear Material Transaction Journal | 19010119 | 06/30/83 |
| DP-740A | ADP Transcription Continuation Sheet, Nuclear Material Transaction Journal | 19010119 | 06/30/83 |
| DP-742B | Material Activity Schedule | 19010120 | 06/30/83 |
| DP-749 | ADP Transcription Sheet (Internal Project Transfers) | 19010121 | 06/30/83 |
| NV-713 | Claim for Bodily Injury, Death, or Damage to or Loss of Property Under Section 167, Atomic Energy Act of 1954 | 19010003 | 04/30/84 |
| Energy Information Administration | | | |
| EIA-1 | General Industries and Blast Furnaces Weekly Coal Monitoring Report | 19050112 | 12/31/82 |

PART I.—DOE ACTIVE INFORMATION COLLECTIONS (UTILIZING STRUCTURED FORMS)—Continued

| DOE No. | Title | OMB Control No. | Expiration date |
|---|---|-----------------|-----------------|
| EIA-3 | Quarterly Coal Consumption Report—Manufacturing Plants | 19050115 | 01/31/83 |
| EIA-4 | Weekly Coal Monitoring Report—Coke Plants | 19050113 | 12/31/82 |
| EIA-5 | Coke Plant Report—Quarterly | 19050003 | 01/31/83 |
| EIA-5A | Coke Plant Report—Annual Supplement | 19050013 | 01/31/83 |
| EIA-6 | Coal Distribution Report | 19050005 | 04/30/83 |
| EIA-7A | Coal Production Report | 19050004 | 04/30/83 |
| EIA-9A | No. 2 Distillate Price Monitoring Report | 19050007 | 12/31/83 |
| EIA-14 | Refiner's Monthly Cost Report | 19050125 | 12/31/82 |
| EIA-20 | Weekly Telephone Questionnaire for Coal Burning Electric Utilities | 19050114 | 12/31/82 |
| EIA-23 | Annual Survey of Domestic Oil and Gas Reserves | 19050057 | 12/31/83 |
| EIA-23P | Oil and Gas Well Operator List Update Report | 19050134 | 04/30/85 |
| EIA-25 | Prime Supplier's Monthly Report | 19050126 | 12/31/82 |
| EIA-26 | Financial Reporting System | 19050054 | 12/31/82 |
| EIA-83 | Annual Solar Thermal Collector and Photovoltaic Module Manufacturing Survey | 19050074 | 06/30/85 |
| EIA-84 | Natural Gas Liquids Operations Report | 19050109 | 03/31/83 |
| EIA-84A | Annual Report of the Origin of Natural Gas Liquids—Production | 19050099 | 08/31/83 |
| EIA-87 | Foreign Crude Oil Cost Report | 19050058 | 03/31/83 |
| EIA-87 | Refinery Report | 19050027 | 12/31/82 |
| EIA-88 | Bulk Terminal Stocks Report | 19050028 | 12/31/82 |
| EIA-89 | Pipeline Products Report | 19050029 | 12/31/82 |
| EIA-90 | Crude Oil Stocks Report | 19050030 | 12/31/82 |
| EIA-97 | Boiler Manufacturers' Report | 19050123 | 12/31/83 |
| EIA-101 | Monthly Residential, Commercial, and Industrial Electric Bill Data for the United States Bureau of Labor Statistics—Price Indexes | 19050129 | 11/30/84 |
| EIA-119A | Annual Report of Forecasted Loads and Changes in Generating Capacity | 19050002 | 11/30/84 |
| EIA-119 | Monthly Report of Electric Energy, Capability, and Peak Load | 19030050 | 11/30/84 |
| EIA-141 | National Survey of Fuel Purchases for Vehicles—Purchase Log and Supplementary Questionnaire | 19050002 | 11/30/82 |
| EIA-142 | International Energy Agency Emergency Supply Report | 19050067 | 08/31/83 |
| EIA-161 | Weekly Refinery Report | 19050069 | 09/30/83 |
| EIA-162 | Weekly Bulk Terminal Stocks of Finished Products | 19050070 | 09/30/83 |
| EIA-163 | Weekly Pipeline Stocks of Finished Products | 19050071 | 09/30/83 |
| EIA-164 | Crude Oil Stocks Report | 19050073 | 09/30/83 |
| EIA-165 | Imports Report | 19050072 | 09/30/83 |
| EIA-170 | Tanker and Barge Shipments of Crude Oil and Petroleum Products Between PAD Districts | 19050019 | 10/31/82 |
| EIA-172 | Fuel Oil and Kerosene Sales | 19050018 | 10/31/82 |
| EIA-174 | Sales of Liquefied Petroleum Gases | 19050016 | 11/30/82 |
| EIA-177 | Capacity of Petroleum Refineries | 19050087 | 10/31/82 |
| EIA-191 | Underground Natural Gas Storage Report | 19050026 | 06/30/83 |
| EIA-213 | Annual Retail Bills for Electric Utilities | 19050045 | 09/30/83 |
| EIA-254 | Quarterly Progress Report on Status of Reactor Construction | 19010010 | 07/31/83 |
| EIA-412 | Annual Report of Publicly Owned Electric Utilities | 19050136 | 04/30/85 |
| EIA-429 | National Survey of Fuel Purchases for Vehicles—Background Questionnaire | 19050086 | 11/30/82 |
| EIA-457A | Residential Energy Consumption Survey—Housing Unit Record Sheet | 19050093 | 05/31/83 |
| EIA-457B | Residential Energy Consumption Survey—Household Questionnaire | 19050093 | 05/31/83 |
| EIA-457C | Residential Energy Consumption Survey—Rental Agents | 19050095 | 05/31/83 |
| EIA-457D | Residential Energy Consumption Survey—Quarterly Survey of Fuel Oil Households | 19050094 | 5/31/83 |
| EIA-457E | Residential Energy Consumption Survey—Electric Utilities | 19050092 | 05/30/83 |
| EIA-457F | Residential Energy Consumption Survey—Natural Gas Suppliers | 19050092 | 05/30/83 |
| EIA-457G | Residential Energy Consumption Survey—Fuel Oil Supplier Form | 19050092 | 05/30/83 |
| EIA-457H | Residential Energy Consumption Survey—Liquid Petroleum Gas Suppliers | 19050092 | 05/30/83 |
| EIA-460 | Petroleum Industry Monthly Report for Product Prices | 19050022 | 12/31/82 |
| EIA-491A | Survey of Uranium Marketing Activities | 19010013 | 04/30/84 |
| EIA-491B | Survey of U.S. Uranium Prices and Procurement | 19010013 | 04/30/84 |
| EIA-627 | Annual Quantity and Value of Natural Gas Production | 19050122 | 11/30/82 |
| EIA-717 | Annual Survey of Uranium Exploration and Surface Drilling Costs and Anticipated Expenditures | 19050131 | 04/30/84 |
| EIA-759 | Monthly Powerplant Report | 19050130 | 01/31/83 |
| EIA-764A | Petroleum Product Sales Identification Survey | 19050133 | 12/31/82 |
| EIA-764B | Petroleum Product Sales Identification Survey (EIA-172 Respondents) | 19050133 | 12/31/82 |
| EIA-782A | Monthly Petroleum Sales Report | 19050141 | 08/31/85 |
| EIA-782B | Monthly No. 2 Distillate Sales Report | 19050139 | 08/31/85 |
| EIA-782C | Monthly Report of Petroleum Products Sold Into States for Consumption | 19050140 | 08/31/85 |
| Environmental Protection, Safety, Emergency Preparedness | | | |
| EIA-767 (2) | Steam Electric Plant Air and Water Quality Control Data | 19050137 | 11/30/82 |
| EP-51 | Monthly Foreign Crude Oil Transaction Report | 19050255 | 06/30/83 |
| EP-411 | Coordinated Regional Bulk Power Supply Program Report | 19030043 | 09/30/83 |
| EP-417 | Power System Emergency Report | 19030045 | 12/31/82 |
| EP-739 | Weekly Crude Watch Report | 19050132 | 02/28/85 |
| ERA-400 | Survey of Surplus Natural Gas Supplies | 19030020 | 09/30/83 |
| Energy Research | | | |
| ER-487A | Health Effects of Low-Dose Radiation Exposure Among Nuclear Shipyard Workers—Short Form | 19010250 | 09/30/84 |
| ER-487B | Health Effects of Low-Dose Radiation Exposure Among Nuclear Shipyard Workers—Radiation Long Form | 19010250 | 09/30/84 |
| ER-487C | Health Effects of Low-Dose Radiation Exposure Among Nuclear Shipyard Workers—Asbestos Long Form | 19010250 | 09/30/84 |
| ER-785A | DOE Energy Graduate Traineeship Information Report | 19010012 | 01/31/84 |
| ER-785B | Renewal of DOE Energy Graduate Traineeship | 19010012 | 01/31/84 |
| ER-785C | Notice of Change in DOE Energy Graduate Traineeship | 19010012 | 01/31/84 |
| ER-785D | DOE Energy Graduate Traineeship Termination Report | 19010012 | 01/31/84 |
| EV-391 | Isotope and Technical Service Order Form | 19010006 | 03/31/83 |
| IR-616 | Nuclear Engineering Enrollment and Degree Survey | 19010015 | 06/30/83 |
| IR-617 | Radiation Protection Enrollment and Degree Survey | 19010015 | 06/30/83 |
| Economic Regulatory Administration | | | |
| ERA-80 | Monthly Imports Report | 19030054 | 12/31/83 |
| ERA-166 | Public Utility Regulatory Policies Act (PURPA) Annual Report on Electric and Gas Utilities | 19030060 | 12/31/84 |
| ERA-182 | Domestic Crude Oil First Purchaser's Report | 19030053 | 10/31/82 |
| ERA-424D | Tertiary Incentive Annual Report of Prepaid Expenses | 19030069 | 09/30/83 |

PART I.—DOE ACTIVE INFORMATION COLLECTIONS (UTILIZING STRUCTURED FORMS)—Continued

| DOE No. | Title | OMB Control No. | Expiration date |
|---|--|-----------------|-----------------|
| Fossil Energy | | | |
| FE-748 | Enhanced Oil Recovery Annual Report..... | 19050135 | 05/31/85 |
| RA-16 | Coal Loan Guarantee Application..... | 19010081 | 09/30/83 |
| Federal Energy Regulatory Commission | | | |
| EIA-194 | Monthly Alternate Fuel/Incremental Price Monitoring Report..... | 19050083 | 04/30/85 |
| EIA-767(1) | Steam Electric Plant Air and Water Quality Control Data..... | 19020034 | 11/30/82 |
| FERC-1 | Annual Report of Electric Utilities, Licensees, and Others (Class A and B)..... | 19020021 | 12/31/84 |
| FERC-1-F | Annual Report for Public Utilities and Licensees (Class C and D)..... | 19020029 | 07/31/84 |
| FERC-2 | Annual Report for Natural Gas Companies (Class A and B)..... | 19020028 | 07/31/84 |
| FERC-2A | Annual Report for Natural Gas Companies (Class C and D)..... | 19020030 | 07/31/84 |
| FERC-5 | Electric Utility Company Monthly Statement..... | 19020031 | 07/31/84 |
| FERC-11 | Natural Gas Pipeline Company Monthly Statement..... | 19020032 | 07/31/84 |
| FERC-15 | Interstate Pipeline's Annual Report of Gas Supply..... | 19020037 | 08/31/84 |
| FERC-16 | Report of Gas Supply and Requirements..... | 19020025 | 07/31/84 |
| FERC-16A | Omnibus Report—Impact of Winter Gas Supply for Twenty-Eight Pipeline Companies..... | 19020105 | 05/31/83 |
| FERC-42 | Application for Annual or Basic Valuation..... | 19020003 | 07/31/84 |
| FERC-50 | Alternative Fuel Demand Due to Natural Gas Deficiencies..... | 19020101 | 12/31/84 |
| FERC-73 | Service Life Data..... | 19020019 | 12/31/84 |
| FERC-80 | Licensed Hydropower Development Recreation Report..... | 19020106 | 06/30/83 |
| FERC-121 | Application for Determination of Maximum Lawful Price Under the Natural Gas Policy Act of 1978..... | 19020038 | 12/31/84 |
| FERC-314A | Application for Small Producer Exemption..... | 19020006 | 03/31/85 |
| FPC-8 | Underground Gas Storage Report..... | 19020026 | 01/31/83 |
| FPC-14 | Annual Report for Importers and Exporters of Natural Gas..... | 19020027 | 12/31/82 |
| FPC-423 | Monthly Report of Cost and Quality of Fuels for Electric Plants..... | 19020024 | 12/31/82 |
| ICC-ACV-1 | Statement of Property Changes Other Than Land and Rights-of-Way Pipeline Carriers..... | 19020011 | 12/31/84 |
| ICC-ACV-2 | Statement of Land and Rights-of-Way..... | 19020018 | 12/31/84 |
| ICC-ACV-3 | Summary of Changes in Original Cost and Total Original Cost at End of Period—Pipeline Carriers..... | 19020010 | 12/31/84 |
| ICC-ACV-4 | Summary of Cost Reproduction New and Reproduction of New Less Depreciation Pipeline Carriers..... | 19020009 | 12/31/84 |
| ICC-ACV-5 | Inventory of Property Other Than Land and Rights-of-Way..... | 19020015 | 12/31/84 |
| ICC-ACV-6 | Inventory of Land and Rights-of-Way..... | 19020016 | 12/31/84 |
| ICC-ACV-7 | Summary of Original Cost of Inventory..... | 19020017 | 12/31/84 |
| ICC-ACV-8 | Cost Data for Equipment and Tanks..... | 19020014 | 12/31/84 |
| ICC-ACV-9 | Cost Data for Pipeline Construction..... | 19020013 | 12/13/84 |
| General Counsel | | | |
| GC-498A | Application for Nonexclusive or Patent License..... | 19010232 | 11/30/85 |
| GC-498B | Application for Exclusive or Partially Exclusive Patent License..... | 19010232 | 11/30/85 |
| GC-498C | Inquiry as to Usage of Licensed Subject Matter..... | 19010232 | 11/30/85 |
| International Affairs | | | |
| IA-473 | Unclassified Visit Proposal..... | 19010130 | 09/30/83 |
| MB-10/ 4 /SER-1 | Unclassified Activities in Foreign..... | 19010005 | 12/31/82 |
| Management and Administration | | | |
| AD-R0177 | National Survey of Compensation Paid Scientists and Engineers Engaged in Research and Development..... | 19010016 | 03/31/83 |
| EIA-188 | Uniform Reporting System for Contractors..... | 19010021 | 09/30/83 |
| EIA-459 | Uniform Reporting System for Federal Assistance—Grants and Cooperative Agreements..... | 19010127 | 10/31/83 |
| PR-437 | Request for Priority Rating for Energy Programs..... | 19010110 | 06/30/83 |
| Minority Economic Impact | | | |
| MI-754 | Office of Minority Economic Impact Direct Loan Application for Bid or Proposal Preparation..... | 19010242 | 08/31/83 |
| Power Marketing Administration | | | |
| BPA-474-A | Solar Domestic Hot Water Pilot Program—Initial Customer Contact Questionnaire..... | 19010112 | 12/31/82 |
| BPA-474-B | Site Visit Report..... | 19010112 | 12/31/82 |
| BPA-474-C | System Installation Report..... | 19010112 | 12/31/82 |
| BPA-474-D | System Inspection and Acceptance Report..... | 19010112 | 12/31/82 |
| BPA-474-E | Monitoring Equipment Installation Report..... | 19010112 | 12/31/82 |
| BPA-474-F | Solar Domestic Hot Water Pilot Program—Financial Summary Statement..... | 19010111 | 12/31/82 |
| BPA-705-A | Solar Water Heating Pilot Program—Customer Monitoring Card..... | 19010222 | 01/31/83 |
| BPA-705-B | Solar Water Heating Pilot Program—System Inspection and Acceptance Report..... | 19010223 | 01/31/83 |
| BPA-705-C | Solar Water Heating Pilot Program—Workshop Evaluation..... | 19010223 | 01/31/83 |
| BPA-705D | Solar Water Heating Pilot Program—Monthly Financial Summary Statement..... | 19010224 | 01/31/83 |
| BPA-1418-A | Home Energy Efficiency Program—Type I Energy Conservation Analysis and Heat Loss Calculation..... | 19040032 | 08/31/84 |
| BPA-1418-B | Home Energy Efficiency Program—Recommendations Form..... | 19040032 | 08/31/84 |
| BPA-1418-C | Home Energy Efficiency Program—Notice of Work for Bid/Bid Release..... | 19040032 | 08/31/84 |
| BPA-1418-D | Home Energy Efficiency Program—Notice to Proceed..... | 19040032 | 08/31/84 |
| BPA-1418-E | Home Energy Efficiency Program—Weatherization Improvements/Completion Acknowledgement..... | 19040032 | 08/31/84 |
| BPA-1418-F | Home Energy Efficiency Program—Monthly Financial Statement..... | 19040032 | 08/31/84 |

PART II.—DOE ACTIVE INFORMATION COLLECTIONS (NOT UTILIZING STRUCTURED FORMS)

| DOE No. | Title | OMB Control No. | Expiration date | CFR citation |
|--|---|-----------------|-----------------|-----------------|
| Conservation and Renewable Energy | | | | |
| CE-478R-A | Residential Conservation Service Reporting Requirements—Initial Plans..... | 19040040 | 04/30/85 | 10 CFR 456.316. |
| CE-478R-B | Residential Conservation Service Reporting Requirements—Annual Reports..... | 19040040 | 04/30/85 | 10 CFR 456.202. |
| CE-497R | Urban Waste Demonstration Facilities Guarantee Program..... | 19040029 | 12/31/82 | 10 CFR 798. |

PART II.—DOE ACTIVE INFORMATION COLLECTIONS (NOT UTILIZING STRUCTURED FORMS)—Continued

| DOE No. | Title | OMB Control No. | Expiration date | CFR citation |
|---|---|-----------------|-----------------|--|
| CS/AF-703R | Data Requirements for Regulations for Loan Guarantees for Alcohol Fuels, Biomass and Municipal Waste Energy Projects. | 19040028 | 10/31/83 | 10 CFR 799.7(a)(9) .15. |
| Environmental Protection, Safety, Emergency Preparedness | | | | |
| EP-737R | Emergency Interconnection of Electric Facilities and Transfer of Electricity | 19030066 | 05/31/83 | 10 CFR 205.370 et seq. |
| Economic Regulatory Administration | | | | |
| ERA-329R | Regulatory Reporting and Recordkeeping Requirements Pursuant to 10 CFR 500, 501, 503, 504, and 515 | 19030075 | 07/31/85 | 10 CFR 500, 501, 503, 504, and 515. |
| ERA-626R | Information Requirements for Certification of Eligible Use of Natural Gas to Displace Fuel Use | 19030076 | 06/30/83 | 10 CFR 595. |
| ERA-750R | Annual Compilation of Proposed and Final List of Utilities Covered by Public Utility Regulatory Policies Act and National Energy Conservation Policy Act. | 19030070 | 10/31/84 | 45 FR 67552 (1980). |
| ERA-757R | Sale and Direct Industrial Use of Natural Gas for Outdoor Lighting | 19030072 | 09/30/83 | 10 CFR 516.10, .51, .52. |
| ERA-766R | Record Retention and Reporting Requirements Pursuant to General Allocation and Price Rules | 19030073 | 07/31/83 | CFR 210.1. |
| Federal Energy Regulatory Commission | | | | |
| FERC-500 | Major Hydroelectric License—Application | 19020058 | 12/31/84 | 18 CFR 4, Subpart F. |
| FERC-505 | Minor Hydroelectric License—Application | 19020115 | 10/31/84 | 18 CFR 4, Subpart G. |
| FERC-510 | Electric License—Surrender of License | 19020068 | 07/31/85 | 18 CFR 6. |
| FERC-511 | Electric License—Transfer | 19020069 | 10/31/82 | 18 CFR 9. |
| FERC-512 | Electric License—Preliminary Permit | 19020073 | 06/30/85 | 18 CFR 4, Subpart D. |
| FERC-514 | Electric License—Change in Land Right | 19020078 | 11/30/82 | 18 CFR, Subpart 4. |
| FERC-515 | Electric License—Declaration of Intention | 19020079 | 11/30/82 | 18 CFR 24.1. |
| FERC-516 | Electric Rate—Rate Filings | 19020096 | 12/31/82 | 18 CFR 35, Subpart A. |
| FERC-517 | Electric Rates—Formal Investigations (Rate Level) | 19020097 | 12/31/82 | 18 CFR 35.13. |
| FERC-519 | Electric Rates—Corporate Applications | 19020082 | 10/31/82 | 18 CFR 33. |
| FERC-520 | Electric Rates—Corporate Application (Interlocking Positions) | 19020083 | 10/31/82 | 18 CFR 45. |
| FERC-521 | Electric License—Headwater Benefits | 19020087 | 12/31/82 | 18 CFR 11.26, .31, 13.1. |
| FERC-522 | Electric License—Federal Rates | 19020088 | 12/31/82 | 18 CFR 300.10-11. |
| FERC-523 | Application for Authorization of The Issuance of Securities | 19020043 | 09/30/83 | 18 CFR 34. |
| FERC-525 | Financial Audit | 19020092 | 12/31/82 | N/A. |
| FERC-530 | Gas Producer Certificate: Abandonment/Termination | 19020051 | 11/30/84 | 18 CFR 157.30. |
| FERC-531 | Gas Producer Certificate: New Service | 19020052 | 04/30/83 | 18 CFR 157.23-29, 2.75 |
| FERC-532 | Gas Producer Rate: Rate Filing | 19020055 | 03/31/85 | 18 CFR 250.9, 154.91-101, 2.56a. |
| FERC-533 | Gas Producer Rate: Special Relief Petition | 19020056 | 01/31/83 | 18 CFR 2.75-2.77. |
| FERC-534 | Application for Production Related Costs | 19020057 | 01/31/83 | 18 CFR 271, Subpart K. |
| FERC-537 | Gas Pipeline Certificate | 19020060 | 06/30/85 | 18 CFR 2.69, .79, 157.5-18, .22, .100, 284.107, 284.127. |
| FERC-538 | Gas Pipeline Certificate: Initial Service | 19020061 | 12/31/84 | 18 CFR 156. |
| FERC-539 | Gas Pipeline Certificate: Import/Export Related | 19020062 | 04/30/84 | 18 CFR 153. |
| FERC-541 | Gas Pipeline Certificate: Curtailment Plan | 19020066 | 03/31/85 | 18 CFR 2.78, Part 281. |
| FERC-542 | Gas Pipeline Rate | 19020070 | 05/31/83 | 18 CFR 154.61-65, 91. |
| FERC-547 | Gas Pipeline Rates Refund Obligation | 19020084 | 05/31/85 | 18 CFR 273.302. |
| FERC-548 | Gas Pipeline Rate: Staff Adjustment Under Natural Gas Policy Act, Section 502(c) | 19020085 | 11/30/82 | 18 CFR 1.41. |
| FERC-549 | Gas Pipeline Rates: Natural Gas Policy Act, Title III Transactions | 19020086 | 06/30/85 | 18 CFR 284 Subparts A, D, E, F, H, 284.106. |
| FERC-550 | Oil Pipeline: Tariff | 19020089 | 12/31/82 | 49 CFR 1300. |
| FERC-551 | Oil Pipeline: Tariff, Non-Formal | 19020090 | 12/31/82 | 49 CFR 1300. |
| FERC-552 | Oil Pipeline: Initial Rate | 19020091 | 12/31/82 | 49 CFR 1300. |
| FERC-555 | Records Retention Requirements | 19020098 | 12/31/82 | 18 CFR 125, 158, 160.1, 276.108, 227.210, 225, 356. |
| FERC-556 | Cogeneration and Small Power Production | 19020075 | 10/31/82 | 18 CFR 292. |
| FERC-557 | Cost of Service Information Under Sec. 133 of Public Utility Regulatory Policies Act | 19020042 | 12/31/82 | 18 CFR 290. |
| FERC-558 | Contract Summary for Applicants for Certificates of Public Convenience and Necessity | 19020109 | 07/31/84 | 18 CFR 250.5. |
| FERC-559 | Independent Producer Rate Change or Initial Billing Statement | 19020036 | 07/31/84 | 18 CFR 250.14. |
| FERC-561 | Report of Interlocking Directorate Positions | 19020099 | 03/31/83 | 18 CFR 46.6. |
| FERC-565 | General Interrogatory of Fuel Purchase Practices | 19020117 | 12/31/82 | NA. |
| FERC-566 | Report of Utility's 20 largest Purchasers | 19020114 | 12/31/84 | 18 CFR 46.3 |
| FERC-567 | Annual Report of System Flow Diagrams | 19020005 | 07/31/84 | 18 CFR 260.6. |
| FERC-568 | Well Category Determinations | 19020112 | 12/31/83 | 18 CFR 274. |
| FERC-569 | Refund Obligations | 19020111 | 12/31/84 | 18 CFR 273. |
| FERC-571 | Incremental Pricing Report | 19020110 | 12/31/84 | 18 CFR 282. |
| FERC-574 | Gas Pipeline Certificate: Hinshaw Exemption | 19020116 | 02/29/84 | 18 CFR 152, 284.222. |
| FERC-575 | Louisiana First Use Tax: Refund Procedures for Primary and Secondary Pipelines | 19020113 | 12/31/82 | 18 CFR 154.38(h). |
| FERC-576 | Report by Certain Natural Gas Companies of Emergency Conditions | 19020004 | 03/31/85 | 18 CFR 260.9. |
| General Counsel | | | | |
| GC-789R | Contractor's Invention Recordkeeping/Reporting Procedures | 19010253 | 06/30/85 | 41 CFR 9.9.107.5(a)(e)(1). |
| GC-790R | Invention Disclosure Report | 19010251 | 06/30/85 | 41 CFR 9.9.107.5(e)(2)(1). |
| GC-791R | Petition for Waiver of Patent Rights and Related Reporting Requirements | 19020120 | 06/30/85 | 41 CFR 9.9.109-6. |
| GC-792 | Patent Certification (Interim-Final) | 19020121 | 06/30/85 | 41 CFR 9.9.107.5(a)(e)(2)(ii). |
| Management and Administration | | | | |
| MA-647R | Nondiscrimination in Federally Assisted Programs | 19010247 | 01/31/85 | 10 CFR 1040.4, .102. |
| Power Marketing Administration | | | | |
| WAPA-743R | Application for Allocation of Power | 19040037 | 11/30/84 | 10 CFR 1022.4(k), 0022.5(h). |

[FR Doc. 82-33340 Filed 12-8-82; 8:45 am]

BILLING CODE 6450-01-M

Agency Forms Under Review by the Office of Management and Budget

AGENCY: Energy Information Administration, DOE.

ACTION: Notice of submission of request for clearance to the Office of Management and Budget.

SUMMARY: Under provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), Department of Energy (DOE) notices of proposed collections under review will be published in the Federal Register on the Thursday of the week following their submission to the Office of Management and Budget (OMB). Following this notice is a list of the DOE proposals sent to OMB for approval since November 26, 1982.

Each entry contains the following information and is listed by the DOE sponsoring office: (1) The form number; (2) Form title; (3) Type of request, e.g.,

new, revision, or extension; (4) Frequency of collection; (5) Response obligation, i.e., mandatory, voluntary, or required to obtain or retain benefit; (6) Type of respondent; (7) An estimate of the number of respondents; (8) Annual respondent burden, i.e., an estimate of the total number of hours needed to fill out the form; and (9) A brief abstract describing the proposed collection.

DATES: Last notice published Friday, November 26, 1982.

FOR FURTHER INFORMATION CONTACT: John Gross, Director, Forms Clearance and Burden Control Division, Energy Information Administration, M.S. 1H-023, Forrestal Building, 1000 Independence Ave. NW., Washington, D.C. 20585, (202) 252-2308.

Jefferson B. Hill, Department of Energy Desk Officer, Office of Management and Budget, 726 Jackson Place NW., Washington, D.C. 20503, (202) 395-7340.

Vartkes Broussalian, Federal Energy Regulatory Commission Desk Officer, Office of Management and Budget, 726 Jackson Place NW., Washington, D.C. 20503, (202) 395-3087.

SUPPLEMENTARY INFORMATION: Copies of proposed collections and supporting documents may be obtained from Mr. Gross. Comments and questions about the items on this list should be directed to the OMB reviewer; comments should also be provided Mr. Gross. If you anticipate commenting on a form, but find that time to prepare these comments will prevent you from submitting comments promptly, you should advise the OMB reviewer of your intent as early as possible.

Issued in Washington, D.C. December 6, 1982.

Yvonne M. Bishop,
Director, Statistical Standards, Energy Information Administration.

DOE FORMS UNDER REVIEW BY OMB

| Form | | Type of request | Response | | Respondent description | Estimated number of respondents | Annual respondent burden (hours) | Abstract |
|-------------|---|-----------------|---------------|----------------|---|---------------------------------|----------------------------------|---|
| No. | Title | | Frequency | Obligation | | | | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) |
| CE: CE-462 | Energy Savings Report. | Extension..... | Annually..... | Mandatory..... | State energy offices..... | 57 | 16,416 | For use by States in submission of required annual data on energy savings. Data will be used to facilitate DOE's statutory reporting and for convenience of States and DOE/regional offices in analyzing and exchanging information on program achievements. |
| EIA: EIA-23 | Annual Survey of Domestic Oil and Gas Reserves. | Revision..... | Annually..... | Mandatory..... | Domestic oil and gas operators. | 2,933 | 134,048 | Data will be used to establish a central data base of credible, verifiable crude oil, natural gas, and natural gas liquids reserves and production within the United States. Data will be used in aggregate form by State agencies, the Securities and Exchange Commission, the Department of Interior, and various offices within DOE. Data are published in the Secretary's Annual Report and other EIA publications. |
| FERC: FPC-8 | Underground Gas Storage Report. | Extension..... | Monthly..... | Mandatory..... | Interstate natural gas pipelines and natural gas producers. | 40 | 1,920 | Data are collected to help FERC in assuring the continuity of natural gas service. Data are analyzed with regard to natural gas storage injections, withdrawals, balances and capacities. Data are published by EIA in the Natural Gas Monthly and other publications. |

[FR Doc. 82-33588 Filed 12-8-82; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket No. CP83-88-000]

Columbia Gas Transmission Corp.; Application

December 3, 1982.

Take notice that on November 15, 1982, Columbia Gas Transmission Corporation (Applicant), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, filed in Docket No. CP83-88-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction

and operation of certain natural gas facilities in Crawford and Mercer Counties, Pennsylvania, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Columbia requests authorization to construct and operate approximately 39.7 miles of 6-inch, 8-inch, 10-inch, and 12-inch transmission pipeline and an additional 540 horsepower leased compressor unit at Meadville Compressor Station, all located in Crawford and Mercer Counties, Pennsylvania. Applicant states that these facilities are necessary in order to purchase available reserves of new supplies of natural gas and to

transport and compress such volumes for delivery to Consolidated Gas Supply Corporation under an exchange arrangement authorized in Docket No. CP81-277-000.

The cost of the facilities to be constructed is estimated to be \$6,606,000, which cost would be financed with funds generated from internal sources. Applicant further states that these facilities would permit additional new sources of long-term natural gas supply to be made available to its interstate markets.

Any person desiring to be heard or to protest with reference to said application should on or before December 23, 1982, file with the Federal

Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-33544 Filed 12-8-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-76-000]

Columbia Gas Transmission Corp.; Application

December 6, 1982.

Take notice that on November 9, 1982, Columbia Gas Transmission Corporation (Applicant), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, filed in Docket No. CP83-76-000 an application pursuant to Section 7 of the Natural Gas Act and Subpart F of 157 of the Commission's Regulations for a blanket certificate of public convenience and necessity authorizing the construction, acquisition, and operation of certain facilities and the transportation and sale of natural gas and for permission and approval to abandon certain facilities and service,

all as more fully set forth in the application on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 23, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-33545 Filed 12-8-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP 83-75-000]

Consolidated System LNG Co.; Application

December 3, 1982.

Take notice that on November 9, 1982, Consolidated System LNG Company (Consolidated LNG), 445 West Main Street, Clarksburg, West Virginia 26301, filed in Docket No. CP83-75-000 an application pursuant to Section 7(b) of

the Natural Gas Act for permission and approval to abandon certain facilities and services appurtenant to the liquefied natural gas (LNG) facilities at Cove Point, Maryland, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically Consolidated LNG proposes the following:

- (1) The abandonment of its one-half interest in the Cove Point, Maryland, LNG receiving and regasification terminal (Cove Point);
- (2) The abandonment of its one-half interest in the related pipeline from Cove Point to Loudoun, Virginia;
- (3) The abandonment of its wholly-owned pipeline for transportation of the regasified LNG from Loudoun, Virginia to Perulack, Pennsylvania;
- (4) The abandonment of an exchange agreement and related tap facilities with Texas Eastern Transmission Corporation (TETCO);
- (5) The abandonment of the sale of regasified LNG to Consolidated Gas Supply Corporation (Consolidated Gas);
- (6) The abandonment of transportation service for Columbia Gas Transmission Corporation (Columbia) through the Loudoun to Perulack pipeline; and
- (7) The implementation of tariff sheets in accordance with Exhibit X which appears in the subject application.

Consolidated LNG states that it was authorized in Opinion No. 622, 47 FPC 1625 (1972), and Opinion No. 622-A, 48 FPC 723 (1972), to import LNG from Algeria, to construct the Cove Point facilities, to construct the Cove Point to Loudoun, Virginia, pipeline, and to resell all regasified LNG to Consolidated Gas.

Consolidated LNG avers that it is seeking to abandon the aforementioned facilities and services due to the inability to reach a mutual agreement with Sonatrach, the Algerian national energy company, concerning the pricing of Algerian LNG. Sonatrach terminated deliveries to Cove Point in March 1980. Subsequently, the United States government, then Consolidated LNG negotiated directly with Sonatrach. Consolidated LNG is now of the opinion that there is no chance of effecting a new agreement with Sonatrach which would meet the needs of Consolidated Gas and its customers.

Consolidated LNG states that on December 11, 1980, it implemented the minimum bill provision of its tariff which provides for recovery of debt service, operating expenses, and other taxes but permits no return on or of equity. Consolidated LNG proposes that, upon approval of the subject

abandonments, it be permitted to implement a revised tariff to amortize over a 10-year period the remaining investment in the LNG facilities and related pipelines and charge carrying costs on the unamortized portion of the investment in the facilities proposed to be abandoned is retired.

Consolidated LNG states that during the subject proceeding and prior to authorization, it would continue to offer for sale its interest in all the facilities proposed to be abandoned and that the proceeds from the sale of all or any portion of the facilities for which abandonment authorization is sought would be credited against Consolidated LNG's remaining investment in such facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 23, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Consolidated LNG to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33546 Filed 12-9-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-66-000]

El Paso Natural Gas Co.; Application

December 3, 1982.

Take notice that on November 5, 1982, El Paso Natural Gas Company (El Paso) P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP83-66-000 an application, as supplemented November 16, 1982, pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing El Paso to increase the maximum allowable operating pressure of certain facilities at El Paso's Dumas Compressor Station located in Moore County, Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

El Paso states that the Dumas Compressor Station consisting of fifteen compressor units with a total installed compressor horsepower of 20,300 was initially utilized by El Paso to compress an average daily quantity of approximately 244,000 Mcf of residue gas received from the Phillips Petroleum Company (Phillips) Dumas plant.

El Paso further states that the Dumas Compressor Station presently compresses quantities of natural gas received from the Phillips' Dumas plant and quantities of natural gas received from El Paso's low pressure 18-inch O.D. Panoma to Dumas pipeline. El Paso states that it is presently compressing approximately 322,780 Mcf of gas per day at the Dumas Compressor Station of which 85,620 Mcf are attributable to the gas received from Phillips and 237,160 Mcf are attributable to gas delivered from the low pressure Panoma-to-Dumas pipeline. After the compression of the two streams of gas at the Dumas Compressor Station, El Paso states that it delivers approximately 350,960 Mcf per day to Northern Natural Gas Company, Division of InterNorth, Inc. (Northern), and 235,950 Mcf per day to its 24-inch O.D. Dumas-to Plains pipeline.

El Paso anticipates that the volumes of natural gas available to Northern for exchange would continue to decline in the Permian Basin area thereby requiring that the volumes of gas delivered by El Paso to Northern at the discharge side of the Dumas Compressor Station be further reduced. As a result,

El Paso anticipates that by early 1983, absent certain modifications of existing facilities at the Dumas Compressor Station to increase maximum allowable operating pressure, the capacity of its 24-inch O.D. Dumas-to-Plains pipeline of approximately 236,000 Mcf per day would be insufficient to transport the quantities of gas anticipated to be available through the pipeline.

Accordingly, El Paso requests authorization to increase the maximum allowable operating pressure of Units 1, 3, 5 and 7 at the Dumas Compressor Station from 563 psia to 793 psia. El Paso states that this increase would provide the necessary increase in the transport capacity (from 236,000 Mcf per day to 321,000 Mcf per day) of its 24-inch O.D. Dumas-to-Plains pipeline. The estimated total cost of the above described modification to existing facilities is \$1,196,000.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 23, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for El Paso to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-33547 Filed 12-9-82; 8:45 am]

BILLING CODE 8717-01-M

[Docket No. CP83-80-000]

Florida Gas Transmission Co.; Application

December 6, 1982.

Take notice that on November 10, 1982, Florida Gas Transmission Company (FGT), P.O. Box 44, Winter Park, Florida 32790, filed in Docket No. CP83-80-000 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon certain gas supply facilities in Texas and Louisiana, all as more fully set forth in the application which is on file with the Commission and open for public inspection.

FGT proposes to abandon certain gas supply facilities due to depletion of gas supply previously flowing through the facilities or in one such case, due to a fire during a well blow-out. More specifically, the meter stations and purchase lateral lines which FGT proposes to abandon are as follows:

1. Samedan-Penesca, Kenedy County, Texas
2. Phillips-Spradley, San Patricio County, Texas
3. Flour Bluff, Nueces County, Texas
4. Paul Field (Agua Dulce), Nueces County, Texas
5. Chalkley, Cameron Parish, Louisiana
6. Montegut-Brunet, Terrebonne Parish, Louisiana
7. Montegut-Ellender, Terrebonne Parish, Louisiana
8. Sun Helen Gohlke, Victoria County, Texas
9. L.L.&E. Kissner, East Baton Rouge Parish, Louisiana
10. Lake Palourde, Assumption Parish, Louisiana
11. North Chacahoula, Assumption Parish, Louisiana

FGT states that gas has ceased to flow through each of the above-mentioned facilities and that FGT no longer has an expectation of future deliveries to the facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 23, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be

considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-33548 Filed 12-9-82; 8:45 am]

BILLING CODE 8717-01-M

[Docket No. CP82-253-001]

Gas Company of New Mexico; Petition To Amend

December 3, 1982.

Take notice that on September 30, 1982, Gas Company of New Mexico (Applicant), 1800 First International Building, Dallas, Texas 75270, filed in Docket No. CP82-253-001, pursuant to § 284.127 of the Commission's Regulations, a petition to amend¹ the order issued September 30, 1982, in Docket No. CP82-253-000 so as to authorize the transportation of natural gas to an additional delivery point for Northwest Pipeline Corporation (Northwest) for the account of Beker Industries Corp. (Beker), all as more fully set forth in the petition to amend which is on file with the commission and open to public inspection.

It is asserted that Beker has purchased gas from Southern Union Gathering Company (Gathering

Company) which gas would be made available to Beker at the outlet of Gathering Company's Kutz Gasoline Plants in San Juan County, New Mexico. It is asserted that under the terms of a March 19, 1982, gas transportation agreement between Beker, Northwest and Applicant, Applicant receives the gas for redelivery to Northwest at a point of interconnection in San Juan County, New Mexico, referred to as the Huerfano redelivery point. It is stated that by a letter amendment of August 4, 1982, to that gas transportation contract, the parties added a new redelivery point at the intersection of Applicant's facilities and those of El Paso Natural Gas Company (El Paso) located at milepost 287.1 on El Paso's Permian-San Juan Mainline referred to as the Rio Puerco redelivery point. Applicant proposes herein to deliver gas to El Paso at the Rio Puerco redelivery point for further transportation by El Paso to Northwest at the Ignacio mainline receipt point. It is submitted that Northwest would transport the gas to a point of interconnection with Intermountain Gas Company (Intermountain) near Soda Springs, Idaho. Intermountain would then transport the gas to Beker's Conda, Idaho, fertilizer plant, it is asserted.

Beker, it is asserted, has agreed to reimburse Applicant a pro rata portion of the cost of all tap, meter, and other interconnection facilities to be constructed by Applicant for the proposed service. Such facilities would be owned by Applicant, it is explained.

It is asserted that the additional redelivery point would provide greater access to Gathering Company's excess gas supply and would serve to alleviate some pipeline capacity limitations thereby providing greater flexibility in performing the sale of excess gas.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before December 23, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to

¹ Although Applicant filed an amendment to its pending application, Applicant's filing is being construed as a petition to amend the order issued September 30, 1982, in Docket No. CP82-253-000.

intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33549 Filed 12-8-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. CP82-325-001]

Gas Company of New Mexico; Amendment

December 6, 1982.

Take notice that on September 28, 1982, Gas Company of New Mexico (Applicant), 1800 First International Building, Dallas, Texas 75270, filed in Docket No. CP82-325-001 pursuant to Section 7(c) of the Natural Gas Act and §§ 284.222 and 284.127 of the Commission's Regulations an amendment to its application in Docket No. CP82-325-000 so as to reflect the transportation of natural gas to an additional delivery point to El Paso Natural Gas Company (El Paso), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is asserted that J. R. Simplot Company (Simplot) has purchased gas from Southern Union Gathering Company (Gathering Company) which gas would be made available to Simplot at the outlet of Gathering Company's Kutz Gasoline Plants in San Juan County, New Mexico. It is asserted that under the terms of a March 30, 1982, gas transportation agreement between Simplot, Northwest Pipeline Corporation (Northwest) and Applicant, Applicant receives the gas for redelivery to Northwest at a point of interconnection in San Juan County, New Mexico, referred to as the Huerfano redelivery point. By a letter amendment of August 4, 1982, to that gas transportation contract, it is asserted that the parties added a new redelivery point at the intersection of Applicant's facilities and those of El Paso located at milepost 287.1 on El Paso's Permian-San Juan Mainline. It is stated that El Paso would transport gas from this additional delivery point to Northwest at the Ignacino Mainline Receipts Point, for the account of Simplot. It is submitted that Northwest would transport the gas to a point of interconnection with Intermountain Gas Company (Intermountain) near Soda Springs, Idaho, and that Intermountain would then transport the gas to Simplot's Don, Idaho, fertilizer plant.

Simplot, it is asserted, has agreed to reimburse Applicant a *pro rata* portion of the cost of all tap, meter and other interconnection facilities to be

constructed by Applicant for the proposed service. Such facilities would be owned by Applicant, it is submitted.

Any person desiring to be heard or to make any protest with reference to said amendment should, on or before December 23, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules. All persons who have heretofore filed need not file again.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33550 Filed 12-8-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. CP82-376-001]

Gas Company of New Mexico; Petition To Amend

December 6, 1982.

Take notice that on October 1, 1982, Gas Company of New Mexico (Applicant), 1800 First International Building, Dallas, Texas 75270, filed in Docket No. CP82-376-001 pursuant to § 284.127 of the Commission's Regulations, a petition to amend¹ the order issued September 30, 1982, in Docket No. CP82-376-000 so as to authorize the transportation of natural gas to an additional delivery point for Northwest Pipeline Corporation (Northwest) for the account of Phillips Pacific Chemical Company (Phillips Pacific), all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

It is asserted that Phillips Pacific has purchased gas from Southern Union Gathering Company (Gathering Company) which gas would be made available to Phillips Pacific at the outlet of Gathering Company's Kutz Gasoline Plants in San Juan County, New Mexico.

¹ Although Applicant filed an amendment to its pending application, Applicant's filing is being construed as a petition to amend the order issued September 30, 1982, in Docket No. CP82-376-000.

It is asserted that under the terms of a May 12, 1982, gas transportation agreement between Phillips Pacific, Northwest and Applicant, Applicant receives the gas for redelivery to Northwest at a point of interconnection in San Juan County, New Mexico, referred to as the Huerfano redelivery point. It is stated that by a letter amendment of August 4, 1982, to that gas transportation contract, the parties added a new redelivery point at the intersection of Applicant's facilities and those of El Paso Natural Gas Company (El Paso) located at milepost 287.1 on El Paso's Permian-San Juan Mainline, referred to as the Rio Puerco redelivery point for further transportation by El Paso on behalf of Phillips Pacific to Northwest at the Ignacino mainline receipt point. It is submitted that Northwest would transport the gas to a point of interconnection with Intermountain Gas Company (Intermountain) near Soda Springs, Idaho. Intermountain would then transport the gas to Phillips Pacific's Kennewick, Washington, fertilizer plant, it is asserted.

Phillips Pacific, it is asserted, has agreed to reimburse Applicant a *pro rata* portion of the cost of all tap, meter, and other interconnection facilities to be constructed by Applicant for the proposed service. Such facilities would be owned by Applicant, it is stated. No changes in the transportation charge is proposed, Applicant explains.

It is asserted that the additional redelivery point would provide greater access to Gathering Company's excess gas supply and would serve to alleviate some pipeline capacity limitations thereby providing greater flexibility in performing the sale of excess gas.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before December 23, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in

accordance with the Commission's Rules.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33561 Filed 12-8-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. CP83-61-000]

Lone Star Gathering Co., Application

December 8, 1982.

Take notice that on November 3, 1982,¹ Lone Star Gathering Company (Applicant), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No. CP83-61-000 an application pursuant to Section 7 of Natural Gas Act and Subpart F of Part 157 of the Commission's Regulations for a blanket certificate of public convenience and necessity authorizing the construction, acquisition, and operation of certain facilities and the transportation and sale of natural gas and for permission and approval to abandon certain facilities and service, all as more fully set forth in the application on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 23, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person

¹The application was initially tendered for filing on November 3, 1982; however, the fee required by § 159.1 of the Regulations under the Natural Gas Act (18 CFR 159.1) was not paid until November 12, 1982; thus filing was not completed until the latter date.

wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33562 Filed 12-8-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. ST80-85-001]

Montana Dakota Utilities Co.; Extension Reports

December 3, 1982.

The companies listed below have filed extension reports pursuant to Section 311 of the Natural Gas Policy Act of 1978 (NGPA) and Part 284 of the Commission's regulations giving notice of their intention to continue transportation and sales of natural gas for an additional term of up to 2 years. These transactions commenced on a self-implementing basis without case-

by-case Commission authorization. The Commission's regulations provide that the transportation or sales may continue for an additional term if the Commission does not act to disapprove or modify the proposed extension during the 90 days preceding the effective date of the requested extension.

The table below lists the name and addresses of each company selling or transporting pursuant to Part 284; the party receiving the gas; the date that the extension report was filed; and the effective date of the extension. A letter "B" in the Part 284 column indicates a transportation by an interstate pipeline which is extended under § 284.105. A letter "C" indicates transportation by an intrastate pipeline extended under § 284.125. A "D" indicates a sale by an intrastate pipeline extended under § 284.146. A "G" indicates a transportation by an interstate pipeline pursuant to § 284.221 which is extended under § 284.105. A "G(HS)" indicates transportation, sales or assignments by a Hinshaw Pipeline pursuant to a blanket certificate issued under § 284.222 of the Commission's Regulations.

Any person desiring to be heard or to make any protest with reference to said extension report should on or before December 28, 1982 file with the Federal Energy Regulatory Commission, Washington D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 or 385.214).

All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants party to a proceeding.

Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,
Secretary.

| Docket No. | Transporter/seller | Recipient | Date filed | Part 284 subpart | Effective date |
|--------------|---|--------------------------|------------|------------------|----------------|
| ST80-85-001 | Montana-Dakota Utilities Co., 400 North Fourth St., Bismarck, ND 58501. | Northern Gas Co. | 10/28/82 | B | 11/29/81 |
| ST81-186-001 | Transcontinental Gas Pipe Line Corp., P.O. Box 1396, Houston, TX 77251. | Union Gas Co. | 10/18/82 | B | 02/19/83 |
| ST81-213-001 | United Gas Pipe Line Co., P.O. Box 1478, Houston, TX 77101. | Southern Natural Gas Co. | 10/29/82 | G | 03/20/83 |

¹This late filing will be the subject of a separate order.

[FR Doc. 82-33853 Filed 12-8-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. CP83-71-000]

Northern Natural Gas Co., Division of InterNorth, Inc.; Request Under Blanket Authorization

December 3, 1982.

Take notice that on November 5, 1982, Northern Natural Gas Company, Division of InterNorth, Inc. (Northern), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP83-71-000 a request pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) that Northern proposes to construct and operate certain facilities and abandon certain facilities by sale to Iowa Public Service Company (IPS) in Dakota County, Nebraska, under the authorization issued in Docket No. CP82-401-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

Northern states that the measuring station identified as the Sioux City Town Border Station No. 1 is located in an area of residential encroachment, is greatly oversized and has several operational problems. Consequently, Northern proposes to abandon by sale and transfer to IPS such measuring station along with 2.6 miles of 16-inch branchline. The facilities which are proposed to be abandoned are located within the service area of IPS which is interested in utilizing such facilities as part of its distribution system serving South Sioux City, Nebraska.

As a result of the proposed abandonment, Northern also proposes to construct and operate a new town border station in Dakota County, Nebraska. The estimated cost to construct the proposed facilities is \$78,320 which would be financed out of cash on hand and funds generated from operations.

It is stated that included in the facilities to be sold and transferred to IPS are ten small volume sales measuring stations presently utilized to deliver natural gas to Peoples Natural Gas Company, Division of InterNorth, Inc., for distribution to certain small volume farm tap customers. Northern asserts that upon the transfer and sale of such properties, IPS would provide service to such customers from its distribution system.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural

Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

Kenneth F. Plumb,*Secretary.*

[FR Doc. 82-33554 Filed 12-8-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-322-002]

Northwest Pipeline Corp.; Amendment

December 3, 1982.

Take notice that on September 30, 1982, Northwest Pipeline Corporation (Northwest), P.O. Box 1526, Salt Lake City, Utah 84110, filed in Docket No. CP82-322-002 an amendment to its application filed in Docket No. CP82-322-000 pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity to reflect an additional delivery point for gas to be transported for the account of J.R. Simplot Company (Simplot), all as more fully set forth in such amendment which is on file with the Commission and open to public inspection.

Northwest states that on May 12, 1982, it filed an application with the Commission for authorization to transport up to 10,000 Mcf of natural gas per day for the account of Simplot on a best-efforts basis.

Northwest proposes herein to add a delivery point under the March 30, 1982, gas transportation agreement between Northwest, Simplot and Gas Company of New Mexico (GCNM). It is explained that the proposed delivery point is at the intersection of GCNM's facilities and those of El Paso Natural Gas Company (El Paso) in Valencia County, New Mexico. It is stated that El Paso would transport Simplot's gas to Northwest which would transport the gas to Simplot's plant at Pocatello, Idaho. It is asserted that the proposed delivery point allows GCNM additional flexibility to transport Simplot's gas on behalf of Northwest.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before December 23, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the

Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules. All persons who have heretofore filed need not file again.

Kenneth F. Plumb,*Secretary.*

[FR Doc. 82-33555 Filed 12-8-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-83-000]

Panhandle Eastern Pipe Line Co., Application

December 6, 1982.

Take notice that on November 12, 1982, Panhandle Eastern Pipe Line Company (Applicant), P.O. Box 1642, Houston, Texas 77001, filed in Docket No. CP-83-83-000 an application pursuant to Section 7 of the Natural Gas Act and Subpart F of Part 157 of the Commission's Regulations for a blanket certificate of public convenience and necessity authorizing the construction, acquisition, and operation of certain facilities and the transportation and sale of natural gas and for permission and approval to abandon certain facilities and service, all as more fully set forth in the application on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 23, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to

the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-33556 Filed 12-8-82; 8:45 am]

BILLING CODE 6712-01-M

[Docket No. CP81-378-003]

**Texas Eastern Transmission Corp.;
Petition To Amend**

December 3, 1982.

Take notice that on November 8, 1982, Texas Eastern Transmission Corporation (Petitioner), P.O. Box 2521, Houston, Texas 77252, filed in Docket No. CP81-378-003 a petition to amend the order issued March 17, 1982, as amended, in Docket No. CP81-378-000 pursuant to Section 7(c) of the Natural Gas Act so as to authorize an extension of the transportation service presently being provided to Public Service Electric and Gas Company (Public Service), all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

It is stated that by order issued March 17, 1982, as amended, Petitioner was authorized to transport for the account of Public Service up to 20,000 dekatherms (dt) equivalent of natural gas per day which Public Service purchases from National Gas and Oil Corporation (National). It is stated that such gas is used for the purpose of electric generation.

Petitioner states that the terms of the transportation agreement between Petitioner and Public Service and the Commission order issued March 17, 1982, as amended, provide that the transportation service terminates on November 15, 1982. Petitioner explains

that Public Service is purchasing natural gas from National under a gas purchase agreement which would remain in effect until May 31, 1983.

It is stated that Petitioner and Public Service have entered into a gas transportation agreement dated October 29, 1982, which provides that Petitioner would continue transportation of up to 20,000 dt equivalent of natural gas per day for Public Service for a period terminating six months from the date service commenced. Accordingly, Petitioner requests that the Commission amend the March 17, 1982, order, as amended, to authorize an extension of the transportation service which Petitioner provides for Public Service allowing such service to terminate six months after the initial delivery.

Petitioner proposes that the retention of revenues derived from the transportation service be subject to the outcome of its pending rate proceeding in Docket No. RP81-109-000, which Petitioner asserts is consistent with treatment granted in the March 17, 1982, order in this proceeding, as amended.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before December 23, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-33557 Filed 12-8-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-74-000]

**Texas Eastern Transmission Corp.,
Application**

December 3, 1982.

Take notice that on November 8, 1982, Texas Eastern Transmission Corporation (Applicant), P.O. Box 2521, Houston, Texas 77252, filed in Docket No. CP83-74-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public

convenience and necessity authorizing the transportation of natural gas for Long Island Lighting Company (LILCO), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that LILCO has purchased a quantity of natural gas from Equitable Gas Company (EGC). Applicant proposes pursuant to a gas transportation agreement dated November 4, 1982, to receive, by displacement, up to 50,000 dekatherms (dt) equivalent of natural gas per day from EGC for the account of LILCO at an existing point of interconnection between Applicant and EGC located at Applicant's meter station 355 in Westmoreland County, Pennsylvania, or at other mutually agreeable existing points of delivery in Applicant's Zone C. Applicant further proposes to transport and redeliver equal quantities, less quantities retained for applicable shrinkage, to LILCO at the existing point of interconnection between Applicant and LILCO located at meter station 058 in Richmond County, New York, and other mutually agreeable delivery points.

Applicant proposes to charge LILCO 18.72 cents per dt under Applicant's Rate Schedule TS-1 for the proposed transportation service provided; however, for quantities transported and delivered by Applicant which when added to the quantities delivered to LILCO under Applicant's Rate Schedule TS-1 and SS-II and other transportation agreements exceed the combined total curtailment of natural gas sales to LILCO under all of Applicant's firm sales rate schedules, Applicant would charge LILCO its Rate Schedule TS-1 excess rate of 21.58 cents per dt. It is stated that Applicant would retain 5.0 percent of the gas transported for shrinkage from April 16 through November 15 of each year and 11.0 percent of all gas received for transportation from November 16 through April 15 of each year. Applicant further states that retention of revenues derived from the transportation service proposed herein would be subject to Applicant's pending rate proceeding in Docket No. RP81-000.

Applicant further requests that the authorization granted herein be limited to a term commencing upon the date of initial delivery and terminating six months from the effective date.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 23, 1982, file with the Federal Energy Regulatory Commission,

Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-33558 Filed 12-8-82; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[OPTS-51444; TSH-FRL-2263-6]

Certain Chemicals; Premanufacture Notices

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for section 5(a)(1) premanufacture notices are discussed in EPA statements of interim policy published in the *Federal Register*

of May 15, 1979 (44 FR 28558) and November 7, 1980 (45 FR 74378). This notice announces receipt of ten PMNs and provides a summary of each.

DATES: Close of Review Period:

PMN 83-256, 83-257, 83-258 and 83-259—February 23, 1983.

PMN 83-260, 83-261, 83-262 and 83-263—February 27, 1983.

PMN 83-264 and 83-265—March 1, 1983.

Written comments by:

PMN 83-256, 83-257, 83-258 and 83-259—January 24, 1983.

PMN 83-260, 83-261, 83-262 and 83-263—January 28, 1983.

PMN 83-264 and 83-265—January 30, 1983.

ADDRESS: Written comments, identified by the document control number "[OPTS-51444]" and the specific PMN number should be sent to: Document Control Officer (TS-793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-409, 401 M St., SW., Washington, DC 20460, (202)-382-3532.

FOR FURTHER INFORMATION CONTACT:

Margaret Stasikowski, Acting Chief, Notice Review Branch, Chemical Control Division (TS-794), Office of Toxic Substances, Environmental Protection Agency, Rm. E-216, 401 M St., SW., Washington, DC 20460, (202)-382-3729.

SUPPLEMENTARY INFORMATION: The following notice contains information extracted from the non-confidential version of the submission provided by the manufacturer on the PMNs received by EPA. The complete non-confidential document is available in the Public Reading Room E-107.

PMN 83-256

Manufacturer. Confidential.

Chemical. (C) Polymer of acrylic acid and mixed alkyl acrylates.

Use/Production. (S) Site-limited and industrial captive polymeric intermediate used in metal coating formulation. Prod. range: 5,000-1,000,000 kg/yr.

Toxicity Data. No data submitted.

Exposure. Manufacture, processing and disposal: dermal, a total of 11 workers, up to 1 hr/da, up to 150 da/yr.

Environmental Release/Disposal. Less than 10 kg/yr released to land. Disposal by approved landfill.

PMN 83-257

Manufacturer. Confidential.

Chemical. (G) Copolymer of ethenyl heterocycle and substituted, ethenyl benzene.

Use/Production. Confidential. Prod. range: 1,000-20,000 kg/yr.

Toxicity Data. No data submitted.

Exposure. Manufacture and processing: a total of 30 workers, up to 24 hrs/da, up to 335 da/yr.

Environmental Release/Disposal.

Less than 10 kg/yr released to air with 100-1,000 kg/yr to water and land. Disposal by publicly owned treatment works (POTW) and approved landfill.

PMN 83-258

Manufacturer. Confidential.

Chemical. (G) Polymer of styrene, methacrylate ester, acrylic ester, and acrylic acid.

Use/Production. Confidential. Prod. range: Confidential.

Toxicity Data. No data submitted.

Exposure. Manufacture, processing and use: dermal and inhalation, a total of 35 workers, up to 6.5 hrs/da, up to 250 da/yr.

Environmental Release/Disposal.

More than 10,000 kg/yr released to land. Disposal by approved landfill.

PMN 83-259

Manufacturer. Owens-Corning Fiberglass Corporation.

Chemical. (G) Polyester resin.

Use/Production. Confidential. Prod. range: Confidential.

Toxicity Data. No data submitted.

Exposure. Manufacture: dermal and inhalation, a total of 1 worker, up to 1 hr/da.

Environmental Release/Disposal. No release. Disposal by incineration.

PMN 83-260

Manufacturer. Confidential.

Chemical. (G) Modified maleated rosin pentaerythritol ester alkylphenol formaldehyde resin.

Use/Production. (G) Open use. Prod. range: Confidential.

Toxicity Data. No data submitted.

Exposure. Manufacture: dermal, a total of 2 workers, up to 1 hr/da, up to 52 da/yr.

Environmental Release/Disposal.

Less than 10 kg/yr released to air, water and land. Disposal by approved landfill.

PMN 83-261

Manufacturer. Morton Chemical.

Chemical. (S) 2,2-bis [4-(4-aminophenoxy)phenyl] hexafluoropropane.

Use/Production. (G) Contained uses. Prod. range: Confidential.

Toxicity Data. Acute oral: male—1.34 gm/kg, female—1.77 gm/kg; Acute dermal: > 2 gm/kg; Irritation: Skin—Not an irritant, Eye—Unwashed 7.2/110.0, washed 0.7/110.0.

Exposure. Manufacture: dermal and inhalation, a total of 4 workers, up to 8 hrs/da, up to 30 da/yr.

Environmental Release/Disposal. Less than 10 kg/yr released to air 6 hrs/da, 25 da/yr. Disposal by incineration.

PMN 83-262

Manufacturer. Morton Chemical.
Chemical. (G) Halogenated dinitro ether compound.

Use/Production. (G) High temperature organic compound. Prod. range: Confidential.

Toxicity Data. Acute oral: > 5 gm/kg; Acute dermal: > 2 gm/kg; Irritation: Skin—Not an irritant, Eye—unwashed 1.7/110.0, washed 0.0/110.0.

Exposure. Manufacture: dermal and inhalation, a total of 14 workers, up to 8 hrs/da, up to 100 da/yr.

Environmental Release/Disposal. Less than 10 kg/yr released to air 6 hrs/da, 25 da/yr. Disposal by incineration.

PMN 83-263

Manufacturer. Confidential.
Chemical. (G) Substituted thiocyclic compound.

Use/Production. (G) Metal finishing product. Prod. range: Confidential.

Toxicity Data. No data submitted.
Exposure. Manufacture and use: dermal and inhalation, a total of 104 workers, up to 8 hrs/da, up to 250 da/yr.

Environmental Release/Disposal. Less than 10 kg/yr released to air and water. Disposal by POTW and navigable waterway.

PMN 83-264

Manufacturer. Confidential.
Chemical. (S) Condensation polymer of ethyl acrylate and ethanol amine.

Use/Production. (G) Contained use. Prod. range: 100,000–1,500,000 kg/yr.

Toxicity Data. Acute oral: Non-toxic; Irritation: Skin—Non-irritant, Eye—Non-irritant.

Exposure. Manufacture, processing, use and disposal: dermal, over 50 workers, up to 16 hrs/da, up to 200 da/yr.

Environmental Release/Disposal. Less than 10 kg/yr released to air, water and land. Disposal by incineration and on site waste water treatment plant.

PMN 83-265

Manufacturer. Confidential.
Chemical. (G) Substituted alkyl polyalkylene oxy quaternary ammonium chloride compound.

Use/Production. Confidential. Prod. range: 40,000–75,000 lbs/yr.

Toxicity Data. No data submitted.

Exposure. Manufacture and use: a total of 35 workers, up to 24 hrs/batch, up to 200 hrs/yr.

Environmental Release/Disposal. No release.

Dated: December 3, 1982.

Woodson W. Bercaw,
Acting Director, Management Support Division.

[FR Doc. 82-33513 Filed 12-9-82; 8:45 am]
BILLING CODE 6560-50-M

FEDERAL MARITIME COMMISSION

[Docket No. 82-55]

Companhia Siderurgica Nacional (Brazilian National Steel Co.) v. Lloyd Brasileiro; Filing of Complaint and Assignment

Notice is given that a complaint filed by Companhia Siderurgica Nacional against Lloyd Brasileiro was served December 1, 1982. Complainant alleges that respondent has subjected it to an overcharge of rates for ocean transportation.

This proceeding has been assigned to Administrative Law Judge Norman D. Kline. 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. 82-33540 Filed 12-8-82; 8:45 am]
BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

First Bancshares of Texas; Acquisition of Bank Shares by a Bank Holding Company

The company listed in this notice has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire voting shares or assets of a bank. The factors that are considered in action on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated. With respect to the application, interested persons may express their views in writing to the address

indicated. Any comment on the application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

A. Federal Reserve Bank of Dallas (Anthony J. Montelaro, Vice President)
400 South Akard Street, Dallas, Texas 75222:

1. *First Bancshares of Texas*, Longview, Texas; to acquire at least 80 percent of the voting shares of Bank of Athens, National Association, Athens, Texas, a *de novo* bank. Comments on this application must be received not later than December 24, 1982.

Board of Governors of the Federal Reserve System, December 6, 1982.

James McAfee,
Associate Secretary of the Board.

[FR Doc. 82-33515 Filed 12-8-82; 8:45 am]
BILLING CODE 6210-01-M

COMMISSION OF FINE ARTS

Meeting; Supplement to Agenda

The Vietnam Veterans Memorial design will be discussed at the meeting on December 14, 1982 at 10:00 a.m. at 708 Jackson Place, N.W., Washington, D.C. Access for handicapped persons will be through the main entrance to the New Executive Office Building on 17th Street between Pennsylvania Avenue and H Street, N.W. Call 566-1066 regarding details of the meeting. See the Notice of Meeting published in the *Federal Register* on Wednesday, November 24, 1982 on page 53089.

Dated: December 3, 1982.

Charles H. Atherton,
Secretary.

[FR Doc. 82-33527 Filed 12-8-82; 8:45 am]
BILLING CODE 6330-01-M

GENERAL SERVICES ADMINISTRATION

Appraisal of Fair Annual Parking Rate per Space for Standard Level User Charge (GSA Form 3357)

AGENCY: General Services Administration.

ACTION: Notice of Information Collection; Reinstatement.

SUMMARY: Under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the General Services Administration (GSA) plans to request Office of Management and Budget

review and approval for the reinstatement of an information collection request for the collection of data.

DATES: Comments on the information collection must be submitted on or before December 31, 1982.

ADDRESSES: Send comments to Franklin S. Reeder, GSA Desk Officer, OMB, Room 3235, NEOB, Washington, DC 20503, and to Anthony Artigliere, GSA Clearance Officer, GSA (ORAI), Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: Gerrie Bacon, GSA (202-566-0544).

SUPPLEMENTARY INFORMATION: The GSA Form 3357 is required to determine parking rate estimates of GSA controlled parking spaces for the Standard Level User Charge assessed Government agencies occupying Federally-owned and leased buildings. It is completed by contract appraisers for each parking schedule estimate. The estimated average number of hours per response is 1.6. A copy of the information collection proposal may be obtained from the Directives and Reports Management Branch (ORAI), Room 3011, GS Building, Washington, DC 20405, telephone 202-566-1164.

Dated: December 2, 1982.

Clarence A. Lee, Jr.,
Director of Administrative Services.

[FR Doc. 82-33517 Filed 12-8-82; 8:45 am]

BILLING CODE 6820-34-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

Medicaid Program; Hearing; Reconsideration of Disapproval of Ohio State Plan Amendment

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

ACTION: Notice of Hearing.

SUMMARY: This notice announces an administrative hearing on January 18, 1983 in Chicago, Illinois to reconsider our decision to disapprove Ohio State Plan Amendment 82-14.

DATE: *Closing Date:* Request to participate in the hearing as a party must be received by December 27, 1982.

FOR FURTHER INFORMATION CONTACT: Docket Clerk, Bureau of Program Policy, G-20 East High Rise, 6325 Security Boulevard, Baltimore, Maryland 21207, Telephone: (301) 594-8261.

SUPPLEMENTARY INFORMATION: This notice announces an administrative hearing to reconsider our decision to

disapprove an Ohio State plan amendment.

Section 1116 of the Social Security Act and 45 CFR Parts 201 and 213 establish Department procedures that provide an administrative hearing for reconsideration of a denial of a State plan or plan amendment. HCFA is required to publish a copy of the notice to a State Medicaid agency that informs the agency of the time and place of the hearing and the issues to be considered. (If we subsequently notify the agency of additional issues which will be considered at the hearing, we will also publish that notice.)

Any individual or group that wants to participate in the hearing as a party must petition the Hearing Officer within 15 days after publication of this notice, in accordance with additional requirements contained in 45 CFR 213.15(b)(2). Any interested person or organization that wants to participate as *amicus curiae* must petition the Hearing Officer before the hearing begins, in accordance with additional requirements contained in 45 CFR 213.15(c)(1).

If the hearing is later rescheduled, the Hearing Officer will notify all participants.

The issue in this matter relates to Ohio's proposal to cover habilitative services for the mentally retarded under the coverage category "rehabilitative services" (see 42 CFR 440.130(d)). Habilitative services are essentially nonmedical in nature and focus on the development and maintenance of life skills such as grooming, eating, toileting, communicating and other activities of daily living. Rehabilitative services, on the other hand, are those medical items or services designed to restore an individual's ability to function to the extent his/her condition will permit. The Health Care Financing Administration disapproved the amendment on the basis that habilitative services are covered under Medicaid only for those patients in an intermediate care facility for the mentally retarded (ICF/MR) (see 42 CFR 442.463). There is no provision either in statute or regulations for coverage of habilitative services for Medicaid eligible individuals who are not in an ICF/MR except as an approved part of a home and community-based waiver program as authorized by section 1915(c) of the Social Security Act.

The notice to Ohio announcing an administrative hearing to reconsider our denial of its State plan amendment reads as follows:

Mr. Kenneth B. Creasy,
Director, State Office Tower, 32nd Floor,
Columbus, Ohio 43215.

Dear Mr. Creasy: This is to advise you that your request for reconsideration of the decision to disapprove Ohio State Plan Amendment 82-14 was received on November 4, 1982. You have requested a reconsideration of whether this amendment, which proposes to cover habilitative services for the mentally retarded under the coverage category "rehabilitative services" pursuant to 42 CFR 440.130(d), conforms to the requirements for approval under the Social Security Act and pertinent Federal requirements.

I am scheduling a hearing on your request to be held on January 18, 1983, at 10:00 a.m. in the 8th Floor Conference Room, 175 West Jackson Boulevard, Chicago, Illinois. If this date is not acceptable, we would be glad to set another date that is mutually agreeable to the parties.

I have designated Mr. Lawrence Ageloff as the presiding official. In order to facilitate any communications which may be necessary between the parties to the hearing, please notify the Docket Clerk of the names of the individuals who will represent the State at the hearing. The Docket Clerk can be reached on (301) 594-8261.

Sincerely yours,

Carolyne K. Davis, Ph. D.

(Sec. 1116 of the Social Security Act (42 U.S.C. 1316))

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

Dated: December 2, 1982.

Carolyne K. Davis,
Administrator, Health Care Financing Administration.

[FR Doc. 82-33542 Filed 12-8-82; 8:45 am]

BILLING CODE 4120-03-M

Public Health Service

Privacy Act of 1974; New Routine Use for Systems

AGENCY: Public Health Service; HHS
ACTION: New routine use for systems 09-10-0008, Radiation Protection Program Personnel Monitoring, HHS/FDA/BRH; and 09-10-0009, Special Studies and Surveys on FDA-Regulated Products, HHS/FDA/ACMO.

SUMMARY: In accordance with the requirements of the Privacy Act, the Public Health Service (PHS) is publishing notice of a proposal to establish a new routine use of information in the following systems of records:

(1) 09-10-0008—Radiation Program Personnel Monitoring System, HHS/FDA/BRH.

(2) 09-10-0009—Special Studies and Surveys on FDA-Regulated Products, HHS/FDA/ACMO.

The purpose of the proposed routine use is to permit the Food and Drug

Administration (FDA) to disclose information to contractors to accomplish the purpose for which the records are collected.

PHS invites interested persons to submit comments on the proposed routine use on or before January 10, 1983.

DATES: The FDA will adopt the new routine use without further notice 30 days after the date of publication, unless PHS receives comments which would result in a contrary determination.

ADDRESS: Interested individuals may comment on this proposal by writing to the FDA Privacy Act Coordinator, Food and Drug Administration, 5600 Fishers Lane, HFI-30, Rockville, Maryland 20857. Comments received will be available for public inspection in Room 12A16 at the above address, Monday through Friday, between the hours of 9:00 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: Gerald H. Deighton, FDA Privacy Act Coordinator, Food and Drug Administration, 5600 Fishers Lane, HFI-30, Rockville, Maryland 20857, telephone—(301) 443-1813. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: The purpose of system 09-10-0008, Radiation Program Personnel Monitoring System, HHS/FDA/BRH, is to monitor incremental and accumulated exposure to ionizing radiation for radiation protection purposes. The purpose of system 09-10-0009, Special Studies and Surveys on FDA-Regulated Products, HHS/FDA/ACMO, is to provide data on individuals, specialty groups, and households participating voluntarily in FDA-sponsored studies. In order to accomplish the purposes of these systems FDA must contract with private firms to collect and process the data. PHS is proposing to establish a routine use which would permit FDA to disclose information from the above systems of records to contractors to accomplish the purpose for which the records are collected. The proposed routine use states:

Disclosure may be made to HHS contractors and their staff in order to accomplish the purpose for which the records are collected. The recipients are required to protect such records from improper disclosure.

Contractors will be required to maintain confidentiality safeguards with respect to these records. Safeguards are established in accordance with Chapters 45-13 and PHS hf:45-13 of the Department's General Administration Manual and Part 6 of the Department's ADP Systems Manual.

The proposed routine use is compatible with the purpose for which the information is collected.

The system notices were last published in the *Federal Register* on October 13, 1982 (47 FR 45418-45419). We are republishing the notices in their entirety to incorporate the proposed new routine use.

Dated: December 2, 1982.

Wilford J. Forbush,
Deputy Assistant Secretary for Health Operations and Director, Office of Management.

09-10-0008

SYSTEM NAME:

Radiation Protection Program Personnel Monitoring System. HHS/FDA/BRH.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Office of Health Affairs, Bureau of Radiological Health, 1901 Chapman Avenue, Rockville, MD 20857
Radiation Detection Company, 162 Wolfe Road, P.O. Box 1414, Sunnyvale, CA 94088

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

U.S. Public Health Service Personnel in clinics, laboratories, hospitals, research facilities, etc., who work with ionizing radiation sources required to be monitored by Nuclear Regulatory Commission or Occupational Safety and Health Administration regulations.

CATEGORIES OF RECORDS IN THE SYSTEM:

Contains name, date of birth, social security account number, job code, period of exposure, effective date, and radiation exposure value.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Atomic Energy Act of 1954 (68 Stat. 919 et seq). Nuclear Regulator Commission Regulations, 10 CFR Part 20; Occupational Safety and Health Act of 1970 (84 Stat. 1590 et seq.).

Occupational Safety and Health Administration Regulations, 29 CFR 1910.96

PURPOSE(S):

To monitor incremental and accumulated exposure to ionizing radiation for radiation protection purposes.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Results are disclosed to employers, i.e., clinics, laboratories, etc. to

determine the amount of ionizing radiation in order to detect whether the health of the individual worker might be affected.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to HHS contractors and their staff in order to accomplish the purpose for which the records are collected. The recipients are required to protect such records from improper disclosure.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on magnetic disk computer data bank, with back-up stored securely off site. Hard copies are maintained in letter-size folders.

RETRIEVABILITY:

Indexed by name, social security account number, and facility.

SAFEGUARDS:

Computer software is password protected and access is restricted by Resource Access Control Facility (RACF). Hard copies are filed in secured files, locked buildings, locked rooms and controlling security personnel stationed at key access points to the record area. Access limited to authorized Bureau of Radiological Health agency and contractor personnel. The contractor is required to maintain confidentiality safeguards with respect to these records. Safeguards are established in accordance with chapters 45-13 and PHS hf: 45-13 of the Department's General Administration Manual and Part 6 of the Department's ADP Systems Manual.

RETENTION AND DISPOSAL:

Indefinite retention on magnetic disk.

SYSTEM MANAGER(S) AND ADDRESS:

Radiation Safety Officer (HFX-3), 5600 Fishers Lane, Rockville, MD 20857

NOTIFICATION PROCEDURE:

An individual may learn if a record exists about him or her upon written request, with notarized signature if request is made by mail, or with suitable identification if request is made in person, directed to: FDA Privacy Act Coordinator (HFI-30), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857.

RECORD ACCESS PROCEDURES:

Same as Notification Procedure. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with FDA Regulations (21 CFR 21.40)).

CONTESTING RECORD PROCEDURES:

Contact the official at the address specified under Notification Procedure above and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting justification. (These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

RECORD SOURCE CATEGORIES:

Individual on whom the record is maintained.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

09-10-0009

SYSTEM NAME:

Special Studies and Surveys on FDA-Regulated Products HHS/FDA/ACMO.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Negotiated Contracts Branch (HFA-510), Associated Commissioner for Management and Operations, 5600 Fishers Lane, Rockville, MD 20857

A current list of contract sites is available by writing to the system manager at the address below.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals, specialty groups, and households participating voluntarily in FDA-sponsored studies and surveys.

CATEGORIES OF RECORDS IN THE SYSTEM:

Data collected vary with each study/survey. Normal standard information for individuals or household members varies but could include name, age, sex, marital status, address or locale of residence, etc. Nondemographic items relate to experience with, or opinions about, a particular product. Patient medical records may be included in some cases involving specific health problems.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 701(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

PURPOSE(S):

Used to provide data on individuals, specialty groups, e.g., physicians and households participating voluntarily in FDA-sponsored studies and surveys.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

Disclosure may be made to HHS contractors and their staff in order to accomplish the purpose for which the records are collected. The recipients are required to protect such records from improper disclosure.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Questionnaires and data are filed in standard filing equipment. Some statistical data are stored on magnetic tape.

RETRIEVABILITY:

Accessed by ID number assigned by contractor during collection process. Individual files are maintained in agency and contractor's custody until all collection procedures are completed.

SAFEGUARDS:

Questionnaires and data are maintained in locked containers in secured area. Magnetic tapes are maintained in secure computer facilities with access limited to program personnel with knowledge of the computer password, which is changed periodically. Locked building, locked rooms, locked file cabinets, and locked tape vaults. Two or more of these safeguards are used for all records

covered by this system notice. The particular safeguards used are selected as appropriate for the type of record covered by this system. The contractor is required to maintain confidentiality safeguards with respect to these records. Safeguards are established in accordance with chapters 45-13 and PHS hf: 45-13 of the Department's General Administration Manual and Part 6 of the Department's ADP System Manual.

RETENTION AND DISPOSAL:

Questionnaires and data are retained until all statistical problems are resolved; then destroyed. The records are destroyed by shredding, burning, or other appropriate means so as to render them illegible.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Negotiated Contracts Branch (HFA-510), 5600 Fishers Lane, Rockville, MD 20857.

NOTIFICATION PROCEDURE:

An individual may learn if a record exists about him or her upon written request, with notarized signature if request is made by mail, or with suitable identification if request is made in person, directed to: FDA Privacy Act Coordinator (HFI-30), Food and Drug Administration; 5600 Fishers Lane, Rockville, MD 20857.

RECORD ACCESS PROCEDURES:

Same as Notification Procedure. Requesters should also reasonably specify the record contents being sought. An individual who requests notification of, or access to, a medical record shall, at the time the request is made, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion. (These access procedures are in accordance with FDA regulations (21 CFR 21.40)).

CONTESTING RECORD PROCEDURES:

Contact the official at the address specified under Notification Procedure above and reasonably identify the record, specify the information being contested, and state the corrective action sought, with supporting justification. (These procedures are in accordance with FDA Regulations (21 CFR 21.50)).

RECORD SOURCE CATEGORIES:

Individual on whom the record is maintained or patient's medical records, depending on the type of survey or study.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 82-33493 Filed 12-8-82; 8:45 am]

BILLING CODE 4160-01-M

Office of the Secretary

President's Council on Physical Fitness and Sports; Meeting

AGENCY: Office of the Assistant Secretary for Health, HHS.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the President's Council on Physical Fitness and Sports. This notice also describes the functions of the Council. Notice of this meeting is required under the National Advisory Committee Act.

DATE: December 1, 1982, 9:00 a.m. to 4:00 p.m.

ADDRESS: The Capitol, Rm. H-130, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Mr. C. Carson Conrad, Executive Director, President's Council on Physical Fitness and Sports, 450 5th St., N.W., Suite 7103, Washington, D.C. 20001.

SUPPLEMENTARY INFORMATION: The President's Council on Physical Fitness and Sports operates under Executive Order #12345 dated February 2, 1982. The functions of the Council are: (1) To recommend to the President and the Secretary of HHS as necessary, steps to accelerate carrying out provisions of the Executive Order and (2) Advise the Secretary on matters pertaining to ways and means of enhancing opportunities for participation in physical fitness and sports activities and on state, local, and private action to extend and improve physical activity programs and services.

The Council will hold this meeting to apprise the new Council members of the 9-point national program of physical fitness and sports; to report on on-going Council programs; and to plan future directions.

Dated: November 19, 1982.

C. Carson Conrad,
Executive Director, President's Council on Physical Fitness and Sports.

[FR Doc. 82-33490 Filed 12-8-82; 8:45 am]

BILLING CODE 4160-17-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[M 26010]

Montana; Termination of Withdrawal Application and Reservation of Land

December 1, 1982.

The Forest Service, U.S. Department of Agriculture, filed withdrawal application M 26010, September 28, 1973. This application is hereby terminated in so far as it affects the following lands:

All Federal lands and locatable minerals in the beds or banks or which are situated within ½ mile of the banks of the Middle Fork Flathead, North Fork Flathead, and South Fork Flathead Rivers as described below:

Principal Meridian

Flathead National Forest

Middle Fork Flathead River

- T. 26 N., R. 11 W.,
Sec. 6, All.
- T. 26 N., R. 12 W.,
Secs. 1, 2, 12, and 13.
- T. 27 N., R. 12 W.,
Secs. 27, 28, 29, 30, 34, 35, and 36.
- T. 27 N., R. 13 W.,
Secs. 7, 8, 9, 16, 17, 18, and secs. 20 to 27, inclusive.
- T. 27 N., R. 14 W.,
Secs. 1 to 4, inclusive, and secs. 11 and 12.
- T. 28 N., R. 14 W.,
Secs. 33 to 36, inclusive.
- T. 27 N., R. 15 W.,
Sec. 1, All.
- T. 28 N., R. 15 W.,
Secs. 6, 7, 18, 19, 25, 28, 29, 30, and secs. 33 to 36, inclusive.
- T. 29 N., R. 15 W.,
Secs. 30 and 31.
- T. 28 N., R. 16 W.,
Secs. 1, 12, 13, and 24.
- T. 29 N., R. 16 W.,
Secs. 3, 10, 11, 14, 15, 23, 24, 25, and 36.
- T. 30 N., R. 16 W.,
Secs. 6, 7, 8, 16, 17, 21, 28, 33, and 34.
- T. 30 N., R. 17 W.,
Sec. 1, All.
- T. 31 N., R. 17 W.,
Secs. 6, 7, 8, 17, 18, 20, 21, 25, 26, 27, 28, 29, and 35.
- T. 32 N., R. 18 W.,
Sec. 27 and secs. 29 to 36, inclusive.
- T. 30 N., R. 19 W.,
Sec. 6, All.
- T. 31 N., R. 19 W.,
Secs. 4, 5, 7, 8, secs. 16 to 20, inclusive, secs. 29 and 32.
- T. 32 N., R. 19 W.,
Sec. 36, All.
- T. 30 N., R. 20 W.,
Sec. 1, All.

Approximately 15,360 Acres.

North Fork Flathead River

- T. 32 N., R. 20 W.,
Secs. 2, 3, 10, 11, 14, 23, 27 and 34.
- T. 33 N., R. 20 W.,
Secs. 3, 4, 10, 14, 15, 21, 22, 27, 28, 34, and 35.

- T. 34 N., R. 20 W.,
Secs. 18, 20, and 32.
 - T. 34 N., R. 21 W.,
Sec. 2, All.
 - T. 35 N., R. 21 W.,
Secs. 6, 8, 15, 26, and 35.
 - T. 36 N., R. 21 W.,
Secs. 19 and 31.
 - T. 36 N., R. 22 W.,
Secs. 1, 2, 11, 12, 13, and 24.
 - T. 37 N., R. 22 W.,
Secs. 5, 9, 15, 22, and 23.
- Approximately 3,640 acres.

South Fork Flathead River

- T. 20 N., R. 13 W.,
Secs. 4, 5, 6, 8, 9, 10, 11, 14, 15, 22, and 23.
 - T. 21 N., R. 13 W.,
Secs. 5, 6, 8, 17, 18, 20, 29, 32, and 33.
 - T. 22 N., R. 13 W.,
Sec. 31, All.
 - T. 21 N., R. 14 W.,
Sec. 1, All.
 - T. 22 N., R. 14 W.,
Secs. 1, 2, 3, 10, 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36.
 - T. 23 N., R. 14 W.,
Secs. 4, 5, 9, 10, 15, 16, 21, 22, 23, 26, 27, 34, and 35.
 - T. 24 N., R. 14 W.,
Secs. 5, 6, 8, 17, 20, 21, 28, 29, 32, and 33.
 - T. 24 N., R. 15 W.,
Secs. 1 and 2.
 - T. 25 N., R. 15 W.,
Secs. 6, 7, 17, 18, 19, 20, 21, 27, 28, 29, 33, 34, and 35.
 - T. 26 N., R. 15 W.,
Sec. 31, All.
 - T. 25 N., R. 16 W.,
Secs. 1 and 12.
 - T. 26 N., R. 16 W.,
Secs. 23, 24, 25, 26, and 36.
- Approximately 15,360 acres.

The total lands described aggregate approximately 34,560 acres within the Flathead National Forest.

Therefore, in accordance with the regulations contained in 43 CFR 2091.2(b)(1), at 8 a.m. on January 28, 1983, the lands described shall be relieved of the segregative effect of the application.

None of the lands described are opened since they all fall within a designated river identified in the Wild and Scenic Rivers Act dated October 2, 1968 (82 Stat. 906) and this termination only represents a record clearing action.

Inquiries concerning the lands should be addressed to the Bureau of Land Management, P.O. Box 30157, Billings, Montana 59107.

Roland F. Lee,
Chief, Branch of Land Resources.

[FR Doc. 82-33486 Filed 12-8-82; 8:45 am]

BILLING CODE 4310-84-M

Ukiah District, Eureka, Resource Area; Intent To Prepare an Amendment to the Red Mountain Planning Unit Management Framework Plan, and a Wilderness Environmental Impact Statement for the Red Mountain Wilderness Study Area

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent.

SUMMARY: Pursuant to 43 CFR 1601.3 and 40 CFR 1501.7, notice is hereby given that the Eureka Resource Area, Ukiah District, Bureau of Land Management, will prepare an amendment to the Management Framework Plan for the Red Mountain Planning Unit. This amendment will identify issues and alternatives for preparation of a wilderness environmental impact statement for the Red Mountain Wilderness Study Area (WSA).

DATE: Scheduled for completion by September 30, 1983 are: (1) Red Mountain Wilderness Study Report, and (2) Red Mountain Wilderness Study Area Preliminary Final Environmental Impact Statement.

FOR FURTHER INFORMATION CONTACT: Stanley R. Whitmarsh, Recreation Planner/Wilderness Coordinator, Ukiah District Office, Bureau of Land Management, P.O. Box 940, 555 Leslie Street, Ukiah, California 95482, Telephone (707) 462-3873.

SUPPLEMENTARY INFORMATION: The 6,173-acre Red Mountain WSA is located on Red Mountain northeast of the town of Leggett in northern Mendocino County, California. Critical issues identified by the Ukiah District staff include threatened and endangered plants, minerals, soils, and watershed values. An interdisciplinary team will prepare the MFP amendment, EIS, and study report. Disciplines to be represented on the interdisciplinary team include specialists in the fields of geology, wildlife, fisheries, recreation, wilderness, visual resources, cultural resources, and botany.

Alternatives to be addressed are: (1) All wilderness, (2) no wilderness (no action), and (3) partial wilderness. Details of one or more partial wilderness alternatives will be developed during the study. The Management Framework Plan Amendment will make recommendations regarding wilderness suitability for final action by Congress.

Opportunities for public input and comments will be announced through the media, a mailing list, and personal contact. A public hearing will be scheduled; times, dates, and locations of

any public meetings will be announced through the media, the mail, and the Federal Register.

Dated: November 30, 1982.

Van W. Manning,
District Manager.

[FR Doc. 82-33485 Filed 12-8-82; 8:45 am]
BILLING CODE 4310-84-M

California Desert District Multiple Use Advisory Council; Call for Nominations

The purpose of this notice is to call for nominations to replace the member on that Council representing local government.

The Council has 15 members, one of whom "shall be an elected official * * * and as required by Section 309(a) of Pub. L. 94-579. The elected official appointed for a three year term ending December 31, 1984 is no longer qualified to serve and has resigned from the Council.

The members are appointed by the Secretary of the Interior to advise the California Desert District Manager, on Bureau of Land Management issues associated with public land management. The Council meets normally four times a year to gather and analyze information, conduct studies and field examinations, hear public testimony, ascertain facts, and, in an advisory capacity, develop recommendations for the District Manager concerning use, classification, retention, disposal, or other aspects of public lands planning and management in the public interest.

The category of interest for the one vacant membership to the Council is Elected Official—General Purpose Government. The member will be appointed to the balance of a three year term. At the discretion of the Secretary of the Interior, or his designee, members may be reappointed to additional terms, but not to exceed a total of six years.

To be eligible for appointment to the Council, a person must be qualified through education, training, knowledge, or experience to give informed advice from a public interest perspective and shall be an elected official of general purpose government serving the area.

The member will serve without salary, but will be reimbursed for travel and per diem expenses at current rates for Government employees. Establishment of this advisory council is in accordance with the Federal Land Policy and Management Act of 1976 (Pub. L. 94-579; 43 U.S.C. 1701 et seq.), as amended.

Persons wishing to nominate individuals to serve on the California Desert District Advisory Council should send the nominee's name, address,

profession and other biographic data to: District Manager, California Desert District, 1695, Spruce Street, Riverside, California 92507, no later than December 31, 1982.

Dated: December 1, 1982.

Gerald E. Hillier,
District Manager.

[FR Doc. 82-33479 Filed 12-8-82; 8:45 am]
BILLING CODE 4310-84-M

Colorado; Amendment to Notice of Proposed Withdrawal and Opportunity for Public Hearing

December 2, 1982.

Bureau of Reclamation application to withdraw lands for recreation facilities on Silver Jack Reservoir, Bostwick Park Project, is hereby amended to add lands which were erroneously omitted from the original application.

1. FR Doc. 82-16293, appearing at page 26243 in the issue of June 17, 1982, is hereby amended to add the following lands:

Uncompahgre National Forest
New Mexico Principal Meridian
T. 46 N., R. 6 W.,
Sec. 21, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, and
W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The lands aggregate approximately 15 acres in Gunnison County, Colorado.

2. This amended notice will extend the comment period for a period of 90 days from the date of this publication.

3. The added 15 acres will be segregated subject to all terms in the original notice and such segregation shall terminate June 17, 1984 in accordance with the regulations contained in 43 CFR Part 2300.

Robert D. Dinsmore,
Chief, Branch of Lands and Minerals
Operations.

[FR Doc. 82-33461 Filed 12-8-82; 8:45 am]
BILLING CODE 4310-84-M

Las Cruces District Advisory Council; Meeting

AGENCY: Bureau of Land Management, Las Cruces District, Interior.

ACTION: Notice of meeting.

SUMMARY: Agenda.

DATE: January 12, 1983, 9:30 am.

ADDRESS: Desert Room, Best Western of Las Cruces, 901 Avenida de Mesilla, Las Cruces, New Mexico.

FOR FURTHER INFORMATION CONTACT: Daniel C. B. Rathbun, District Manager, Las Cruces District, Bureau of Land Management, P.O. Box 1420, Las Cruces,

New Mexico 88004. Phone: (505) 524-8551.

SUPPLEMENTARY INFORMATION:

Agenda

1. Introduction of new Board members.
2. Duties of the Board.
3. Orientation.
 - a. Overview of BLM.
 - b. Overview of Las Cruces District.
4. Election of officers.

The meeting will be open to the public and interested persons may make oral statements to the Board during an allotted time period beginning at 2 pm and lasting for at least one-half hour. The District Manager may establish a time for oral statements depending on the number of persons wishing to make statements. Anyone wishing to make an oral statement must notify the District Manager, Bureau of Land Management, 317 North Main Street (P.O. Box 1420), Las Cruces, New Mexico 88004, by January 5, 1983.

November 30, 1982.

Daniel C. B. Rathbun,
District Manager.

[FR Doc. 82-33460 Filed 12-8-82; 8:45 am]

BILLING CODE 4310-84-M

Oregon; Correction on Filing Plat of Survey

This document corrects an age citation in the Filing of Oregon Plat of Survey appearing as document No. 82-30464 in the issue of November 5, 1982, at pages 50365 and 50366.

Page 50366, item 3, third line, reads: "to 120 years old, which indicates that" Should read: "to 135 years old, which indicates that"

Dated: December 3, 1982.

Robert J. Rivers,
Chief, Division of Operations.

[FR Doc. 82-33518 Filed 12-8-82; 8:45 am]

BILLING CODE 4310-84-M

Planning Criteria for Management Framework Plan Amendments in the Bishop and Caliente Resource Areas, Bakersfield District, California, and the Walker Resource Area, Carson City District, Nevada

November 30, 1982.

In accordance with 43 CFR 1601.3, notice is hereby given of the availability of the Planning Criteria to Direct Management Framework Plan Amendments for Wilderness Study Areas (WSAs).

The Bakersfield District of the Bureau of Land Management has prepared the initial Planning Criteria to direct four

Management Framework Plan Amendments for 23 WSAs in the Bishop and Caliente Resource Areas, Bakersfield District, and the Walker Resource Area, Carson City District. The Plan amendments will involve the Benton/Owens Valley, Bodie/Coleville, South Sierra Foothills and the Pine Nut/Markleville Planning Areas.

The plans will be incorporated under a single Environmental Impact Statement (EIS), entitled the Benton/Owens Valley-Bodie/Coleville Study Area EIS, and will carry out the requirements of the Federal Land Policy and Management Act (FLPMA) of 1976.

As new information surfaces during the planning process, and/or from public input, additional criteria will be developed for future guidance of this planning effort.

The initial planning criteria are available for review at the Bakersfield District Office. For further information contact Robert D. Rheiner, Jr., District Manager, 800 Truxtun Ave., Room 302, Bakersfield, California 93301, (805) 861-4191.

Robert D. Rheiner, Jr.,
District Manager.

[FR Doc. 82-33519 Filed 12-8-82; 8:45 am]

BILLING CODE 4310-84-M

[Serial Nos. I-2316, I-3651]

Idaho; Partial Termination of Classification for Multiple-Use Management

Correction

In FR Doc. 82-31431 beginning on page 51799, on Wednesday, November 17, 1982, make the following corrections:

1. On page 51799, in the third column, in first line under "T. 11 S., R. 13 E.," should read "Sec. 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;"
2. On page 51800, in the second column, the third and fourth lines should read "Sec. 31, lots 1 to 4 incl., SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$;"

3. Also on page 51800, in the third column, under "Power county", the third and fourth lines should read "T 8 S., R. 34 E., All."

BILLING CODE 1505-01-M

South Dakota; Land Resource Management

November 30, 1982.

AGENCY: Bureau of Land Management, Montana State Office, Interior.

ACTION: Notice of filing of plat of survey and providing for opening of public lands.

SUMMARY: A plat of survey of the lands described below accepted October 26,

1982, will be officially filed in the Montana State Office, Billings, Montana, effective 8 a.m. on January 18, 1983.

Black Hills Meridian, South Dakota

T. 2 S., R. 12 E.,
Sec. 3, 9, and 10.

The plat represents the dependent resurvey of a portion of the subdivisional lines, the survey of the subdivision of Section 3, 9, and 10, the dependent resurvey of a portion of the adjusted original meander of the former left and right banks of the Cheyenne River, the survey of a portion of the medial line and certain partition lines of the abandoned channel of the Cheyenne River, certain division of accretion lines and a portion of the present left and right banks of the Cheyenne River in Sections 3 and 10, in T. 2 S., R. 12 E., Black Hills Meridian, South Dakota. The area described is in Pennington County.

This survey was executed at the request of the District Manager, Miles City, Montana, to delineate the public lands along the abandoned channel of the Cheyenne River.

At 8 a.m. on January 18, 1983, the above described lands shall be open to the public land laws, generally, subject to valid existing rights, the provision of existing withdrawals and classifications, and the requirements of applicable laws. These public lands have been and will continue to be open to location and entry under the United States mining laws and to leasing under the mineral leasing laws.

Inquiries concerning these lands should be addressed to the Bureau of Land Management, P.O. Box 30157, Billings, Montana 59107.

EFFECTIVE DATE: February 7, 1983.

ADDRESS: Bureau of Land Management, 222 North 32nd Street, P.O. Box 30157, Billings, Montana 59107.

FOR FURTHER INFORMATION CONTACT: Bureau of Land Management, P.O. Box 30157, Billings, Montana 59107.

Dated: November 30, 1982.

Delores M. James,
Chief, Branch of Records.

[FR Doc. 82-33462 Filed 12-8-82; 8:45 am]

BILLING CODE 4310-84-M

Bureau Forms Submitted for Review

The proposal for the collection of information listed below has been submitted to the Office of Management and Budget for approval under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Copies of the proposed information collection requirement and related forms and

explanatory material may be obtained by contacting the Bureau's clearance officer at the phone number listed below. Comments and suggestions on the requirement should be made directly to the Bureau's clearance officer and the Office of Management and Budget's reviewing official, Mr. Richard Otis, at (202)395-7340.

Title: 43 CFR 4200 and 4300, Grazing Lease or Permit Application
Bureau Form Number: 4210-1
Frequency: Occasionally
Description of Respondents: Applicants desiring livestock grazing use or reindeer use on the public lands in Alaska
Annual Responses: 15
Annual Burden Hours: 15
Bureau Clearance Officer (alternate): Linda Gibbs (202)653-8853
Dated: October 14, 1982.

Arnold E. Petty,

Acting Associate Director.

[FR Doc. 82-33520 Filed 12-8-82; 8:45 am]

BILLING CODE 4310-84-M

Fish and Wildlife Service

Information Collection Submitted for Review

The proposal for the collection of information listed below has been submitted to the Office of Management and Budget (OMB) for approval under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Copies of the proposed information collection requirement and related forms and explanatory material may be obtained by contacting the Service's clearance officer at the phone number listed below. Comments and suggestions on the requirement should be made directly to the Service clearance officer and the OMB Interior Desk Officer at 202-395-7340.

Title: Grazing Permit Application, to allow the grazing of livestock in national wildlife refuges

Bureau Form Number: N/A

Frequency: On occasion

Description of Respondents: Individuals or households, farms, and ranches

Annual Responses: 740

Annual Burden Hours: 370

Service Clearance Officer: Arthur J. Ferguson, 202-653-7499

Robert E. Gilmore,

Acting Associate Director—Wildlife Resources.

December 3, 1982.

[FR Doc. 82-33526 Filed 12-8-82; 8:45 am]

BILLING CODE 4310-55-M

Minerals Management Service

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of the Receipt of a Proposed Development and Production Plan.

SUMMARY: Notice is hereby given that Mesa Petroleum Company has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS-G 4559, Block A-39, Brazos Area, offshore Texas.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the Plan and that it is available for public review at the Office of the Minerals Manager, Gulf of Mexico OCS Region, Minerals Management Service, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT:

Minerals Management Service, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m. 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837-4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: December 2, 1982.

John L. Rankin,

Acting Regional Manager, Gulf of Mexico OCS Region.

[FR Doc. 82-33525 Filed 12-8-82; 8:45 am]

BILLING CODE 4310-31-M

Availability of Geophysical Logs: Wyoming

Notice is hereby given that Minerals Management Service (MMS) geophysical logs of 68 coal test holes located in Sheridan County, Wyoming are now available to the public. The drilling, completed in September, 1982, as a result of MMS efforts in support of the Federal coal management program, provides geologic information necessary

to evaluate and classify coal resources on lands in the public domain.

The test holes, located in Townships 56, 57 and 58 North, Ranges 83, 84, and 85 West, Sixth Principal Meridian, Wyoming, were designed to investigate coal beds in the Fort Union and Wasatch Formations of Paleocene and Eocene age, respectively, in the Sheridan Coal Field of the Western Powder River Basin of north-central Wyoming. The geophysical logs are available for reproduction from the Minerals Management Service, Casper District—Resource Evaluation, 111 South Wolcott, Room 305, Casper, Wyoming 82601 (307) 261-5181.

Dwayne E. Hull,

Acting Minerals Manager, North Central Region.

[FR Doc. 82-33484 Filed 12-8-82; 8:45 am]

BILLING CODE 4310-MR-M

Office of the Secretary

Reservation of Colorado River Water for Use on Cibola National Wildlife Refuge in Arizona Boulder Canyon Project

Consistent with the February 9, 1944, contract between the United States and the State of Arizona, notice is given that the following amount of Colorado River water is reserved for the United States for use on the Cibola National Wildlife Refuge (Refuge) in Arizona: (1) The diversion of 7,500 acre-feet annually from the mainstream for circulation water, and (2) the diversion of 27,000 acre-feet annually from the mainstream or the consumptive use of 16,793 acre-feet annually from the mainstream, whichever is less, with a priority date of August 21, 1964. The Refuge was established by Public Land Order 3442, August 21, 1964. The water will be used on the Refuge to provide habitat for migrating and wintering waterfowl.

The water is reserved in accordance with the intent of Senate Report Number 408 (page 49), dated July 26, 1967, 90th Congress, 1st Session, and is subject to: (1) The provisions of the Colorado River Compact of November 24, 1922, (2) the provisions of the Boulder Canyon Project Act of December 21 1928 (45 Stat. 1057), as amended, (3) the provisions of the Supreme Court Opinion of June 3, 1963 (373 U.S. 546), and the Decree of March 9, 1964 in *Arizona v. California* (376 U.S. 340), as supplemented by the Decree of January 9, 1979 (439 U.S. 419), (4) the provisions of Section 301(b) of the Colorado River Basin Project Act of September 30, 1968 (82 Stat. 885), and (5) the provisions of the Mexican Water Treaty of February

3, 1944, and Minute 242 of the International Boundary and Water Commission, United States and Mexico, dated August 30, 1973.

For further information on the reservation of water for the Refuge, contact Mr. Steve Hvinden, Contracts and Repayment Branch, Bureau of Reclamation, P.O. Box 427, Boulder City, Nevada 89005, telephone (702) 293-8651.

Dated: November 24, 1982.

Jim Watt,

Secretary of the Interior.

[FR Doc. 82-33483 Filed 12-8-82; 8:45 am]

BILLING CODE 4310-09-M

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. 387]

Rail Carriers; Exemptions for Contract Tariffs

AGENCY: Interstate Commerce Commission.

ACTION: Notices of provisional exemptions.

SUMMARY: Provisional exemptions are granted under 49 U.S.C. 10505 from the notice requirements of 49 U.S.C. 10713(e), and the below-listed contract tariffs may become effective on one day's notice. These exemptions may be revoked if protests are filed.

DATES: Protests are due within 15 days of publication in the Federal Register.

ADDRESS: An original and 6 copies should be mailed to: Office of the Secretary, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Douglas Galloway (202) 275-7278; or Tom Smerdon (202) 275-7277.

SUPPLEMENTARY INFORMATION: The 30-day notice requirement is not necessary in these instances to carry out the transportation policy of 49 U.S.C. 10101a or to protect shippers from abuse of market power; moreover, the transaction is of limited scope. Therefore, we find that the exemption requests meet the requirements of 49 U.S.C. 10505(a) and are granted subject to the following conditions:

These grants neither shall be construed to mean that the Commission has approved the contracts for purposes of 49 U.S.C. 10713(e) nor that the Commission is deprived of jurisdiction to institute a proceeding on its own initiative or on complaint, to review these contracts and to determine their lawfulness.

| Sub-No. | Name of railroad, contract no., and specifics | Review board ¹ | Decided date |
|----------|---|---------------------------|--------------|
| 438..... | Burlington Northern Railroad Co., ICC-BN-C-0194, (Grain and grain products) Via BN ports in the States of Oregon or Washington. | 2 | 12-1-82 |
| 439..... | Southern Pacific Transportation Co., ICC-SP-C-0189, (Pulpboard products). | 3 | 12-1-82 |
| 440..... | Chicago, Milwaukee, St. Paul and Pacific Railroad Co., ICC-MILW-C-0272, (Corn/soybeans). | 1 | 12-1-82 |

¹Review Board No. 1, Members Parker, Chandler, and Fortier. Review Board No. 2, Members Carleton, Williams, and Ewing. Review Board No. 3, Members Krock, Joyce, and Dowell. Member Dowell not participating.

This action will not significantly affect the quality of the human environment or conservation of energy resources.

(49 U.S.C. 10505)

Agatha L. Mergonovich,
Secretary.

[FR Doc. 82-33353 Filed 12-8-82; 8:45 am]

BILLING CODE 7035-01-M

Forms Under Review by the Office of Management and Budget

The following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 S.C. Chapter 35) is being submitted to the Office of Management and Budget for review and approval. Copies of the forms and supporting documents may be obtained from the Agency Clearance Officer, Lee Campbell (202) 275-7238. Comments regarding this information collection should be addressed to Lee Campbell, Interstate Commerce Commission, Room 1325, 12th and Constitution Ave., NW., Washington, DC 20423 and to Donald Arbuckle, Office of Management and Budget, Room 3228 NEOB, Washington, DC 20503, (202) 395-7313.

Type of Clearance—Reinstatement
Bureau/Office—Office of Compliance & Consumer Assistance

Title of Form—Endorsement for Motor Carrier Policies of Insurance for Automobile Bodily Injury and Property Damage Liability under Sec. 10927 Title 49 of the USC.

OMB Form No.—3120-0086

Agency Form No.—B.M.C.-90

Frequency—Annually

Respondents—All Motor Carriers with ICC Authority

No. of Respondents—27,500

Total Burden Hrs.—6,875

Type of Clearance—Reinstatement

Bureau/Office—Office of Compliance & Consumer Assistance

Title of Form—Motor Carrier Policy Injury Liability and Property Damage Liability Surety Bond under Sec. 215 Interstate Commerce Act.

OMB Form No.—3120-0089

Agency Form No.—BMC-82

Frequency—Annually

Respondents—Motor Carriers operating under authority granted by ICC.

No. of Respondents—320

Total Burden Hrs.—80

Type of Clearance—Extension No Change
Bureau/Office—Office of Compliance & Consumer Assistance

Title of Form—Application for Water Carrier Temporary Authority Under Section 311(a) of the Interstate Commerce Act.

OMB Form No.—3120-0001

Agency Form No.—OP-WC-25

Frequency—On Occasion

Respondents—Persons who perform

temporary Water Carrier operations.

No. of Respondents—16

Total Burden Hrs.—96

Agatha L. Mergonovich,

Secretary.

[FR Doc. 82-33503 Filed 12-8-82; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. OP3FC-38]

Motor Carriers; Finance Applications; Decision Notice

Decided: November 23, 1982.

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10926, 10931 and 10932.

We find: Each transaction is exempt from section 11343 of the Interstate Commerce Act, and complies with the appropriate transfer rules.

This decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

Petitions seeking reconsideration must be filed within 20 days from the date of this publication. Replies must be filed within 20 days after the final date for filing petitions for reconsideration; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1181.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will recite the compliance requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 20 days after publication, or within any approved extension period. Otherwise, the decision-notice shall have no further effect.

It is ordered: The following applications are approved, subject to the conditions stated in the publication, and further subject to the administrative requirements stated in the effective notice to be issued hereafter.

By the Commission, Review Board Number 3, Members Krock, Joyce, and Dowell. Member Krock not participating.

Agatha L. Mergenovich,

Secretary.

Note.—Please direct status inquiries to Team 3, (202) 275-5223.

MC-FC-81003. By decision of November 23, 1982, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1181, Review Board Number 3 approved the transfer to BRUCE ESTES, doing business as ESTES ENTERPRISES, of Reno, NV, of Certificates No. MC-121775 Sub-Nos. 3X and 4, issued February 23, and November 9, 1982, respectively, to WINDFALL, INC., of Sparks, NV, authorizing the transportation of (1) *general commodities* (except classes A and B explosives), (a) between points in NV, and (b) between points in EL Dorado, Inyo, Mono, Lassen, Nevada, Placer, Plumas, and Solano Counties, CA, on the one hand, and, on the other, points in Washoe County, NV, and (2) *instruments and photographic goods*, between points in San Francisco, Santa Clara, San Mateo and Sacramento Counties, CA, on the one hand, and, on the other, points in Washoe County, NV, (3) *Mercer Commodities*, between points in NV, CA, OR, WA, ID, WY, MT, CO, UT, NM, AZ, SD, OK, and TX.

Representative: Robert G. Harrison, 4299 James Drive, Carson City, NV 89701

[FR Doc. 82-33508 Filed 12-8-82; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, are governed by 49 CFR 1160.1-1160.23 of the Commission's Rules of Practice. These rules were published in the **Federal Register** on December 31, 1980, at 45 FR 86771 and redesignated at 47 FR 49583, November 3, 1982. 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 1160.40-1160.49. 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 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 a public need for the proposed operations and that it is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. This presumption shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication (or, if the application later 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 Carleton, Williams, and Ewing.

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."

Please direct status inquiries to Team 3 (202) 275-5223.

Volume No. OP3-32

Decided: December 1, 1982.

MC 164715, Filed November 17, 1982. Applicant: LARRY BUCHHOLZ d.b.a. BUCHHOLZ TRUCKING COMPANY, RR 3, Mt. Carroll, IL 61053. Representative Hughan R. H. Smith, 26 Kenwood Pl., Lawrence, MA 01841, (617) 657-6071. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners*, by the owner of the motor vehicle in such vehicle, between points in the U.S. (except AK and HI).

MC 164745, filed November 15, 1982. Applicant: FORESIGHT LEASING, INC., 5373 Otto, Rosemont, IL 60018. Representative James C. Hardman, 33 N. LaSalle St., Chicago, IL 60602, (312) 236-5944. As a *broker of general commodities* (except household goods), between points in the U.S. (except AK and HI).

MC 164795, filed November 12, 1982. Applicant: HARRY E. HILLS & ASSOCIATES, 1 Shafer Dr. P.O. Box 198, Forsyth, IL 62535. Representative: Harry E. Hills, Sr. (same address as applicant), (217) 875-3880. As a *broker of general commodities* (except household goods), between points in the U.S. (except AK and HI).

Volume No. OP3-34

Decided: December 3, 1982.

MC 164785, filed November 12, 1982. Applicant: JAMES MONROE LEMONS AND TONY LEMONS d.b.a. J. M. LEMONS TRUCKING COMPANY, 326 South Thorp Rd., Hobbs, NM 88240. Representative: Hughan R. H. Smith, 26 Kenwood Pl., Lawrence, MA 01841, (617) 657-6071. (1) Transporting, for or on behalf of the U.S. Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI), and (2) *oilfield equipment*, between points in NM, TX, OK, and CO.

Volume No. OP3-37

Decided: December 3, 1982.

MC 164755, filed November 15, 1982. Applicant: ALAN L. SINGER, 4600 Logan Ave. NW., Canton, OH 44709. Representative: Alan L. Singer (same address as applicant), (216) 494-9435. As a *broker of general commodities*

household goods), between points in the U.S.

[FR Doc. 82-33499 Filed 12-8-82; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Motor Common and Contract Carriers of Property (fitness-only); Motor Common Carriers of Passengers (fitness-only); Motor Contract Carriers of Passengers; Property Brokers (other than household goods).

The following applications for motor common or contract carriage of property and for a broker of property (other than household goods) are governed by Subpart A of Part 1160 of the Commission's General Rules of Practice. See 49 CFR Part 1160, Supart A, published in the Federal Register on November 1, 1982, at 47 FR 49583, which redesignated the regulations at 49 CFR 1100.251, published in the Federal Register on December 31, 1980. For compliance procedures, see 49 CFR 1160.19. Persons wishing to oppose an application must follow the rules under 49 CFR Part 1160, Subpart B.

The following applications for motor common or contract carriage of passengers filed on or after November 19, 1982, are governed by Subpart D of the Commission's Rules of Practice. See 49 CFR Part 1160, Subpart D, published in the Federal Register on November 24, 1982, at 49 FR 53271. For compliance procedures, see 49 CFR 1160.86. Persons wishing to oppose an application must follow the rules under 49 CFR Part 1160, Subpart E.

These applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service or to comply with the appropriate statutes and Commission regulations.

Applicant's representative is required to mail a copy of an application, including all supporting evidence, within three days of a request and upon payment to applicant's representative of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated that it is fit, willing, and able to perform the

service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. This presumption shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

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 in for a named shipper "under contract." Please direct status inquiries to Team 1, (202) 275-7992.

Volume No. OP1-216

Decided: December 1, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 63390 (Sub-23), filed November 19, 1982. Applicant: CARL R. BIEBER, INC., Vine and Baldy Sts., Kutztown, PA 19530. Representative: L. C. Major, Jr., Suite 304 Overlook Bldg., 6121 Lincolnia Rd., P.O. Box 11278, Alexandria, VA 22312. (1) Privately funded motor *common carrier of passengers* charter transportation. (2) Privately funded motor *common carrier of passengers* special transportation. Transporting *passengers* in charter and special operations, between points in the U.S. (including AK, but excluding HI).

MC 89221 (Sub-5), filed November 19, 1982. Applicant: HUDSON AVIATION SERVICES, INC., 111 Great Neck Rd.

P.O. Box 355, Great Neck, NY 11022. Representative: L. C. Major, Jr., Suite 304, Overlook Bldg., 6121 Lincolnia Rd., P.O. Box 11278, Alexandria, VA 22312, (703) 750-1112. (1) Privately-funded motor *common carrier of passengers* charter transportation. (2) Privately-funded motor *common carrier of passengers* special transportation. Transporting *passengers*, in special and charter operations, between points in the U.S. including AK, but excluding HI.

MC 108531 (Sub-26), filed October 21, 1982. Applicant: BLUE BIRD COACH LINES, INC., 502-504 N. Barry St., Olean, NY 14760. Representative: Ronald W. Malin, Bankers Trust Bldg., 4th Floor, Jamestown, NY 14701, (716) 664-5210. (1) Privately-funded motor *common carrier of passengers* charter transportation. (2) Privately funded motor *common carrier of passengers* special transportation. Transporting *passengers*, in special and charter operations, between points in the U.S.

MC 138730 (Sub-12), filed November 19, 1982. Applicant: CARAVAN COACH LINES, INC., RD 3, Box 451, Wharton, NJ 07885. Representative: L. C. Major, Jr., Suite 304 Overlook Bldg., 6121 Lincolnia Road, P.O. Box 11278, Alexandria, VA 22312, (703) 750-1112. (1) Privately-funded motor *common carrier of passengers* charter transportation. (2) Privately-funded motor *common carrier of passengers* special transportation. Transporting *passengers*, in special and charter operations, between points in the U.S. (except HI).

MC 164401 (Sub-1), filed November 16, 1982. Applicant: FARRIS TRUCK LINE INC., 404 Mockingbird Ln., P.O. Box 546, St. Rose, LA 70087. Representative: Roscoe Farrish, Jr. (same address as applicant), (504) 466-0115. (1) As a *broker of general commodities* (except household goods), between points in the U.S., and (2) transporting (a) for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), (b) *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, and (c) *used household goods* for the account of the United States Government incident to the performance of a pack-and-crate service on behalf of the Department of Defense, between points in the U.S.

MC 164780, filed November 19, 1982. Applicant: NANETTE BENSON AND ROBERT E. HEADING, d.b.a. B & H TRUCKING, 2500 Medallion Drive, Union City, CA 94587. Representative: Charles E. Dye, Swan Lake Village,

Saddle Ridge # 832, Portage, WI 53901, (608)-742-3579. Transporting *food and other edible products and by-products intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizer, and other conditioners*, by the owner of the motor vehicle in such vehicle, between points in the U.S. (except AK and HI).

MC 164811, filed November 22, 1982. Applicant: INTERNATIONAL LIMOUSINE SERVICE, INC., 1 East 59th St., New York, NY 10022. Representative: Sidney J. Leshin, 3 East 54th St., New York, NY 10022, (212) 759-3700. (1) Privately-funded motor *common carrier or passengers* charter transportation. (2) Privately-funded motor *common carrier of passengers* special transportation. Transporting *passengers*, in special and charter operations, between points in the U.S. (except HI).

For the following, please direct status inquiries to Team 4 at 202-275-7669.

Volume No. OP4-052

Decided: December 1, 1982.

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

MC 3677, (Sub-53), filed November 19, 1982. Applicant: WMA INTERSTATE MOTOR LINES, INC., 2019 W. Virginia Ave., NE, Washington, DC 20002. Representative: L. C. Major, Jr., Suite, 304 Overlook Bldg., 6121 Lincoln Rd., P. O. Box 11278, Alexandria, VA 22312, (703) 750-1112. Privately-funded motor *common carrier of passengers* charter and special transportation. To operate as a *common carrier* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *passengers*, in charter and special operations, between points in the U.S. (except HI).

MC 42846 (Sub-8), filed November 19, 1982. Applicant: DeBOLT-SOMERSET BUS COMPANY, 335 E. Seventh Ave., Homestead, PA 15120. Representative: John A. Pillar, 1500 Bank Tower, 307 Fourth Ave., Pittsburgh, PA 15222, (412) 471-3300. Privately-funded motor *common carrier of passengers* charter and special transportation. To operate as a *common carrier* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *passengers*, in charter and special operations, between points in the U.S. (except HI).

MC 85526 (Sub-9), filed November 19, 1982. Applicant: ARROW COACH LINES, d.b.a. ARROW TRAILWAYS OF TEXAS, P. O. Box 1058, Killeen, TX 76541. Representative: Paul D. Angenend, P. O. Box 2207, Austin, TX 78768, (512) 476-6391. Privately-funded motor *common carrier of passengers*

charter and special transportation. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *passengers*, in charter and special operations, beginning and ending at points in TX, and extending to points in the U.S. (except AK and HI).

MC 111037 (Sub-5), filed November 19, 1982. Applicant: WARREN CITY LINES, INC., 34 Pennsylvania Ave. East, Warren, PA 16365. Representative: Jeremy Kahn, Suite 733, Investment Bldg., 1511 K St., NW, Washington, DC 20005, (202) 783-3525. Privately-funded motor *common carrier of passengers* charter and special transportation. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *passengers*, in charter and special operations, beginning and ending at points in Cameron, Clarion, Crawford, Elk, Erie, Forest, McKean, Mercer, Potter, Venango, and Warren Counties, PA, and Cattaraugus, Chataqua, and Erie Counties, NY, and extending to points in the U.S. (except HI).

MC 148906 (Sub-2), filed November 19, 1982. Applicant: REGENCY LIMOUSINE, INC., 331 Danbury Rd., P.O. Box 254, Wilton, CT 06897. Representative: L. C. Major, Jr., Suite, Overlook Bldg., 6121 Lincoln Rd., P.O. Box 11278, Alexandria, VA 22312, (703) 750-1112. Privately-funded motor *common carrier of passengers* charter and special transportation. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *passengers*, in charter and special operations, between points in the U.S. (except HI).

MC 155926, filed November 22, 1982. Applicant: HOWARD EQUIPMENT CORPORATION, d.b.a. ATS TRANSPORTATION SERVICES, 753 15th St., San Diego, CA 92101. Representative: David N. Nissenberg, 7855 Ivanhoe Ave., Suite 224, La Jolla, CA 92037, (714) 459-0631. Privately-funded motor *common carrier of passengers* charter and special transportation. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *passengers*, in charter and special operations, beginning and ending at points in San Diego County, CA, and extending to points in the U.S.

MC 164786, filed November 22, 1982. Applicant: P.B.M. TOURS, INC., 514 E. Coast St., Lake Worth, FL 33460. Representative: Jeremy Kahn, Suite 733, Investment Bldg., 1511 K St., NW, Washington, DC 20005, (202) 783-3525. Privately-funded motor *common carrier*

of passengers charter and special transportation. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *passengers*, in charter and special operations, beginning and ending at points in FL, and extending to points in the U.S. (except HI).

MC 164787, filed November 22, 1982. Applicant: COUNTY COACH CORP., 65 Cedar Pl., Rye, NY 10580. Representative: Sidney J. Leshin, 3 E. 54th St., New York, NY 10022, (212) 759-3700. Privately-funded motor *common carrier of passengers* charter and special transportation. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *passengers*, in charter and special operations, between points in the U.S. (except HI). CONDITION: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. § 11343(A) or that a petition has been filed under 49 U.S.C. 11343(e) seeking an exemption from the requirements of 49 U.S.C. 11343, and or submit an affidavit indicating why such approval is unnecessary to the Secretary's office. In order to expedite issuance of any authority please submit a copy of the affidavit or proof of filing the application(s) for common control to Team 4, Room 2410.

Agatha L. Mergonovich,
Secretary.

[FR Doc. 82-33505 Filed 12-8-82; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. OP2-306]

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Decided: December 1, 1982.

Motor Common and Contract Carriers of Property (except fitness-only); Motor Common Carriers of Passengers (public interest); Freight Forwarders; Water Carriers; Household Goods Brokers.

The following applications for motor common or contract carriers of property, water carriage, freight forwarders, and household goods brokers are governed by Subpart A of part 1160 of the Commission's General Rules of Practice. See 49 CFR Part 1160, Subpart A, published in the *Federal Register* on November 1, 1982, at 47 FR 49583, which redesignated the regulations at 49 CFR 1100.251, published in the *Federal Register* December 31, 1980. For compliance procedures, see 49 CFR 1160.19. Persons wishing to oppose an

application must follow the rules under 49 CFR part 1160, Subpart B.

The following applications for motor common carriage of passengers, filed on or after November 19, 1982, are governed by Subpart D of 49 CFR Part 1160, published in the *Federal Register* on November 24, 1982 at 47 FR 53271. For compliance procedures, see 49 CFR 1160.86. Carriers operating pursuant to an intrastate certificate also must comply with 49 U.S.C. 10922(c)(2)(E). Persons wishing to oppose an application must follow the rules under 49 CFR Part 1160, Subpart E. In addition to fitness grounds, these applications may be opposed on the grounds that the transportation to be authorized is not consistent with the public interest.

Applicant's representative is required to mail a copy of an application, including all supporting evidence, within three days of a request and upon payment to applicant's representative of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated that it is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations.

We make an additional preliminary finding with respect to each of the following types of applications as indicated: common carrier of property—that the service proposed will serve a useful public purpose, responsive to a public demand or need; water common carrier—that the transportation to be provided under the certificate is or will be required by the public convenience and necessity; water contract carrier, motor contract carrier of property, freight forwarder, and household goods broker—that the transportation will be consistent with the public interest and the transportation policy of section 10101 of chapter 101 of Title 49 of the United States Code.

These presumptions shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal

action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board No. 2, Members Parker, Chandler, and Fortier.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract." Applications filed under 49 U.S.C. 10922(c)(2)(B) to operate in intrastate commerce over regular routes as a motor common carrier of passengers are duly noted. Please direct status inquiries to Team 2, (202) 275-7030.

Agatha L. Mergenovich,
Secretary.

FF-633, filed November 22, 1982. Applicant: I.M.I. FORWARDING, P.O. Box 17865, Honolulu, HI 96871. Representative: Richard T. Asato (same address as applicant), 808-521-4761. As a freight forwarder, in connection with the transportation of *used household goods, unaccompanied baggage, and used automobiles*, between points in the U.S., on the one hand, and, on the other, points in HI.

MC 41522 (Sub-9), filed November 23, 1982. Applicant: RENTON-ISSAQUAH AUTO FREIGHT, INC., 423 7th Ave. South, Renton, WA 98055. Representative: Michael A. Jonson, 300 Central Bldg., Seattle, WA 98104, 206-624-2521. Transporting *general commodities* (except classes A and B explosives, household goods, and

commodities in bulk), between points in WA, OR, ID, and CA.

MC 52022 (Sub-19), filed November 22, 1982. Applicant: SANTINI BROTHERS, INC., d.b.a. THE SEVEN BROTHERS, THE SEVEN SANTINI BROTHERS 1405 Jerome Ave., Bronx, NY 10452. Representative: B. W. LaTourette, Jr., 11 South Meramec-Suite 1400, St. Louis, MO 63105, 314-727-0777. Transporting *General commodities* (except classes A and B explosives and commodities in bulk), between points in the U.S., under continuing contract(s) with American Airlines, Inc., of Dallas, TX.

MC 145102 (Sub-88), filed November 22, 1982. Applicant: FREYMILLER TRUCKING, INC., 1400 S. Union Ave., Bakersfield, CA 93307. Representative: Wayne W. Wilson, 150 E. Gilman St., Madison, WI 53703, (608) 256-7444. Transporting *general commodities* (except classes A and B explosives, household good, and commodities in bulk), between points in the U.S. (except AK and HI).

MC 156602 (Sub-2), filed November 22, 1982. Applicant: DUANE D. ZABKA, INC., 5200 East 78th Ave., Henderson, CO 80640. Representative: Leslie R. Kehl, 1660 Lincoln St., Suite 1600, Denver, CO 80264, 303-861-4028. Transporting *general commodities* (except classes A and B explosives and household goods), (a) between points in CO and NE, on the one hand, and, on the other, points in the U.S. (except AK and HI), and, (b) between points in AZ, CA, NV, OR, and WA.

MC 158002 (Sub-6), filed November 23, 1982. Applicant: SAHARA EXPRESS, a division of SAHARA PACKING COMPANY, 741 1/2 Parkridge, P.O. Box 1932, Corona, CA 91720. Representative: Frederick J. Coffman, P.O. Box 1455, Upland, CA 91786. Transporting *bananas*, between points in the U.S. (except AK and HI).

MC 164852, filed November 24, 1982. Applicant: GROVER SPITZNAGEL II AND GROVER SPITZNAGEL III, d.b.a. SPITZNAGEL TRANSPORTATION, 14500 E. 14th St., San Leandro, CA 94578. Representative: James H. Gulseth, 100 Bush St., 21st Floor, San Francisco, CA 94104, 415-986-5778. Transporting *such commodities* as are dealt in or used by grocery and food business houses and their suppliers, between points in CA and NV, on the one hand, and, on the other, points in the U.S.

[FR Doc. 82-33508 Filed 12-8-82; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. 217]

Motor Carriers; Permanent Authority; Republications of Grants of Operation Rights Authority Prior to Certification

The following grants of operating rights authorities are republished by order of the Commission to indicate a broadened grant of authority over that previously noticed in the *Federal Register*.

An original and one copy of petitions for intervention must be filed with the Commission within 30 days after the date of this *Federal Register* notice. Applicant may file a verified statement in rebuttal within 50 days. Such pleadings shall comply with 49 CFR 1160.1-1160.49 addressing specifically the issue(s) indicated as the purpose for this republication.

Agatha L. Mergenovich,
Secretary.

Note.— Please direct status inquiries to Team 1, (202) 275-7992.

MC 30650 (Sub-8) (republication), filed April 12, 1982, published May 10, 1982, and republished this issue. Applicant: C. HARRELL, INC., Garrison Road, R.D. 3, Elmer, NJ 08381. Representative: William P. Jackson, Jr., 3426 N. Washington Blvd., P.O. Box 1240, Arlington, VA 22210. A decision by the Commission, Division 2, Acting as an Appellate Division, decided November 12, 1982, served November 17, 1982, finds that applicant is authorized to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* between Kansas, Windsor, Ashmore, and Tower Hill, IL; Huntertown, Wallen, Laotto, Swan, Avilla, Gadsden, Toto, Tefft, Charlottesville, Greenfield, Philadelphia, Gem, Cumberland, Hebron, Denham, Plainfield, Clayton, Amo, Coatesville, Fillmore, Pennville, West Cambridge City, Hillsboro, Waynetown and Covington, IN; Ludlow, MA; Clinton, Tekonsha, Homer, Concord, Spring Arbor, Centreville, Nottawa, Fairfax, Colon, Sherwood and Union City, MI; Elm, Mt. Hope, Vernon, Rudeville, Highland Lakes, Blirstown, Marksboro, Greendell, Cranberry Lake, Lake Lackawanna, Pemberton and Ft. Dix, NJ; New Milford, Rosendale, High Falls, Rifton, Tillson, Williamsville, Gardiner, Modena, Lee, Blossvale, Lima, Malone, Constable, Trout River, Leicester, LaGrange, Groveland, Mt. Morris, Sonyea, Linden, Oneida Castle, Red Oaks Mill, Fishkill, Plains, St. Andrew, Plattekill, Ilion and Stafford, NY; Berwick, Ellis, Dresden, Cadiz, Patterson, Grant, Lisbon, Westerville, Galena, Sunbury, Centerburg, Bangs,

Mount Liberty, Millwood, Phalanx, Garrettsville, Piney Fork, Pekin, Paris, Amsterdam, Wolf Run, Pattersonville, Augusta, Mechanicstown, Bergholz, Harrod, White Cottage, Moxahala Park, Roseville, Hepburn, Meeker, Big Island, New Lexington, Savona, Fort Jefferson, Germantown, Farmersville, Ingomar, West Alexandria, Trotwood, Brookville, Bachman, West Sonora, Eldorado, Glass Rock, Mt. Perry, Fultonham, East Fultonham, and Crooksville, OH, and Heilwood, Mountain Home, Strawberry Ridge, Evers Grove, Pulaski, Spring City, Seiple, Upland, Carlton, Dimeling, Madera, Potts Run, Nanty Glo, Lilly, Alexandria, Mount Pleasant, Hepburnville, Woodland Park, Cochranon, Utica, Niles, New Providence, Garland, Pittsfield, Youngsville, Irvine, Starbrick, Waterford, Union City, Beaver Dam, Elgin, Spring Creek, Greason, Audubon, Newville, Oakville, Cornwall, Northwood, Vail, Bald Eagle, Port Matilda, Julian, Unionville, Wingate, South Brandford, Degolia, Custer City, Lewis Run and Slatington, PA, on the one hand, and, on the other points in the United States. Applicant is fit, willing and able properly to perform the granted service and to conform to statutory and administrative requirements. The purpose of this republication is to delete the commodity and territorial exceptions.

The certificate to be issued, to the extent it authorizes the transportation of explosives, will be conditioned to expire 5 years from date of issuance, subject to extension upon appropriate petition.

Applicant must certify to the Commission, prior to operations, that all rail service has actually terminated at the involved points. To accomplish this, applicant will be required to send an affidavit marked "Certification of Rail Service Termination" to the Deputy Director, Section of Operating Rights, Interstate Commerce Commission, Washington, DC 20423.

MC 147311 (Sub-9) (Republication), filed April 12, 1982, published May 10, 1982, and republished this issue. Applicant: T & S TRANSPORTATION, INC., 7420 Ranco Road, P.O. Box 9729, Richmond, VA 23228. Representative: William P. Jackson, Jr., 3426 N. Washington Blvd., P.O. Box 1240, Arlington, VA 22210. A decision by the Commission, Entire Commission, decided October 20, 1982, served November 10, 1982, finds that applicant is authorized to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities*, between Kansas, Windsor, Ashmore,

and Tower Hill, IL; Huntertown, Wallen, Laotto, Swan, Avilla, Gadsden, Toto, Tefft, Charlottesville, Greenfield, Philadelphia, Gem, Cumberland, Hebron, Denham, Plainfield, Clayton, Amo, Coatesville, Fillmore, Pennville, West Cambridge City, Hillsboro, Waynetown, and Covington, IN; Ludlow, MA; Clinton, Tekonsha, Homer, Concord, Spring Arbor, Centreville, Nottawa, Fairfax, Colon, Sherwood, and Union City, MI; Mt. Hope, Vernon, Rudeville, Highland Lakes, Blirstown, Marksboro, Greendell, Cranberry Lake, Lake Lackawanna, Pemberton, Elm, and Ft. Dix, NJ; New Milford, Rosendale, High Falls, Rifton, Tilson, Williamsville, Gardiner, Modena, Lee, Blossvale, Lima, Malone, Constable, Trout River, Leicester, LaGrange, Groveland, Mt. Morris, Sonyea, Linden, Oneida Castle, Red Oaks Mill, Fishkill Plains, St. Andrew, Plattekill, Ilion, and Stafford, NY; Berwick, Ellis, Dresden, Cadiz, Patterson, Grant, Lisbon, Westerville, Galena, Sunbury, Centerburg, Bangs, Mount Liberty, Millwood, Phalanx, Garrettsville, Piney Fork, Pekin, Paris, Amsterdam, Wolf Run, Pattersonville, Augusta, Machanicstown, Bergholz, Harrod, White Cottage, Moxahala Park, Roseville, Hepburn, Meeker, Big Island, New Lexington, Savona, Fort Jefferson, Germantown, Farmersville, Ingomar, West Alexandria, Trotwood, Brookville, Bachman, West Sonora, Eldorado, Glass Rock, Mt. Perry, Fultonham, East Fultonham, and Crooksville, OH; and Heilwood, Mountain Home, Pulaski, Spring City, Seiple, Upland, Carlton, Dimeling, Madera, Potts Run, Nanty Glo, Lilly, Alexandria, Mount Pleasant, Hepburnville, Woodland Park, Cochranon, Utica, Niles, New Providence, Garland, Pittsfield, Youngsville, Irvine, Starbrick, Waterford, Union City, Beaver Dam, Elgin, Spring Creek, Greason, Audubon, Newville, Oakville, Cornwall, Northwood, Vail, Bald Eagle, Port Matilda, Julian, Unionville, Wingate, South Bradford, Degolia, Custer City, Lewis Run, Strawberry Ridge, Evers Grove, and Slatington, PA; on the one hand, and, on the other points in the United States. Applicant is fit, willing and able properly to perform the granted service and to conform to statutory and administrative requirements. The purpose of this republication is to delete the commodity and territorial exceptions.

The certificate to be issued, to the extent it authorizes the transportation of explosives, will be conditioned to expire 5 years from date of issuance, subject to extension upon appropriate petition.

Applicant must certify to the Commission, prior to operations, that all rail service has actually terminated at the involved points. To accomplish this, applicant will be required to send an affidavit marked "Certification of Rail Service Termination" to the Deputy Director, Section of Operating Rights, Interstate Commerce Commission, Washington, D.C. 20423.

[FR Doc. 82-33501 Filed 12-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. 313]

Motor Carriers; Permanent Authority Decisions; Restriction Removals; Decision-Notice

Decided: December 2, 1982.

The following restriction removal applications, filed after December 28, 1980, are governed by 49 CFR 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 special provisions applicable to restriction removal.

Findings

We find, preliminarily, that each applicant has demonstrated that its requested removal of restrictions or broadening of unduly narrow authority is consistent with the criteria set forth in 49 U.S.C. 10922(h).

In the absence of comments filed within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Restriction Removal Board, Members Shaffer, Williams, and Higgins.

Agatha L. Mergenovich,
Secretary.

MC 96612 (Sub-14)X, filed November 12, 1982. Applicant: SEA-LAND FREIGHT SERVICE, INC., 100 W. Harrison St., Seattle, WA 98119. Representative: B. Carlton Bailey, Jr., Sea-Land Industries, Inc., P.O. Box 800, Iselin, NJ 08830. Lead certificate, remove

(1) the commodities in bulk exception from authority to transport "general commodities (with exceptions)"; and (2) the restriction limiting service between various Washington points "to traffic moving to or from the States of Alaska and Hawaii and the territories or possessions of the U.S."

MC 126034 (Sub-8)X, filed April 26, 1982, previously noticed in the Federal Registers of June 10 and July 19, 1982, and republished as follows. Applicant: McHUGH BROTHERS HEAVY HAULING, INC., P.O. Box 196, Pennndel, PA 19047. Representative: E. Stephen Heisley, 1919 Pennsylvania Ave. N.W., Suite 500, Washington, D.C. 20006. Sub-7: Broaden territorial descriptions: (a) to Berks, Bucks, Bradford, Carbon, Chester, Columbia, Cumberland, Dauphin, Delaware, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Schuylkill, Schneider, Susquehanna, Union, Wayne, Wyoming and York Counties, PA, from points in that part of Pennsylvania on and east of the Susquehanna River; (b) to Atlantic, Bergen, Burlington, Camden, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union, and Warren Counties, NJ, from points in New Jersey north of a line beginning at the Delaware River on Mantua Creek near Woodbury, NJ, extending along Mantua Creek to junction NJ Hwy 47, and along NJ Hwy 47 to junction U.S. Hwy 322, and along U.S. Hwy 322 to the Atlantic Ocean; (c) to Atlantic, Burlington, Camden, Gloucester, Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Somerset, and Warren Counties, NJ, from points in New Jersey that are within 40 miles of Philadelphia and on and north of a line beginning at the Delaware River on Mantua Creek near Woodbury, NJ extending along Mantua Creek to junction NJ Hwy 47, then along NJ Hwy 47 to junction U.S. Hwy 322, then along U.S. Hwy 322 to Weymouth, NJ; (d) to points in New Jersey from points in New Jersey on and north of a line beginning at the Delaware River near Pennsville, NJ on NJ Hwy 49, then east on NJ Hwy 50 to its junction with NJ Hwy 585, then north and east to the Atlantic Ocean; (e) to Bergen, Burlington, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union and Warren Counties, NJ from points in New Jersey on and north of a line beginning at the Delaware River on the Rancocas Creek near Riverside, NJ, then extending east along said creek to Browns Mills, NJ,

where it crosses NJ Hwy 530, then east on NJ Hwy 530 to the Barnegat Bay below Toms River, NJ; (f) to Atlantic Bergen, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union, and Warren Counties, NJ from points in New Jersey north and east of a line beginning at the Delaware River between Pennsylvania and New Jersey, then south and east along NJ Hwy 47 to its junction with an unmarked highway near Heislerville, NJ, then south along said unmarked highway to the Delaware Bay near Moore's Beach, NJ; (g) to Bergen, Burlington, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union and Warren Counties, NJ from points in New Jersey on and north of a line beginning at the Delaware River between New Jersey and Pennsylvania at or near Burlington, NJ, then extending east along NJ Hwy 528 to its junction with NJ Hwy 527, the south along NJ Hwy 527 to its junction with NJ Hwy 37, then south and east along NJ Hwy 37 to the Atlantic Ocean at or near Riverside, NJ; (h) to points in New Jersey from points in New Jersey on and north of a line beginning at the Delaware River near Deepwater, NJ on NJ Hwy 49, then east on NJ Hwy 49 to its junction with NJ Hwy 50, then east and southeast of NJ Hwy 50 to its junction with NJ Hwy 585, then east on NJ Hwy 585 to the Atlantic Ocean near Peck Beach, NJ; (i) to Berks, Bucks, Bradford, Carbon, Chester, Columbia, Cumberland, Dauphin, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Pike, Schuylkill, Snyder, Susquehanna, Union, Wayne, Wyoming and York Counties, PA, from that part of Pennsylvania on and east of the Susquehanna River and on and north of the Pennsylvania Turnpike; (j) to Atlantic, Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union and Warren Counties, NJ from points in New Jersey on and north of a line beginning at the Delaware River near Trenton, NJ, extending south and east on named New Jersey Highways to the Atlantic Ocean near Seaside Heights, NJ; (k) to Atlantic, Bergen, Burlington, Camden, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union and Warren Counties, NJ from points in New Jersey on and north of a line beginning with the Delaware River near

Woodbury, NJ on an unmarked highway, then east on NJ Hwy 534, to its junction with the Atlantic City Expressway, then east on the Atlantic City Expressway to the Atlantic Ocean near Atlantic City, NJ; and (l) to Atlantic, Bergen, Burlington, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union and Warren Counties, NJ from points in New Jersey north and east of a line beginning at the Delaware River on NJ Hwy 206 near Trenton, NJ and extending south and east along NJ Hwy 206 to its junction with the Atlantic City Expressway and extending east of the Atlantic City Expressway to the Atlantic Ocean near Atlantic City, NJ.

The certificate issued in this proceeding failed to encompass these revisions, and the purpose of this republication is the reflect applicant's original requests and to request comments from interested parties.

MC 145468 (Sub-54)X, filed November 12, 1982. Applicant: KSS TRANSPORTATION CORP., Route 1 & Adams Sta., P.O. Box 3052, North Brunswick, NJ 08902. Representative: Arlyn L. Westergren, Suite 201, 9202 West Dodge Rd., Omaha, NE 68114. Sub 39F certificate, remove originating at or destined to facilities restriction, and change territorial description to "between the facilities of the named shipper and its subsidiaries at points in the U.S. (except Alaska and Hawaii), on the one hand, and, on the other, points in the United States (except Alaska and Hawaii)".

[FR Doc. 82-33507 Filed 12-8-82; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Correction

In FR Doc. 82-31391, beginning on page 51807, on Wednesday, November 17, 1982, on page 51809, in the first column, in paragraph "MC 78842", lines nine through eleven should read "those points in the U.S. on and east of U.S. Hwy 85, and (2) between those points in the U.S. on and east of U.S. Hwy".

BILLING CODE 1505-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Correction

In FR Doc. 82-31134 beginning on page 51475, on Monday, November 15, 1982, on page 51477, in the third column, in paragraph four "MC 164422" in the

Fourteenth line "(b) Eay Myers Motor" should read "(b) Fay Myers Motor".

BILLING CODE 1505-01-M

[I.C.C. Order No. P-47]

Rail Carriers; Atchison, Topeka & Santa Fe Railway Co.; Passenger Train Operation

To: The Atchison, Topeka and Santa Fe Railway Company.

It appearing, that the National Railroad Passenger Corporation (Amtrak) has established through passenger train service between New Orleans, Louisiana, and Los Angeles, California. The operation of these trains requires the use of the tracks and other facilities of Southern Pacific Transportation Company (SP). A portion of the SP tracks between Indio, California and Yuma, Arizona, are temporarily out of service because of a derailment. An alternate route is available via The Atchison, Topeka and Santa Fe Railway Company between Indio, California and Phoenix, Arizona.

It is the opinion of the Commission that the use of such alternate route is necessary in the interest of the public and the commerce of the people; that notice and public procedure herein are impracticable and contrary to the public interest; that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, (a) Pursuant to the authority vested in me by order of the Commission served April 29, 1982, and of the authority vested in the Commission by Section 402(c) of the Rail Passenger Service Act of 1970 (45 U.S.C. 562(c)), The Atchison, Topeka and Santa Fe Railway Company (ATSF) is directed to operate trains of the National Railroad Passenger Corporation (Amtrak) between a connection with Southern Pacific Transportation Company at Indio, California and Phoenix, Arizona.

(b) In executing the provisions of this order, the common carriers involved shall proceed even though no agreements or arrangements now exist between them with reference to the compensation terms and conditions applicable to said transportation. The compensation terms and conditions shall be, during the time this order remains in force, those which are voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, the compensation terms and conditions shall be as hereafter fixed by the Commission upon petition of any or all of the said carriers in accordance with pertinent authority conferred upon it by the Interstate

Commerce Act and by the Rail Passenger Service Act of 1970, as amended.

(c) *Application.* The provisions of this order shall apply to intrastate, interstate and foreign commerce.

(d) *Effective date.* This order shall be effective at 12:30 a.m., November 13, 1982.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., November 15, 1982, unless otherwise modified, amended, or vacated by order of this Commission.

This order shall be served upon The Atchison, Topeka and Santa Fe Railway Company and upon the National Railroad Passenger Corporation (Amtrak), and a copy of this order shall be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 13, 1982.

Interstate Commerce Commission.

John H. O'Brien,

Agent.

[FR Doc. 82-33502 Filed 12-8-82; 8:45am]

BILLING CODE 7035-01-M

[Docket No. AB-43 (Sub-97)]

Rail Carriers; Illinois Central Gulf Railroad Co.—Abandonment—in Graves and Hickman Counties, KY; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that the Commission, Review Board Number 3, has issued a certificate authorizing the Illinois Central Gulf Railroad Company to abandon its rail line extending from Milepost 252.28 at Clayburn, KY, to Milepost 268.83 at Fulton, KY, in Graves and Hickman Counties, KY, including all yard and side tracks. Since no investigation was instituted, the requirement of § 1152.27(b) of the Regulations that publication of notices of abandonment decisions in the Federal Register be made only after such a decision becomes administratively final was waived.

Upon receipt by the carrier of an actual offer of financial assistance, the carrier shall make available to the offeror the records, accounts, appraisals, working papers, and other documents used in preparing Exhibit I (Section 1152.35 of the Regulations). Such documents shall be made available during regular business hours at a time and place mutually agreeable to the parties.

The offer must be filed with the Commission and served concurrently on the applicant, with copies to Louis E.

Gitomer, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this Notice. The offer as filed, shall contain information required pursuant to § 1152.27(b) (2) and (3) of the Regulations. If no such offer is received, the certificate of public convenience and necessity authorizing abandonment shall become effective 30 days from the service date of the certificate.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-33500 Filed 12-8-82; 8:45 am]

BILLING CODE 7035-01-M

LIBRARY OF CONGRESS

Copyright Office

Issuance of Additional Certificates of Registration for Copyright Registrations Made Before January 1, 1978

AGENCY: Library of Congress, Copyright Office.

ACTION: Notice of new procedure.

SUMMARY: This notice sets forth a change in the Copyright Office procedure for preparing additional certificates of registration for works registered before January 1, 1978. The issuance of additional certificates of registration is authorized by 17 U.S.C. 706 upon payment of fees specified by 17 U.S.C. 708. The change in procedure described herein is effective upon publication of this notice.

FOR FURTHER INFORMATION CONTACT: Dorothy Schrader, Department DS, Library of Congress, Washington, D.C. 20540, Telephone: (202) 287-8380.

SUPPLEMENTARY INFORMATION:

Heretofore, with the exception of certificates covering registrations for prints and labels made in the Patent Office before July 1, 1940, all additional certificates for registrations made before 1978 have been prepared in the Copyright Office by typing the facts of registration from the official records on to printed certificate forms. Under this procedure, an additional certificate is not necessarily a "duplicate" of the original certificate, inasmuch as the forms used in preparing certificates have varied widely in size, format, and wording over the years. In every case, however, the facts contained in the additional certificate are taken from the official record of the registration, and consist only of facts appearing on that record.

Upon publication of this notice, however, the manner in which additional certificates covering

registrations made before January 1, 1978 are prepared will be changed. Henceforth they will be photoreproduced from the original application. The Copyright Office will affix to the photoreproduction a page containing an official certification.

The change in procedure will eliminate time-consuming activity by Copyright Office employees who now type the information on to printed forms. The new procedure will also eliminate the possibility of errors in transcription and make it possible, in most cases, to provide an additional certificate in a format that is identical to the original.

Dated: November 29, 1982.

Michael R. Pew,

Associate Register of Copyrights.

Approved:

Daniel J. Boorstin,

The Librarian of Congress.

[FR Doc. 82-33539 Filed 12-8-82; 8:45 am]

BILLING CODE 1410-03-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Humanities Panel; Meeting

AGENCY: National Endowment for the Humanities.

ACTION: Notice of meeting.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, as amended), notice is hereby given that the following meeting of the Humanities Panel will be held at 806 15th Street, NW., Washington, D.C. 20506.

Date: January 7, 1983.

Time: 9:00 a.m. to 5:30 p.m..

Room: 314

Program: This meeting will review interdisciplinary Independent Study and Research applications, submitted to the Division of Fellowships and Seminars, for project beginning after June 1, 1983.

The proposed meeting is for the purpose of Panel review, discussion, evaluation and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. Because the proposed meeting will consider information that is likely to disclose: (1) Trade secrets and commercial or financial information obtained from a person and privileged or confidential; (2) information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; and (3) information

the disclosure of which would significantly frustrate implementation of proposed agency action; pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated January 15, 1978, I have determined that this meeting will be closed to the public pursuant to subsections (c)(4), (6) and (9)(B) of section 552b of Title 5, United States Code.

Further information about this meeting can be obtained from Mr. Stephen J. McCleary, Advisory Committee Management Officer, National Endowment for the Humanities, Washington, D.C. 20506; or call (202) 724-0367.

Stephen J. McCleary,

Advisory Committee, Management Officer.

[FR Doc. 82-33543 Filed 12-8-82; 8:45 am]

BILLING CODE 7536-01-M

NATIONAL SCIENCE FOUNDATION

Permit Issued Under the Antarctic Conservation Act of 1978

AGENCY: National Science Foundation.

ACTION: Notice of permit issued under the Antarctic Conservation Act of 1978, Pub. L. 95-541.

SUMMARY: The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978. This is the required notice of permits issued.

FOR FURTHER INFORMATION CONTACT: Charles E. Myers, Permit Office, Division of Polar Programs, National Science Foundation, Washington, D.C. 20550. Telephone (202) 357-7934.

SUPPLEMENTARY INFORMATION: On October 27, 1982, the National Science Foundation published a notice in the *Federal Register* of a permit application received. On December 2, 1982 a permit was issued to: A. W. Erickson.

Charles E. Myers,

Permit Office, Division of Polar Programs.

[FR Doc. 82-33528 Filed 12-8-82; 8:45 am]

BILLING CODE 755-01-M

NUCLEAR REGULATORY COMMISSION

Application for Licenses To Import/Export; Nuclear Facilities or Materials

Pursuant to 10 CFR 110.70(b) "Public notice of receipt of an application", please take notice that the Nuclear Regulatory Commission has received the following applications for import/export

licenses. A copy of each application is on file in the Nuclear Regulatory Commission's Public Document Room located at 1717 H Street, NW., Washington, D.C.

A request for a hearing or a petition for leave to intervene may be filed within 30 days after publication of this notice in the *Federal Register*. Any request for hearing or petition for leave to intervene shall be served by the requestor or petitioner upon the

applicant, the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, the Secretary, U.S. Nuclear Regulatory Commission and the Executive Secretary, Department of State, Washington, D.C. 20520.

In its review of applications for licenses to export production or utilization facilities, special nuclear material or source material, noticed herein, the Commission does not

evaluate the health, safety or environmental effects in the recipient nation of the facility or material to be exported. The table below lists all new major applications.

Dated this 2d day of December at Bethesda, Maryland.

For the Nuclear Regulatory Commission.

Marvin R. Peterson,
Acting Assistant Director, Export/Import and International Safeguards, Office of International Programs.

FEDERAL REGISTER (EXPORT/IMPORT)

| Name of applicant, date of application, date received, application No. | Material Type | Material in kilograms | | End-use | Country of destination |
|--|-------------------------------|-----------------------|--------------------|--|------------------------|
| | | Total element | Total isotope | | |
| Mitsui & Company 11/12/82 11/15/82 XSNM01996. | 2.85% enriched uranium | 147,990 | 3,215 | Initial Core, Kashiwazaki Kariha Unit 1 | Japan. |
| Transnuclear, Inc., 11/24/82 11/24/82 ISNM82002(01). | 3.088% enriched uranium | Add'l 1,593,607 .. | Add'l 46.871 | Amend to increase quantity and enrichment of mat'l to be imported -Feed mat'l for HEU for European MTR-Testing Reactors. | From W. Germany. |

[FR Doc. 82-33559 12-8-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-373]

**Commonwealth Edison Co.;
Authorization of Operation Above 50
Percent Power**

The Nuclear Regulatory Commission (Commission) has authorized the Commonwealth Edison Company (licensee) to proceed above 50% power for operation of the La Salle County Station, Unit No. 1 (facility) located in Brookfield Township, La Salle County, Illinois. This authorization is effective as of the date of issuance.

License Condition 2.C(33) (b) of the La Salle County Station, Unit 1 License No. NPF-11 required the licensee to perform an independent review of the heating, ventilation and air conditioning (HVAC) systems acceptable to the NCR staff prior to exceeding 50% power. An Independent HVAC Review Final Report Project, 6356-N, dated October 27, 1982 was received from the independent reviewer, C. F. Braun & Company, and reviewed by the staff. The NRC staff found the report acceptable and therefore, the license condition was satisfied. On December 3, 1982 the NRC authorized the licensee to proceed above 50% power at the facility.

For further details with respect to this action, see (1) the report, "Independent HVAC Review Final Report, dated October 27, 1982, and (2) the authorization letter with the Safety Evaluation from D. G. Eisenhut to C. Reed dated December 3, 1982. All of these items are available for public inspection at the Commission's Public

Document Room, 1717 H Street, NW, Washington, DC 20555, and at the Public Library of Illinois Valley Community College, Rural Route No. 1, Ogelsby, Illinois 61348. A copy of items (1) and (2) may be obtained upon request addressed to the U. S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland this 3d day of December, 1982.

For the Nuclear Regulatory Commission.

A. Schwencer,
Chief, Licensing Branch No. 2, Division of Licensing.

[FR Doc. 82-33560 Filed 12-8-82; 8:45 am]

BILLING CODE 7590-01-M

[License No. 42-08456-02, EA 82045,
ASLBP No. 83-483-01 OT]

**Consolidated X-Ray Service Corp.;
Hearing and Prehearing Order**

December 3, 1982.

In the matter of CONSOLIDATED X-RAY SERVICE CORPORATION, P.O. Box 20195, Dallas, Texas 75220.

Pursuant to a telephone conference call of this date, the parties are ordered to complete the following prehearing requirements on or before Friday, January 14, 1983:

1. Confer (by telephone or otherwise) to explore settlement; to determine factual issues in dispute; and to stipulate: (a) The material facts that are not in dispute; (b) the exhibits that may be introduced in evidence; and (c) the

issues of fact and law that will require a hearing and decision.

2. Exchange a list of witness and a summary of the facts expected to be proved by witnesses. The summary should contain specific facts, issues, and exhibits the party expects to prove.

3. Exchange lists of proposed exhibits and, at the request of any party, produce exhibits to such party with the opportunity to examine and copy them.

4. Serve the Administrative Law Judge and the other party with the written direct testimony of its witnesses as more fully set forth in 10 CFR 2.743(b).

It is further ordered that this matter will come on for an evidentiary hearing on the merits on Wednesday, January 19, 1983 at 9:30 a.m. at Room 6110, Maryland National Bank Building, 7735 Old Georgetown Road, Bethesda, Maryland 20814.

James A. Laurenson,
Administrative Law Judge.

December 3, 1982, Bethesda, Maryland.

[FR Doc. 82-33565 Filed 12-8-82; 8:45am]

BILLING CODE 7590-01-M

[Docket No. 50-312]

**Sacramento Municipal Utility District;
Consideration of Issuance of
Amendment to Facility Operating
License**

The Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-54, issued to Sacramento Municipal Utility District (the licensee), for operation of the

Rancho Seco Nuclear Generating Station (the Facility), located in Sacramento County, California.

In accordance with the licensee's application for amendment dated September 28, 1982, the amendment would permit the expansion of the facility's spent fuel storage capacity. This expansion would be accomplished by replacing the existing spent fuel storage racks consisting of 579 storage locations, including three failed fuel container locations, with new high density poisoned storage racks consisting of 1080 storage locations, including four failed fuel container locations.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

By January 10, 1983, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the

subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene shall be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room 1717 H Street, N.W., Washington, D.C., by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner or representative for the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at (800) 325-6000 (In Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to John F. Stolz: (petitioner's name and telephone number); (date petition was mailed); (Rancho Seco); and (publication date and page number of this Federal Register Notice). A copy of the petition should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to David S. Kaplan, Sacramento Municipal Utility, District 6201 S Street, P.O. Box 15830, Sacramento, California, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated September 28, 1982, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Business and Municipal Department, Sacramento City-County Library, 828 I Street, Sacramento, California.

Dated at Bethesda, Maryland, this 1st day of December 1982.

For the Nuclear Regulatory Commission,
John F. Stolz,
Chief, Operating Reactors Branch #4,
Division of Licensing.

[FR Doc. 82-33562 Filed 12-8-82; 8:45 am]
BILLING CODE 7590-01-M

[Docket No. 72-2]

**Virginia Electric & Power Co.;
Consideration of a Materials License
for the Storage of Spent Fuel**

The Nuclear Regulatory Commission (the Commission) is considering an application dated October 8, 1982 for a materials license, under the provisions of 10 CFR Part 72, from Virginia Electric and Power Company (the applicant) to possess spent fuel and other radioactive materials associated with spent fuel storage in an independent spent fuel storage installation (ISFSI) located in Surry County, Virginia. If granted, the license will authorize the applicant to store spent fuel in a dry storage cask system at the applicant's Surry Power Station site for Units 1 and 2 (Operating Licenses DPR-32 and 37). Pursuant to the provisions of 10 CFR Part 72, the term of the license for the ISFSI would be twenty (20) years.

Prior to a decision on the requested license, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The issuance of the

materials license will not be approved until the Commission has reviewed the proposal and has concluded that approval of the license will not be inimical to the common defense and security and would not constitute an unreasonable risk to the health and safety of the public. The NRC will complete an environmental evaluation in accordance with 10 CFR Part 51 to determine if the preparation of an environmental impact statement, or negative declaration and environmental appraisal is warranted. The action will be the subject of a notice in the **Federal Register**.

Pursuant to 10 CFR 2.105, by January 10, 1983, the applicant may file a request for a hearing; and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the approval or disapproval of issuance of the subject materials license in accordance with the provisions of 10 CFR 2.714. A petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend a petition, without prior approval of the presiding officer at any time up to 15 days prior to the holding of the first prehearing conference, but such an amended petition must satisfy the specificity requirements described above. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied. Such petitions must be filed in accordance with this **Federal Register** notice and 10 CFR 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by

January 10, 1983. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to M.W. Maupin, Esq., Hunton & Williams, Post Office Box 1535, Richmond, Virginia 23212, attorney for the applicant.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, the petitioner shall file a supplement to the petition to intervene which must include a list of contentions which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions. In the event no request for a hearing or petition to intervene is filed by the above date, the Commission may, upon satisfactory completion of all evaluations, issue the materials license without further prior notice.

In the event that a hearing is held and a person is permitted to intervene, he/she becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he/she may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application dated October 8, 1982, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the local Public Document Room at the Swem Library, College of William and Mary, Williamsburg, Virginia 23185. The Commission's license and Safety Evaluation Report, when issued, may be inspected at the above locations.

Dated at Silver Spring, Maryland, this 3rd day of December 1982.

For the Nuclear Regulatory Commission

Leland C. Rouse,

Chief, Advanced Fuel and Spent Fuel Licensing Branch, Division of Fuel Cycle and Material Safety.

[FR Doc. 82-33563 Filed 12-9-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-338 OLA-1, 50-339 OLA-1]

Virginia Electric & Power Co. (North Anna Power Station, Units 1 and 2); Hearing on Issuance of Amendment to Facility Operating Licenses

December 3, 1982.

On September 22, 1982, at 47 FR 41892, the Staff of the Nuclear Regulatory Commission published a notice which, *inter alia*, stated that the Commission had received an application from Virginia Electric and Power Company for an amendment to the facility operating licenses to permit the receipt and storage of 500 spent fuel assemblies from the Surry Power Station, Units 1 and 2.

The notice provided that, by October 22, 1982, any person whose interest might be affected by the proceeding and who wished to participate as a party must file a petition for leave to intervene in accordance with the Commission's "Rules of Practice" in 10 CFR Part 2. On October 26, 1982, an Atomic Safety and Licensing Board was established to rule on petitions for leave to intervene and/or requests for hearing and to preside over the proceeding in the event that a hearing was ordered. The Board's Administrative Judges are Dr. Jerry Kline, Dr. George A. Ferguson, and Sheldon J. Wolfe, who will serve as Chairman of the Board.

Concerned Citizens of Louisa County filed a petition for leave to intervene, and the County of Louisa, Virginia and the Board of Supervisors of the County of Louisa filed a petition for leave to intervene. As indicated in its Memorandum and Order of November 22, 1982, the Atomic Safety and Licensing Board ruled *inter alia* that the two petitioners for leave to intervene had established standing to intervene, and provisionally ordered a hearing and provisionally granted the petitions for leave to intervene.

Pursuant to 10 CFR 2.751a the Board will conduct a special prehearing conference at the following location at 10:00 a.m. on February 16, 1983: NRC Public Hearing Room, 5th Floor, East West Towers Building, 4350 East-West Highway, Bethesda, Maryland 20014.

Counsel for the Applicant, the NRC Staff, and for the petitioners for leave to intervene are directed to appear. This special prehearing conference¹ is held in order to:

¹This special prehearing conference also is being held to consider prehearing matters in a companion case, *Virginia Electric and Power Company*, (North Anna Nuclear Power Plant, Units 1 and 2), Docket Nos. 50-338 OLA-2 and 50-339 OLA-2, wherein VEPCO requests an amendment to the operating licenses to permit the expansion of the fuel pool

(1) Permit identification of the key issues in the proceeding;

(2) Take any steps necessary for further identification of the issues;

(3) Consider all intervention petitions to allow the presiding officer to make such preliminary or final determination as to the parties to the proceeding, as may be appropriate; and

(4) Establish a schedule for further actions in the proceeding.

In order that the Board will have sufficient time within which to review amended and/or supplemented contentions proposed by the petitioners and to review the answers of the Applicant and the NRC Staff, pursuant to § 2.711, the Board extends the fifteen (15) day time limit set forth in § 2.714(b). Thus, no later than thirty (30) days prior to the holding of the § 2.751a special prehearing conference (*i.e.* by no later than January 17, 1983), the two petitioners shall file their amended contentions and/or a supplement to their petitions to intervene which must include a list of the contentions which they seek to have litigated in the matter, and set forth the bases for each contention with reasonable specificity. The Applicant and the NRC Staff shall have ten days after the service of the proposed contentions within which to respond.

The public is invited to attend the prehearing conference but members of the public may not participate in this conference. An opportunity will be provided for any person who wishes to make an oral or written statement in this proceeding but who has not filed a petition for leave to intervene. Any person may request permission to make a limited appearance pursuant to provisions of 10 CFR 2.715 of the Commission's "Rules of Practice." Subject to the conditions set forth in subsequent Orders, limited appearances will be permitted at the time a § 2.752 prehearing conference is held and also at the beginning of the hearing, if any Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

For further details, see the application for amendment dated July 13, 1982, which is available for public inspection at the Commission's Public Document Room 1717 H Street, N.W., Washington, D.C. 20555 and at the Board of Supervisors Office, Louisa County Courthouse, Louisa, Virginia 23093 and

storage capacity for the North Anna Units 1 and 2. A Notice of Hearing with respect to this companion case is being published today. After the special prehearing conference, the Board may decide to consolidate the two cases.

at the Alderman Library, Manuscripts Department, University of Virginia, Charlottesville, Virginia 22902.

Whether a hearing is ultimately held will depend upon whether contentions suitable for hearing develop in the prehearing procedures to follow this Notice of Hearing.

It is so Ordered.

Dated at Bethesda, Md., this 3d day of December 1982.

For the Atomic Safety and Licensing Board.

Sheldon J. Wolfe,

Chairman, Administrative Judge.

[FR Doc. 82-33566 Filed 12-8-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-338 OLA-2, 50-339 OLA-2]

**Virginia Electric & Power Co. (North Anna Power Station, Units 1 & 2);
Hearing on Issuance of Amendment to
Facility Operating Licenses**

December 3, 1982.

On September 22, 1982, at 47 FR 41893, the Staff of the Nuclear Regulatory Commission published a notice which, *inter alia*, stated that the Commission had received an application from Virginia Electric and Power Company for an amendment to the facility operating licenses to permit the expansion of the fuel storage capacity for the North Anna Power Station, Units 1 and 2, located in Louisa County, Virginia.

The notice provided that, by October 22, 1982, any person whose interest might be affected by the proceeding and who wished to participate as a party must file a petition for leave to intervene in accordance with the Commission's "Rules of Practice" in 10 CFR Part 2. On October 26, 1982, an Atomic Safety and Licensing Board was established to rule on petitions for leave to intervene and/or requests for hearing and to preside over the proceeding in the event that a hearing was ordered. The Board's Administrative Judges are Dr. Jerry Kline, Dr. George A. Ferguson, and Sheldon J. Wolfe, who will serve as Chairman of the Board.

Concerned Citizens of Louisa County filed a petition for leave to intervene, and the County of Louisa, Virginia and the Board of Supervisors of the County of Louisa filed a petition for leave to intervene. As indicated in its Memorandum and Order of November 22, 1982, the Atomic Safety and Licensing Board ruled *inter alia* that the two petitioners for leave to intervene had established standing to intervene, and provisionally ordered a hearing and provisionally granted the petition for leave to intervene.

Pursuant to 10 CFR 2.751a the Board will conduct a special prehearing conference at the following location at 10:00 a.m. on February 16, 1983: NRC Public Hearing Room, 5th Floor, East West Towers Building, 4350 East-West Highway, Bethesda, Maryland 20014.

Counsel for the Applicant, the NRC Staff, and for the petitioners for leave to intervene are directed to appear. This special prehearing conference¹ is held in order to:

(1) Permit identification of the key issues in the proceeding;

(2) Take any steps necessary for further identification of the issues;

(3) Consider all intervention petitions to allow the presiding officer to make such preliminary or final determination as to the parties to the proceeding, as may be appropriate; and

(4) Establish a schedule for further actions in the proceeding.

In order that the Board will have sufficient time within which to review amended and/or supplemented contentions proposed by the petitioners and to review the answers of the Applicant and the NRC Staff, pursuant to § 2.711, the Board extends the fifteen (15) day time limit set forth in § 2.714(b). Thus, no later than thirty (30) days prior to the holding of the § 2.751a special prehearing conference (*i.e.* by no later than January 17, 1983), the two petitioners shall file their amended contentions and/or a supplement to their petitions to intervene which must include a list of the contentions which they seek to have litigated in the matter, and set forth the bases for each contention with reasonable specificity. The Applicant and the NRC Staff shall have ten days after the service of the proposed contentions within which to respond.

The public is invited to attend the prehearing conference but members of the public may not participate in this conference. An opportunity will be provided for any person who wishes to make an oral or written statement in this proceeding but who has not filed a petition for leave to intervene. Any person may request permission to make a limited appearance pursuant to

¹ This special prehearing conference also is being held to consider prehearing matters in a companion case, *Virginia Electric and Power Company*, (North Anna Nuclear Power Plant, Units 1 and 2), Docket Nos. 50-338 OLA-1 and 50-339 OLA-1, wherein VEPCO requests an amendment to the operating licenses to permit the receipt and storage at North Anna of 500 spent fuel assemblies from the Surry Power Station, Units 1 and 2. A Notice of Hearing with respect to this companion case is being published today. After the special prehearing conference, the Board may decide to consolidate the two cases.

provisions of 10 CFR 2.715 of the commission's "Rules of Practice." Subject to the conditions set forth in subsequent Orders, limited appearances will be permitted at the time a § 2.752 prehearing conference is held and also at the beginning of the hearing, if any. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

For further details, see the application for amendment dated July 13, 1982, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555 and at the Board of Supervisors Office, Louisa County Courthouse, Louisa, Virginia 23093 and at the Alderman Library, Manuscripts Department, University of Virginia, Charlottesville, Virginia 22902.

Whether a hearing is ultimately held will depend upon whether contentions suitable for hearing develop in the prehearing procedures to follow this Notice of Hearing.

It is so ordered.

Dated at Bethesda, Md., this 3d day of December 1982.

For the Atomic Safety and Licensing Board,
Sheldon J. Wolfe,
Chairman, Administrative Judge.

[FR Doc. 82-33567 Filed 12-9-82; 8:45 am]
BILLING CODE 7590-01-M

[Docket No. 50-29]

**Yankee Atomic Electric Co. and
Yankee Nuclear Power Station;
Issuance of Amendment to Facility
Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 77 to Facility Operating License No. DPR-3, issued to Yankee Atomic Electric Company (the licensee), which revised the Technical Specifications for operation of the Yankee Nuclear Power Station (Yankee) (the facility) located in Franklin County, Massachusetts. The amendment is effective as of its date of issuance.

The amendment incorporates provisions into the Technical Specifications required for operation with the refueled Core XVI, and associated with modifications made to certain containment isolation valves, portions of the electrical distribution system, and the electric motor operators for certain valves.

The application for amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the

Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that 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 the issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated September 30, 1982, as revised by letters dated October 15, 1982 and November 10, 1982, (2) Amendment No. 77 to License No. DPR-3, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Greenfield Community College, 1 College Drive, Greenfield, Massachusetts 01301. 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 in Bethesda, Md., this 3d day of December 1982.

For the Nuclear Regulatory Commission,
Dennis M. Crutchfield,
Chief, Operating Reactors Branch No. 5,
Division of Licensing.

[FR Doc. 82-33564 Filed 12-9-82; 8:45 am]
BILLING CODE 7590-01-M

**Memorandum of Understanding
Between the Nebraska Department of
Environmental Control and the Nuclear
Regulatory Commission for in Situ
Uranium Mining**

The U.S. Nuclear Regulatory Commission (NRC) and the Nebraska Department of Environmental Control have signed a memorandum of understanding for the purpose of providing effective communication and coordination between their respective staffs for the regulation of the concentration of uranium from in situ mining in Nebraska.

The State of Nebraska has authority to regulate the water quality aspects of in situ uranium mining, while the NRC has sole authority for the milling and concentration of source material in Nebraska and concurrent authority over

the environmental impacts of in situ uranium mining on groundwater in Nebraska. Under the memorandum, the State and NRC will cooperate in using procedures to minimize duplication of effort, avoid delays in decisionmaking and ensure the exchange of needed information during the regulatory process for in situ uranium mining.

The memorandum of understanding became effective when signed by the Director, Nebraska Department of Environmental Control, on November 10, 1982. The text is published below.

For further information contact:
Robert J. Doda, telephone 817/860-8139,
Region IV, U.S. Nuclear Regulatory
Commission, 611 Ryan Plaza Drive,
Suite 1000, Arlington, Texas 76011.

Dated at Arlington, Tex., this 30th day of November 1982.

For the Nuclear Regulatory Commission,
John T. Collins,
Regional Administrator, Region IV.

**Memorandum of Understanding Between the
Nebraska Department of Environmental
Control and the U.S. Nuclear Regulatory
Commission for in situ Uranium Mining**

Whereas, the State of Nebraska, through the Department of Health, and by virtue of Neb. Rev. Stat. § 71-3510 (Reissue 976) is an Agreement State with the U.S. Nuclear Regulatory Commission; and

Whereas, the U.S. Nuclear Regulatory Commission (NRC) has, at the request of the Governor of the State of Nebraska, reasserted its authority over the milling of uranium and the concentration of uranium from in situ mining in the State of Nebraska; and

Whereas, the NRC has the sole authority to issue licenses for the milling and concentration of source material in Nebraska by virtue of the Atomic Energy Act of 1954, as amended, 68 Stat. 923, and concurrent authority over the environmental impacts of in situ uranium mining on groundwater; and

Whereas, the Nebraska Department of Environmental Control (NDEC), pursuant to Neb. Rev. Stat. § 81-1505(9) (Supp. 1981) and the Federal Safe Drinking Water Act (42 U.S.C. 300(f) et seq.) has adopted Regulations Governing Underground Injection Control in Nebraska effective February 16, 1982, with authority to regulate the water quality aspects of in situ uranium mining in Nebraska.

Now, therefore, it is agreed by and between the NRC and NDEC, as follows:

1. In order to help avoid duplication of effort by the regulatory agencies and the applicant, both agencies agree that effective communication and coordination shall be maintained at the staff level between them and that there shall be prompt and efficient concurrent licensing and permit review for in situ uranium mining. Each agency will bear its own costs of review and permitting provided, however, that the NRC may, in its discretion, utilize the services of the State agency in the NRC's licensing process under

an agreement pursuant to Section 274i of the Atomic Energy Act.

2. NRC and NDEC shall consult and coordinate on conditions of any permit or license including sureties pertaining to groundwater restoration and surface decontamination and reclamation.

3. If either party concludes that a meeting between the respective staffs of each agency is necessary, both parties shall cooperate in arranging such a meeting as soon as possible.

4. When a public hearing is determined to be necessary by NRC or NDEC on its license or permit, the other will be given written notice and opportunity to participate according to the established rules of the agency holding the hearing.

5. All information received will be shared between the technical staffs of the agencies and the applicant shall be required to furnish copies of its application and supporting information to each party, unless some information is relevant to one of the agencies only. Sharing of information pertaining to pending enforcement actions and investigations will be determined on a case-by-case basis.

6. The principal NDEC contact under this memorandum shall be the Director of the Department of Environmental Control or his authorized representative. The principal NRC contact under this memorandum shall be the Director, Uranium Recovery Field Office, Denver, Colorado.

7. This memorandum of understanding shall take effect immediately upon signing by the State and the Regional Administrator, Region IV, U.S. Nuclear Regulatory Commission, and may be terminated upon thirty (30) days written notice by either party.

For the Nebraska Department of Environmental Control.

Dan T. Drain,
Director.

Dated at Lincoln, Nebr., this 10th day of November 1982.

For the United States Nuclear Regulatory Commission.

John T. Collins, *Regional Administrator,*
Region IV.

Dated at Arlington, Tex., this 8th day of November 1982.

[FR Doc. 82-33561 Filed 12-8-82; 8:45 am]
BILLING CODE 7590-01-M

PRESIDENT'S COMMISSION ON WHITE HOUSE FELLOWSHIPS

Meeting

Pursuant to Section 10 of Pub. L. 92-463, the Federal Advisory Committee Act, notice is hereby given that a meeting of the President's Commission on White House Fellowships will be held on January 14, 1983, from 9:00 a.m. to 5:00 p.m., in the Massachusetts room of the Capital Hilton, 16th and K Streets, N.W., Washington, D.C.

This meeting is scheduled to give the Commissioners an opportunity to evaluate and review the Fellowship

program. The items to be discussed will include selection procedures, fundraising for the Alumni Foundation, possible re-imposition of age limits for Fellows and other Commission matters.

The meeting will be open to the public. Questions about the agenda can be directed to, (202) 395-4522.

James C. Roberts,
Director.

[FR Doc. 82-33489 Filed 12-8-82; 8:45 am]
BILLING CODE 6325-01-M

SMALL BUSINESS ADMINISTRATION

[Application No. 09/09-0314]

Ivanhoe Venture Capital, Ltd. Application for License To Operate as a Small Business Investment Company

An application for a license to operate as a small business investment company under the provisions of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 *et seq.*), has been filed by Ivanhoe Venture Capital, Ltd. (Ivanhoe), 737 Pearl Street, Suite 202, La Jolla, California 92037, with the Small Business Administration.

The partnership interest is owned as follows:

James H. Berglund, 7343 Fairway Road, La Jolla, California 92037, General Partner, 5.4%

Joseph W. Hibben, 7247 Encelia Drive, La Jolla, California 92037 General Partner, 16.7%

Alan R. Toffler, 7453 Fairway Road, La Jolla, California 92037, General Partner, 16.7%

P. Frederick Wulff, 935 Genter Street, La Jolla, California 92037 General Partner, 2.9%

Ivanhoe Consulting, & Financial, Inc., 737 Pearl Street, Suite 102, La Jolla, California 92037, Manager, 0

The applicant, a California partnership, will begin operations with \$600,000 paid-in capital. Ivanhoe will conduct its activities principally in the State of California.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed owners and management, and the probability of successful operation of the company under their management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act of 1958, as amended, and the SBA Rules and Regulations.

Notice is hereby given that any person may not later than 15 days from the date of publication of this Notice submit to SBA written comments on the proposed Applicant. Any such communication should be addressed to the Deputy

Associate Administrator for Investment, Small Business Administration, 1441 "L" Street N.W., Washington D.C. 20416.

A copy of this Notice shall be published once in a newspaper of general circulation in La Jolla, California.

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

Dated: December 3, 1982.

Robert G. Lineberry,
Deputy Associate Administrator for
Investment.

[FR Doc. 82-33532 Filed 12-8-82; 8:45 am]
BILLING CODE 8025-01-M

SELECTIVE SERVICE SYSTEM

Matching Program to Identify Registration Violators

AGENCY: Selective Service System.
ACTION: Notice.

SUMMARY: Pursuant to OMB Memorandum date May 11, 1982, "Revised Supplemental Guidance for Conducting Matching Programs", the Selective Service System publishes the following information concerning its revisions to the Selective Service System Registration Compliance Program for computerized matching of individual records maintained by the Social Security Administration, the Internal Revenue Service, State Driver's Licensing agencies, the Defense Logistics Agency, the United States Coast Guard, and the Selective Service System.

For convenient reference, information concerning the initial proposed program for computerized matching of individual records maintained by the Social Security Administration, the Internal Revenue Service, the Defense Logistics Agency, the Coast Guard, and the Selective Service System is also published.

FOR FURTHER INFORMATION CONTACT:
David A. Cox, Associate Director,
Information Systems, Selective Service System, Washington, DC 20435. Phone 202-724-0872.

Dated: December 6, 1982.

Thomas K. Turnage,
Director of Selective Service System.
October 25, 1982.

Report Concerning SSS Matching Program To Identify Registration Violators

Pursuant to OMB Memorandum dated May 11, 1982, concerning "Revised Supplemental Guidance for Conducting Matching Programs", the Selective

Srvce System submits the following information concerning its revisions to the Selective Service System Registration Compliance Program for computerized matching of individual records maintained by the Social Security Administration, the Internal Revenue Service, State Driver's Licensing agencies, the Defense Logistics Agency, the United States Coast Guard, and the Selective Service System.

(1) The authority under which this program is to be conducted is Section 12 of the Military Selective Service Act (50 U.S.C. App. 462), as amended by Section 916 of the Department of Defense Authorization Act, 1982; Pub. L. 97-86, approved December 1, 1981; and Presidential Proclamation 4771, 45 FR 45247 (July 3, 1980).

(2) This matching program is a continuing program to identify those persons who may be violating the registration requirements of Section 3 of the Military Selective Service Act (50 U.S.C. App. 453).

The matching procedure for the program includes the following steps:

a. The Social Security Administration will provide from its Master Files of Social Security Number Holders, the name, social security account number, and date of birth of each male born in the year of birth of the age selection group which should have registered during a particular calendar year. (Authority: Section 12 of the Military Selective Service Act (50 U.S.C. 462), as amended by Section 916 of the Department of Defense Authorization Act, 1982; Pub. L. 97-86, approved December 1, 1981; and Presidential Proclamation 4771, 45 FR 45247 (July 3, 1980)).

b. Participating States will provide name, social security account number (if available), date of birth, and address from their State Driver's License Files for men required to register.

c. The data received from the Social Security Administration and State Driver's License Files will be compared to the Registrant Registration Records of the Selective Service System to eliminate those men who have registered from the Social Security and State lists. Pending further matching and confirmation, the names on the lists that are not matched with the Selective Service list of registrants will constitute the Selective Service Suspected Violator Inventory System containing the names of suspected registration violators, pending further matching and confirmation.

d. The Selective Service Suspected Violator Inventory System will then be compared to the record systems of the

Defense Logistics Agency and the U.S. Coast Guard containing the names of personnel on active duty with the armed forces. The names of the persons who are exempt or on active duty with the armed forces are removed from the Suspected Violator Inventory System. (Authority: The Privacy Act of 1974 (5 U.S.C. 552a. (b)(7) and (e)(4)(D)) and Presidential Proclamation 4771, 45 FR 45247 (July 3, 1980)).

e. Letters and registration forms are mailed to individuals on the Selective Service Suspected Violator Inventory System with addresses present on the file. The remaining records on the file are then matched by Internal Revenue Service to their Individual Master File to determine the most current addresses. The Internal Revenue Service then mails letters and registration forms to the individuals.

f. Those who respond by registering are entered into the Selective Service Registrant Records System and are removed from the Suspected Violator Inventory System. Those who fail to respond or refuse to register are reported to the Department of Justice for further investigation and possible prosecution. Those who respond but are determined to be exempt from registration pursuant to Section 6 of the Military Selective Service Act (50 U.S.C. App. 456) are removed from the Suspected Violator Inventory System.

(3) The record systems to be matched are:

a. Selective Service System Record System No. SSS-10 "Registrant Registration Records (after 1979)—SSS" published in 45 FR 30587 (May 8, 1980).

b. Selective Service Record System No. SSS-8 "Suspected Violator Inventory System (SVIS)—SSS" published in 47 FR 14819 (April 6, 1982).

c. Social Security Administration Record System No. 09-60-0058 "Master Files of Social Security Number Holders HHS SSA OEER" published in 46 FR 53784 (October 30, 1981).

d. Internal Revenue Service Record System No. IRS 24.030 "Individual Master File (IMF)" published in 46 FR 16463 (March 12, 1981).

e. Coast Guard, U.S. Record System No. DOT/CG 624 "Personnel Management Information System (PMIS)" published in 46 FR 59741 (December 7, 1981).

f. Coast Guard, U.S. Record System No. DOT/CG 678 "Reserve Personnel Management Information System (Automated)" published in 46 FR 59741 (December 7, 1981).

g. Defense Logistics Agency Record System No. S 322.10 DLA-LZ "Defense Manpower Data Center Data Base"

published in 46 FR 40556 (August 10, 1981).

h. State Driver's License records.

(4) The starting date for the matching program was June 1, 1982. The program will continue indefinitely unless registration under the Military Selective Service Act is terminated by the President or by statute.

(5) Information from the various record systems acquired incident to the matching program will not be disclosed to any non-federal agency.

(6) Source records will be returned to source agencies if requested, or disposed of, by registration year group, at the completion of the program for the year group.

(7) No new record system subject to the Privacy Act of 1974 is contemplated incident to the implementation and operation of the matching program.

(8) Copies of this report are being sent concurrently to the Congress, addressed to the President of the Senate and the Speaker of the House of Representatives.

Report Concerning SSS Matching Program To Identify Registration Violators

Pursuant to OMB Memorandum dated 30 March, 1979, concerning "Guidelines for the Conduct of Matching Programs", the Selective Service System submits the following information concerning its proposed program for computerized matching of individual records maintained by the Social Security Administration, the Internal Revenue Service, the Defense Logistics Agency, the Coast Guard, and the Selective Service System.

(1) The *name* of the program is "The Selective Service System Registration Compliance Program".

(2) The *authority* under which this program is to be conducted is Section 12 of the Military Selective Service Act (50 U.S.C. App. 462), as amended by Section 916 of the Department of Defense Authorization Act, 1982; Pub. L. 97-86, approved 1 Dec 1981; and Presidential proclamation 4771 of 2 July 1980, 45 FR 45247 (July 3, 1980).

(3) The *purpose* of the program is to identify those persons who may be violating the registration requirements of Section 3 of the Military Selective Service Act (50 U.S.C. App. 453).

(4) The *record systems* to be matched are:

(a) Selective Service System Record System No. SSS-10 "Registrant Registration Records (after 1979)—SSS" published in 45 FR 30587 (May 8, 1980).

(b) Selective Service System Record No. SSS-8 "Suspected Violator

Inventory System (SVIS)—SSS" published in 46 FR 26727 (May 14, 1981). (This record system will be amended as shown in Attachment A to this report).

(c) Social Security Administration Record System No. 09-60-0058 "Master Files of Social Security Number Holders HHS SSA OEER" published in 46 FR 53784 (October 30, 1981).

(d) Internal Revenue Service Record System No. IRS 24.030 "Individual Master File (IMF)" published in 46 FR 16463 (March 12, 1981).

(e) Coast Guard, U.S. Record System No. DOT/CG 624 "Personnel Management Information System (PMIS)" published in 46 FR 59741 (December 7, 1981).

(f) Coast Guard, U.S. Record System No. DOT/CG 678 "Reserve Personnel Management Information System (Automated)" published in 46 FR 59741 (December 7, 1981).

(g) Defense Logistics Agency Record System No. S 322.10 DLA-LZ "Defense Manpower Data Center Base" published in 46 FR 40556 (August 10, 1981).

(5) The *starting date* for the matching program is on or about June 1, 1982. The program will continue indefinitely unless registration under the Military Selective Service Act is terminated by the President or Congress.

(6) The matching *procedure* for the program includes the following steps:

(a) The Social Security Administration will provide from its Master Files of Social Security Number Holders, the name, social security account number, and date of birth of each male born in the year of birth of the age selection group which should have registered during a particular calendar year. (Authority: Section 12 of the Military Selective Service Act (50 U.S.C. App. 462), as amended by Section 916 of the Department of Defense Authorization Act, 1982; Pub. L. 97-86 approved 1 Dec 1981; and Presidential Proclamation 4771 of July 2, 1980, 45 FR 45247 (July 3, 1980))

(b) The data received from the Social Security Administration will be compared to the Registrant Registration Records of the Selective Service System to eliminate from the Social Security list those men who have registered. The names on the Social Security list that are not matched with the Selective Service list of registrants will constitute the Selective Service Suspected Violator Inventory System containing the names of suspected registration violators, pending further matching and confirmation.

(c) The Selective Service Suspected Violator Inventory System is then compared to the record systems of the Defense Logistics Agency and the U.S. Coast Guard containing the names of

personnel on active duty with the armed forces or exempt under 14 U.S.C. 711.

The names of the persons who are exempt or on active duty with the armed forces are removed from the Suspected Violator Inventory System. (Authority: The Privacy Act of 1974; 5 U.S.C. 552a. (b)(7) and (e)(4)(D); and Presidential Proclamation 4771 of July 2, 1980, 45 FR 45247 (July 3, 1980))

(d) The Selective Service Suspected Violator Inventory System is then matched by Internal Revenue Service to their Individual Master File to determine more current addresses of those persons in the Suspected Violator Inventory System. Internal Revenue Service then returns the Suspected Violator System computer tapes which include confirmed names and social security numbers, and current addresses. (Authority: Section 6103 of the Internal Revenue Code; 26 U.S.C. 6103(i)(2); and Presidential Proclamation 4771 of July 2, 1980, 45 FR 45247 (July 3, 1980))

(e) All persons in the Selective Service Suspected Violator Inventory System are then contacted by the Selective Service System in an effort to effect compliance with the registration requirements of the law. Those who respond by registering are entered into the Selective Service Registrant Registration Records System and, if the total circumstances warrant, are removed from the Suspected Violator Inventory System. Those who fail to respond or refuse to register are reported to the Department of Justice for further investigation and possible prosecution. Those who respond but are determined to be exempt from registration pursuant to Section 6 of the Military Selective Service Act (50 U.S.C. App. 456) are removed from the Suspected Violator Inventory System.

(7) *Disclosure* of information from the various record systems acquired incident to the matching program will not be made to any non-federal agency.

(8) *No new record system* subject to the Privacy Act of 1974 is contemplated incident to the implementation and operation of the matching program.

(9) *Alteration* of the Selective Service Suspected Violator Inventory System (SVIS)—SSS8 is contemplated to show the individual and agency sources of the data in the system.

(10) *Copies* of this report are being sent concurrently to the Congress, addressed to the President of the Senate and the Speaker of the House.

Thomas K. Turnage,
Director.

[FR Doc. 82-33511 Filed 12-8-82; 8:45 am]

BILLING CODE 8015-01-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement; Marion County, Indiana

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an Environmental Impact Statement will be prepared for a proposed highway project in Marion County, Indiana.

FOR FURTHER INFORMATION CONTACT: Mr. John W. Breitwieser; Staff Specialist for Environment, Federal Highway Administration, 254 Federal Office Building, 575 North Pennsylvania Street, Indianapolis, Indiana 46204. Telephone: (317) 269-7481.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Indiana Department of Highways, and the Indianapolis Department of Transportation, intends to prepare an Environmental Impact Statement for the proposed improvement and widening of the Keystone Avenue and Rural Street corridor in the City of Indianapolis. The corridor under evaluation extends a distance of six miles with the southern terminus being Pleasant Run Parkway North Drive and the northern terminus being State Road 37.

The purpose of the improvement is to provide a primary north-south arterial for central city travelers, and to eliminate the existing discontinuity between Keystone Avenue and Rural Street. These improvements are considered necessary to efficiently accommodate the traffic demands for existing and projected levels along this corridor. The existing facility has inadequate right-of-way pavement widths coupled with ever-increasing traffic volumes. Most of the major intersections do not provide for proper turning movements, and as a result, this corridor has had numerous accidents.

In addition to the no-action alternative, there are three alternative alignments under consideration. Two of the proposed alternatives involve the ultimate improvement of the Keystone-Rural corridor to a four and six-lane divided facility for the entire length of the corridor. The other alternative under consideration is a reduced facility alternative where only the high priority segments are to be widened. The remaining segments will receive RRR improvements which include resurfacing, reconstruction, and

rehabilitation; all of which will be done within the existing right-of-way.

The three "build" alternatives propose a phased improvement plan where high priority segments will be the first to be designed and constructed.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and citizens who have previously expressed interest in this proposal.

There are currently no plans to hold a formal scoping meeting for this proposal. A public meeting was held early in the planning process for the proposed project. Following review and approval of the DEIS, public notice will be given for the opportunity to hold a public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the DEIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program No. 20.205, (Highway Research, Planning and Construction). The provisions of OMB Circular A-95 regarding State & local clearinghouse review of Federal and Federally assisted programs and projects apply to this program.)

Issued on: November 30, 1982.

George D. Gibson,
Division Administrator, Indianapolis,
Indiana.

[FR Doc. 82-33488 Filed 12-8-82; 8:45 am]
BILLING CODE 4910-22-M

National Highway Traffic Safety Administration

[Docket No. IP82-7; Notice 2]

General Motors Corp., Grant of Petition for Determination of Inconsequential Noncompliance

This notice grants the petition by General Motors Corp., of Warren, Michigan (GM) to be exempted from the notification and remedy requirements of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1381 et seq.) for an apparent noncompliance with 49 CFR 571.108, Motor Vehicle Safety Standard No. 108, *Lamps, Reflective Devices and Associated Equipment*. The basis of the grant is that the noncompliance is inconsequential as it relates to motor vehicle safety.

Notice of receipt of the petition was published on March 8, 1982, and an opportunity afforded for comment (47 FR 9953).

The noncompliance was found on over 15,000 1982 model Pontiac Bonneville passenger cars. Paragraph S4.6(b) of Standard No. 108 requires, in essence, that the parking lamp be steady-burning when in use. The GM system complies when the lamp is used as a parking lamp, but because it is "electrically tied" to the front side marker lamps, flashes when the turn signal or hazard warning lamps are activated. The Pontiac design is a two-cavity lamp, the inboard one functioning both as a turn signal and parking lamp, and the outboard one only as a parking lamp. There are two distinct aspects to the noncompliance. When the headlamp switch is off and the turn signal or hazard lamps are activated, the front side marker and outboard parking lamps flash simultaneously and in sequence with the inboard turn signal or hazard warning lamps. But if the headlamp switch is on, the front side marker and outboard parking lamps flash out of sequence with the others.

GM argued that the noncompliance herein described is inconsequential because the flashing of the outboard parking lamp with its two candlepower bulb does not impair the effectiveness of the turn signal or hazard warning signal lamps. Even assuming that the flashing of the low candlepower bulb is discernible, it "can only add to the conspicuity of the required signalling."

No comments were received on the petition.

The NHTSA believes that when the Pontiac headlamp switch is in the "off" position and the turn signal or hazard warning signal switch is activated, the simultaneous flashing of the turn signal lamp and the parking lamp only serves to intensify the conspicuity of the activated turn signal or hazard warning signal lamp. It is NHTSA's further opinion that when the headlamp switch is in the "on" position and the turn signal lamps or hazard warning signal lamps are activated, the parking lamp flashing out of sequence will not affect motor vehicle safety; while its 2 candlepower light output is discernible, the more intense light (32 candlepower) of the turn or hazard warning signal overpowers the out-of-sequence signal of the parking lamp and there should be no confusion that the vehicle intends to turn or that its turn signals are being operated in the hazard warning mode.

Accordingly, petitioner has met its burden of persuasion that the noncompliance herein described is inconsequential as it relates to motor vehicle safety, and its petition is hereby granted.

The engineer and attorney principally responsible for this notice are Marx Elliott and Taylor Vinson, respectively.

(Sec. 102, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1417); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on December 3, 1982.

Courtney M. Price,
Associate Administrator for Rulemaking.

[FR Doc. 82-33454; Filed 12-8-82; 8:45 am]
BILLING CODE 4910-59-M

[Docket No. EX83-1; Notice 1]

Handcraft Motorcar Co.; Petition for Temporary Exemption From Federal Motor Vehicle Safety Standards

Handcraft Motorcar Company of Bradenton, Florida, has petitioned for temporary exemption from several Federal motor vehicle safety standards. The basis of the petition is that compliance would cause substantial economic hardship.

Notice of receipt of the petition is published in accordance with NHTSA regulations on this subject (49 CFR 555.7) and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Handcraft, a Florida corporation, was chartered on April 27, 1982, with the intent of assembling motor vehicles from components produced by other companies, principally Thoroughbred Motorcars, Inc., of Redmond, Washington (frame and major body components) and Ford Motor Company (mechanical components). The resulting passenger car, styled to resemble a classic Mercedes-Benz 540K of the 1930's, will be known as the "Magnum 540K." Petitioner seeks an exemption of three years from the following Federal motor vehicle safety standards:

1. Standard No. 104, *Windshield Wiping and Washing Systems*.

Paragraph S4.1.2 of the standard establishes minimum percentages of certain areas on the windshield to be covered by the wipers—80 percent of Area A, 94 percent of Area B and 99 percent of Area C. The percentage cleaned by the Magnum wipers are respectively, 70, 88, and 94 percent.

2. Standard No. 201, *Occupant Protection in Interior Impact*. The vehicle is not equipped with sun visors. The instrument panel "has no sharp, unyielding projections," but to conduct the test specified would cause hardship.

3. Standard No. 202, *Head Restraints*. The seats and head rests are supplied by Ford and used in vehicles that Ford certifies as complying with the standard.

but the company lacks the means to verify conformity through testing.

4. Standard No. 203, *Impact Protection for the Driver From the Steering Control System*. The steering column is obtained from Ford, and is used by Ford in vehicles certified as meeting the standard.

5. Standard No. 204, *Steering Control Rearward Displacement*. Petitioner does not know if its vehicle complies. The steering wheel is a substantial distance from the front wheel assembly and the rack and pinion power steering unit. There are three universal joints between the front axle area and the steering column "which will prevent a direct line transmission of any crash impact through the steering column."

6. Standard No. 206, *Door Locks and Door Retention Components*. The Magnum 540K will be equipped with latches manufactured for use in truck cabs. The doors are joined to the body by two hinges, and a total of 20 bolts per door. The body and doors are made of fiberglass.

7. Standard No. 207, *Seating Systems*. The seats are provided by Ford Motor Company and used in certified vehicles. They are mounted in the Magnum 540K by bolts through the floor.

8. Standard No. 212, *Windshield Mounting*. The windshield glass is mounted in a rubber molding which is secured in a steel windshield framework.

9. Standard No. 214, *Side Door Strength*. The doors were not damaged by a "full force blow with a sledge hammer."

10. Standard No. 219, *Windshield Zone Intrusion*. The dimensions of the windshield are such that it "should result in above normal restriction of motor vehicle components into the windshield area during a crash."

11. Standard No. 301, *Fuel System Integrity*. The fuel tank, filler assembly lines, connectors, etc. are provided by Ford Motor Company and are retained as the manufacturer provides them.

The assets of the company as of May 31, 1982, a month after incorporation, totalled \$42,770. The petitioner estimates that the cost of testing to verify compliance of many of the standards discussed above would approach \$150,000, which includes the cost of a vehicle (\$48,000). With the capital at hand, this would cause "substantial economic hardship."

Petitioner argues that an exemption would be in the public interest "by providing an object of aesthetic pleasure to both the public and the individual owner." An exemption would be consistent with the objectives of the Traffic Safety Act in that "every effort has been made to make this car as safe as possible," and it is equipped with "today's modern tires, wheels, brakes, steering, seats, safety belts, glass, door latches, lights, fuel system, energy absorbing bumpers, etc."

Interested persons are invited to submit comments on the petition of Handcraft Motorcar Company described above. Comments should refer to the docket number and be submitted to: Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590. It is requested but not required that five copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered. The application and supporting materials, and all comments received, are available for examination in the docket both before and after the closing date. Comments received after the closing date will also be filed and will be considered to the extent possible. Notice of final action on the petition will be published in the *Federal Register* pursuant to the authority indicated below.

Comment closing date: January 10, 1983.

(Sec. 3, Pub. L. 92-548, 86 Stat. 1159 (15 U.S.C. 1410); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on December 3, 1982.

Courtney M. Price,
Associate Administrator for Rulemaking.

[FR Doc. 82-33453 Filed 12-8-82; 8:45 am]

BILLING CODE 4910-59-M

Research and Special Programs Administration

Applications for Exemptions

AGENCY: Materials Transportation Bureau, RSPA, DOT.

ACTION: List of Applicants for exemptions.

SUMMARY: In accordance with the procedures governing the applications for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Regulation of the Materials Transportation Bureau has received the applications described herein. Each mode of transportation for which a particular exemption is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo-only aircraft, 5—Passenger-carrying aircraft.

DATE: January 11, 1983.

ADDRESS: Comments to: Dockets Branch, Information Services Division, Materials Transportation Bureau, U.S. Department of Transportation, Washington, DC 20590. Comments should refer to the application number and be submitted in triplicate.

FOR FURTHER INFORMATION CONTACT: Copies of the applications are available for inspection in the Dockets Branch, Room 8426, Nassif Building, 400 7th Street, S.W., Washington, DC.

SUPPLEMENTARY INFORMATION:

NEW EXEMPTIONS

| Application No. | Applicant | Regulation(s) affected | Nature of exemption thereof |
|-----------------|--|---|--|
| 8945-N | Clark Engineering of Brownwood, Inc., Brownwood, TX. | 49 CFR 173.119(a)(17), 173.245(a)(30), 173.245(a)(31), 178.340-7, 178.342-5, 178.343-5. | To manufacture, mark and sell non-DOT specification cargo tanks complying generally with DOT Specification MC-307/312 except for bottom outlet valve variations for transport of flammable or corrosive liquid or semi-solids (mode 1). |
| 8946-N | U.S. Department of Defense, Washington, DC. | 49 CFR 173.127 | To authorize shipment of plastisol nitrocellulose wet with heptane solvent having a flash point of 25 degree Fahrenheit (mode 1). |
| 8947-N | Townsend, Inc., Worcester, MA. | 49 CFR 173.153(b) | To authorize shipment of an organic peroxide, liquid or solution, n.o.s. (methyl ethyl ketone peroxide) up to 1 oz. capacity heat sealed polyethylene tubes contained in a polyethylene bag, overpacked in a fiber board box not to exceed a total gross of 22 pounds, shipped as limited quantity (mode 1). |
| 8948-N | Immuno Nuclear Corp., Stillwater, MN. | 49 CFR 173.242, 173.25(b), 173.286(b) | To authorize shipment of a chemical kit containing minute quantities of a flammable liquid, a corrosive liquid and a radioactive material contained in a specially designed packaging (modes 1, 4). |
| 8949-N | Aerotransit Inc., Danvers, MA. | 49 CFR 172.101, 172.204(c)(3), 173.27, 175.30(a)(1), 175.320(b), Part 107, Appendix B. | To authorize carriage of Class A, B and C explosives not permitted for air shipment or in quantities greater than those prescribed for air shipment (mode 4). |

NEW EXEMPTIONS—Continued

| Application No. | Applicant | Regulation(s) affected | Nature of exemption thereof |
|-----------------|--|--------------------------------|---|
| 8950-N..... | Structural Composites Industries, Inc., Pomona, CA. | 49 CFR 173.302..... | To manufacture, mark and sell non-DOT specification fiber reinforced plastic hoop wrapped cylinders, for shipment of various nonflammable and flammable compressed gases (modes 1, 2, 3, 4, 5). |
| 8951-N..... | Presto Products, Inc., Appleton, WI..... | 49 CFR 173.1200(a)(1)(ii)..... | To authorize a small quantity of flammable liquid described as nail polish remover wipes, contained in a plastic container of 1.8 pints capacity to be shipped as a consumer commodity, ORM-D (modes 1, 3). |
| 8952-N..... | Trojan Corp., Salt Lake City, UT..... | 49 CFR 173.65..... | To authorize shipment of Type 3, Class A explosive in DOT Specification 21C fiber drums (mode 1). |
| 8953-N..... | Foseco, Inc., Brook Park, OH..... | 49 CFR 173.206(c)..... | To authorize shipment of sodium, metal, classed as a flammable solid in non-DOT specification hermetically sealed aluminum canisters packed in plastic bags each overpacked in a non-DOT specification steel drum (mode 1). |
| 8954-N..... | Air Products and Chemicals, Inc., Allentown, PA. | 49 CFR 172.101, 173.315..... | To authorize shipment by cargo vessel of liquid argon, nitrogen, and oxygen in non-DOT specification cargo tanks with relief valves set at not over 25 psig (mode 3). |
| 8955-N..... | Dresser Industries, Inc., Houston, TX..... | 49 CFR 173.80..... | To authorize shipment of charged oil well jet perforating guns with detonators installed therein (mode 1). |
| 8956-N..... | Cliff Mock Co., Conroe, TX..... | 49 CFR 173.302, 178.47..... | To manufacture, mark and sell non-DOT specification cylinders comparable to DOT Specification 3E, for shipment of natural gas, liquefied petroleum gas and other petroleum hydrocarbon (modes 1, 3, 4). |

This notice of receipt of applications for new exemptions is published in accordance with section 107 of the Hazardous Materials Transportation Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on December 1, 1982.

J. R. Grothe,

Chief, Exemptions Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 82-33383 Filed 12-8-82; 9:45 am]

BILLING CODE 4910-60-M

Applications for Renewal or Modification of Exemptions or Applications To Become a Party To an Exemption

AGENCY: Materials Transportation Bureau, RSPA, DOT.

ACTION: List of applications for renewal or modification of exemptions or application to become a party to an exemption.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Regulation of the Materials Transportation Bureau has received the applications described herein. This notice is abbreviated to expedite docketing and public notice. Because the sections affected, modes of transportation, and the nature of application have been shown in earlier Federal Register publications, they are not repeated here. Except as otherwise noted, renewal applications are for extension of the exemption terms only. Where changes are requested (e.g. to provide for additional hazardous materials, packaging design changes, additional mode of transportation, etc.) they are described in footnotes to the application number. Application numbers with the suffix "X" denote renewal; application numbers with the suffix "P" denote party to. These

applications have been separated from the new applications for exemptions to facilitate processing.

DATE: December 28, 1982.

ADDRESS: Comments To: Dockets Branch, Information Services Division, Materials Transportation Bureau, U.S. Department of Transportation, Washington, DC 20590. Comments should refer to the application number and be submitted in triplicate.

FOR FURTHER INFORMATION CONTACT: Copies of the applications are available for inspection in the Dockets Branch, Room 8426, Nassif Building, 400 7th Street, S.W., Washington, DC.

SUPPLEMENTARY INFORMATION:

| Application No. | Applicant | Renewal of exemption |
|-----------------|--|----------------------|
| 1862-X..... | Greer Hydraulics, Inc., City of Commerce, CA. ¹ | 1862 |
| 2709-X..... | U.S. Department of Defense, Washington, DC. ² | 2709 |
| 4262-X..... | Schlumberger Well Services, Houston, TX. ³ | 4262 |
| 5188-X..... | U.S. Department of Energy Washington, DC. | 5188 |
| 6117-X..... | Montana Sulphur & Chemical Co. Billings, MT. | 6117 |
| 6296-X..... | Olin Chemicals Group, Stamford, CT .. | 6296 |
| 6403-X..... | Ethyl Corp., Baton Rouge, LA .. | 6403 |
| 6403-X..... | El Paso Products Co., Odessa, TX..... | 6403 |
| 6543-X..... | M & T Chemicals, Inc., Los Angeles, CA. | 6543 |
| 6571-X..... | Utilities Board City of Trussville, Trussville, AL. | 6571 |
| 6618-X..... | Monsanto Co., St. Louis, MO..... | 6618 |
| 6652-X..... | Garrett Pneumatic Systems Division, Tempe, AZ. | 6652 |
| 6762-X..... | Taylor Chemicals, Inc., Baltimore, MD. | 6762 |
| 6874-X..... | ICI Americas, Inc., Wilmington, DE. ⁴ | 6874 |
| 6923-X..... | Dow Chemical Co., Midland, MI..... | 6923 |

| Application No. | Applicant | Renewal of exemption |
|-----------------|--|----------------------|
| 6984-X..... | Deupree Distributing Co., Inc., Oklahoma City, OK. | 6984 |
| 7052-X..... | General Electric Co., Gainesville, FL..... | 7052 |
| 7207-X..... | Matheson Gas Products, Secaucus, NJ. | 7207 |
| 7268-X..... | Union Carbide Corp., Danbury, CT..... | 7268 |
| 7444-X..... | James Russell Engineering Works, Inc., Boston, MA. | 7444 |
| 7574-X..... | Remmers-Tomkins Flight Service, Inc., Burlington, IA. ⁵ | 7574 |
| 7811-X..... | EM Science, Cincinnati, OH. ⁶ | 7811 |
| 7834-X..... | U.S. Department of Defense, Washington, DC. | 7834 |
| 7840-X..... | Weber Aircraft, Burbank, CA..... | 7840 |
| 7876-X..... | Allied Corp., Morristown, NJ..... | 7876 |
| 7952-X..... | Albright & Wilson Inc., Norwood, NJ .. | 7952 |
| 7963-X..... | Stauffer Chemical Co., Westport, CT. ⁷ | 7963 |
| 8003-X..... | Pennwalt Corp., Buffalo, NY..... | 8003 |
| 8094-X..... | Milport Chemical Co., Milwaukee, WI .. | 8094 |
| 8116-X..... | U.S. Environmental Protection Agency, Cincinnati, OH. | 8116 |
| 8126-X..... | Fauvet-Girel, Paris, France..... | 8126 |
| 8126-X..... | SLEMI, Paris, France .. | 8126 |
| 8144-X..... | Atlas Powder Co., Dallas, TX..... | 8144 |
| 8144-X..... | ICI Americas Inc., Wilmington, DE .. | 8144 |
| 8144-X..... | Hercules, Inc., Wilmington, DE..... | 8144 |
| 8289-X..... | Olin Corp., East Alton, IL. ⁸ | 8289 |
| 8359-X..... | Dow Chemical Co., Midland, MI..... | 8359 |
| 8451-X..... | U.S. Department of Energy, Washington, DC. | 8451 |
| 8495-X..... | Walter Kidde & Co., Inc., Belleville, NJ. | 8495 |
| 8507-X..... | U.S. Department of Energy, Washington, DC. | 8507 |
| 8522-X..... | Foamco, Oakland, CA..... | 8522 |
| 8536-X..... | Pennwalt Corp., Buffalo, NY..... | 8536 |
| 8537-X..... | Container Corp., of America, Wilmington, DE. | 8537 |
| 8538-X..... | Hercules, Inc., Wilmington, DE..... | 8538 |
| 8545-X..... | Hercules Inc., Wilmington DE..... | 8545 |
| 8564-X..... | Bunker Ramo Corp., Westlake Village, CA. | 8564 |
| 8723-X..... | Ireco Chemicals, Salt Lake City, UT. ⁹ | 8723 |
| 8839-X..... | Poly Processing Co., Inc., Monroe, LA. ¹⁰ | 8839 |

¹To renew and to include certain flammable gases in hydraulic accumulators not exceeding one gallon capacity.
²To authorize 80/25 30 gallon capacity drum as an alternate container for shipment of various explosives.

¹To authorize private offshore oil well supply cargo vessels as an additional mode of transportation.

²To renew and to authorize a polypropylene bag as an inside container and to increase dimensions of outer box.

³To authorize an additional Class A explosive as packaged under DOT-E 6658.

⁴To authorize certain Class B poisons as additional commodities.

⁵To authorize thiopene-2-acetyl chloride, corrosive liquid, n.o.s. as an additional commodity for shipment in portable tanks constructed of metal.

⁶To authorize water as an additional mode of transportation.

⁷To authorize an additional design cargo tank similar to those presently authorized for shipment of various blasting agents.

⁸To authorize a 610, 320 and a 200 gallon polyethylene portable tank as additional containers for shipment of various corrosive.

| Application No. | Applicant | Parties to exemption |
|-----------------|---|----------------------|
| 2709-P | Atlantic Research Corp. Camden, AR. | 2709 |
| 4262-P | Schlumberger Offshore Services, Houston, TX. | 4262 |
| 5248-P | U.S. Department of Energy, Richland, WA. | 5248 |
| 6538-P | Pan Products Inc., Macedonia, OH. | 6538 |
| 6971-P | Analabs, North Haven, CT | 6971 |
| 7052-P | Geophysical Research Corp., Tulsa, OK ¹ | 7052 |
| 7052-P | Northrop Electronics, Hawthorne, CA ² | 7052 |
| 7070-P | Vanguard Research Associates, Inc., South Plainfield, NJ. | 7070 |
| 7648-P | Sunwest Aviation, Roy, UT | 7648 |
| 7811-P | U.S. Department of Energy, Richland, WA. | 7811 |
| 8083-P | Matson Navigation Co., San Francisco, CA. | 8083 |
| 8129-P | Kerr-McGee Chemical Corp., Oklahoma City, OK. | 8129 |
| 8129-P | The American Recovery Co., Baltimore, MD. | 8129 |
| 8129-P | U.S. Pollution Control, Inc., Oklahoma City, OK. | 8129 |
| 8390-P | Corco Chemical Corp., Fairless Hills, PA. | 8390 |
| 8445-P | Kerr-McGee Chemical Corp., Oklahoma City, OK. | 8445 |
| 8445-P | Ecoflo, Inc., Bladensburg, MD | 8445 |
| 8528-P | Blair Cartage, Inc., Newbury, OH | 8528 |
| 8627-P | Rebco Chemicals, Inc., Odessa, TX. | 8627 |

| Application No. | Applicant | Parties to exemption |
|-----------------|--|----------------------|
| 8627-P | Arco Chemical Co., Sand Springs, OK. | 8627 |
| 8732-P | Barton Solvents, Inc., Des Moines, IA. | 8732 |
| 8862-P | Union Carbide Corp., Danbury, CT. | 8862 |

¹Request party status and to authorize an additional lithium battery device.

²Request party status and to authorize an additional lithium battery device.

This notice of receipt of applications for renewal of exemptions and for party to an exemption is published in accordance with Section 107 of the Hazardous Materials Transportation Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on December 1, 1982.

J. R. Grothe,

Chief, Exemptions Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 82-33364 Filed 12-9-82; 8:45 am]

BILLING CODE 4910-60-M

UNITED STATES INFORMATION AGENCY

U.S. Advisory Commission on Public Diplomacy; Meeting

A meeting of the U.S. Advisory Commission on Public Diplomacy will be held on December 21, 1982 from 9:30 a.m. to 12:00, and from 1:30 p.m. to 3:30 p.m. in Room 600—1750 Pennsylvania Avenue, NW., Washington, D.C. In the morning, the Commission will discuss USIA's personnel policies and programs;

in the afternoon, there will be a discussion of Latin American issues.

Since 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, Bureau of Management, U.S. Information Agency.

[FR Doc. 82-33537 Filed 12-8-82; 8:45 am]

BILLING CODE 8230-01-M

VETERANS ADMINISTRATION

Schedule for Awarding Senior Executive Service Bonuses

Office of Personnel Management guidelines require that each agency publish a notice in the **Federal Register** of the agency's schedule for awarding Senior Executive Service bonuses at least 14 days prior to the date on which the awards will be paid. The Veterans Administration intends to award Senior Executive Service bonuses for performance rating period which ended September 30, 1982, with payouts scheduled by December 31, 1982.

FOR FURTHER INFORMATION CONTACT: K. Joyce Edwards, Office of Personnel (05A3), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, (202) 389-3423.

Dated: December 3, 1982.

By direction of the Administrator.

Everett Alvarez, Jr.,

Deputy Administrator.

[FR Doc. 82-33514 Filed 12-8-82; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register

Vol. 47, No. 237

Thursday, December 9, 1982

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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1

COMMODITY FUTURES TRADING COMMISSION

TIME AND DATE: 11 a.m., Friday, December 17, 1982.

PLACE: 2033 K Street, N.W., 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-1792-82 Filed 12-7-82; 4:05 pm]

BILLING CODE 6351-01-M

2

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 4:35 p.m. on Thursday, December 2, 1982, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session, by telephone conference call, to consider proposed plans to provide capital assistance to qualified institutions and to provide financial assistance to facilitate certain voluntary mergers of savings banks.

In calling the meeting, the Board determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Director C. T. Conover (Comptroller of the Currency), that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters

in a meeting open to public observation; and that the matters could be considered in a closed meeting pursuant to 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)).

Dated: December 6, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1784-82 Filed 12-7-82; 11:40 am]

BILLING CODE 6714-01-M

3

FEDERAL DEPOSIT INSURANCE CORPORATION

Change in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its open meeting held at 1:00 p.m. on Monday, December 6, 1982, the Corporation's Board of Directors determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Director C. T. Conover (Comptroller of the Currency), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matter:

Recommendation regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 45,277-SR American Bank & Trust Company, New York, New York

By the same majority vote, the Board further determined that no earlier notice of this change in the subject matter of the meeting was practicable.

Dated: December 6, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1785-82 Filed 12-7-82; 11:40 am]

BILLING CODE 6714-01-M

4

FEDERAL DEPOSIT INSURANCE CORPORATION

Changes in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is here given that at its closed meeting held at 1:30 p.m. on Monday, December 6, 1982, the Corporation's Board of Directors determined, on motion of Chairman William M. Isaac, recorded by Director Irvine H. Sprague (Appointive), concurred in by Director C. T. Conover (Comptroller of the Currency), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matters:

Application of Metropolitan State Bank, Minneapolis, Minnesota, for consent to merge, under its charter and with the title "Metropolitan Bank," with Metropolitan Bank Bloomington, Bloomington, Minnesota, and for consent to establish the two offices of Metropolitan Bank Bloomington as branches of the resultant bank.

Resolution re: Delegations of Authority relating to the FDIC Capital Assistance Plan.

The Board further determined, by the same majority vote, that no earlier notice of the changes in the subject matter of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(6), (c)(8), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2), (c)(6), (c)(8), and (c)(9)(A)(ii)).

Dated: December 6, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson

Executive Secretary.

[S-1786 Filed 12-7-82; 11:40 am]

BILLING CODE 6714-01-M

5

FEDERAL ELECTION COMMISSION

DATE AND TIME: Tuesday, December 14, 1982 at 10 a.m.

PLACE: 1325 K Street, N.W., Washington, D.C.

STATUS: This meeting will closed to the public.

MATTERS TO BE CONSIDERED:

Compliance. Litigation. Audits.
Personnel.

* * * * *

DATE AND TIME: Thursday, December 16, 1982 at 10 a.m.

PLACE: 1325 K Street, N.W., Washington, D.C., fifth floor.

STATUS: This meeting will open to the public.

MATTERS TO BE CONSIDERED:

Setting of dates for future meetings
Correction and approval of minutes
Election of officers

Revisions to FEC Form 3-P, Report of receipts and expenditures for Presidential candidates and their authorized committees

Enforcement of 26 U.S.C. 9012(f) in light of *FEC v. AFC*

Proposed revision to the Presidential Primary Matching Fund Regulations and related sections (continued)

Routine Administrative matters

PERSON TO CONTACT FOR

INFORMATION: Mr. Fred Eiland, Public Information Officer, telephone 202-523-4065.

Marjorie W. Emmons,

Secretary of the Commission.

[S-1789-82 Filed 12-7-82; 3:32 p.m.]

BILLING CODE 6715-01-M

6**FEDERAL HOME LOAN BANK BOARD**

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT; 47 FR 54893, Monday, December 6, 1982.

PLACE: Board room, sixth floor, 1700 G Street NW., Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE

INFORMATION: Mr. Lockwood (202-377-6679).

CHANGES IN THE MEETING: The following item has been withdrawn from the open portion of the Bank Board meeting scheduled Wednesday, December 8, 1982 at 12:30 p.m.:

Definition of Scheduled Items; Amortization Methods for Discounts and Deferred Fees; State Concurrence in Use of Deferred Accounting

[No. 87, December 7, 1982]

[S-1787-82 Filed 12-7-82; 3:03 pm]

BILLING CODE 6720-01-M

7**FEDERAL RESERVE SYSTEM**

(Board of Governors)

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 47 FR, 54408, Thursday, December 2, 1982.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10 a.m., Wednesday, December 8, 1982.

CHANGES IN THE MEETING: Addition of the following open item(s) to the meeting:

Consideration of a proposed amendment to the Garn-St Germain Depository Institutions Act of 1982 to exempt the Money Market Deposit Account from the phase-in of reserve requirements of the Monetary Control Act of 1980

CONTACT PERSON FOR MORE

INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board (202) 452-3204.

Dated: December 7, 1982.

James McAfee,

Associate Secretary of the Board.

[S-1790-82 Filed 12-7-82; 3:56 pm]

BILLING CODE 6210-01-M

8**FEDERAL RESERVE SYSTEM**

(Board of Governors)

TIME AND DATE: 10 a.m., Wednesday, December 15, 1982.

PLACE: 20th Street and Constitution Avenue, N.W., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE

INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board (202) 452-3204.

Dated: December 7, 1982.

James McAfee,

Associate Secretary of the Board.

[S-1791-82 Filed 12-7-82; 4:06 pm]

BILLING CODE 6210-01-M

9**FEDERAL TRADE COMMISSION,**

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT. 47 FR 54408, December 2, 1982.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 2 p.m., December 7, 1982.

CHANGES IN THE AGENDA: The Federal Trade Commission has changed the date of its previously scheduled open meeting of December 7, 1982, to Friday, December 17, 1982, 2:00 p.m.

[S-1789-82 Filed 12-7-82; 3:04 pm]

BILLING CODE 6750-01-M

10**NATIONAL TRANSPORTATION SAFETY BOARD**

[NM-82-30]

TIME AND DATE: 9 am., Thursday, December 16, 1982.

PLACE: NTSB Board Room, 800 Independence Ave., SW., Washington, D.C. 20594.

STATUS: The first item will be open to the public; the last three items will be closed under Exemption 10 of the Government in the Sunshine Act.

MATTERS TO BE CONSIDERED:

1. *Marine Accident Report:* Fire on Board the Cypriot Bulk Carrier *Protector Alpha*, Columbia River, near Kalama, Washington, February 14, 1982, and Recommendations to the U.S. Coast Guard.

2. *Opinion and Order:* Administrator v. Pollauf, Dkt. SE-5497; disposition of respondent's appeal.

3. *Opinion and Order on Interlocking Appeal:* Administrator v. Aerospace Maintenance Company, Dkt. SE-4928; disposition of respondent's interlocking appeal.

4. *Order Denying Reconsideration:* Administrator v. Cassie, Dkt. EA-1831; disposition of respondent's petition for reconsideration.

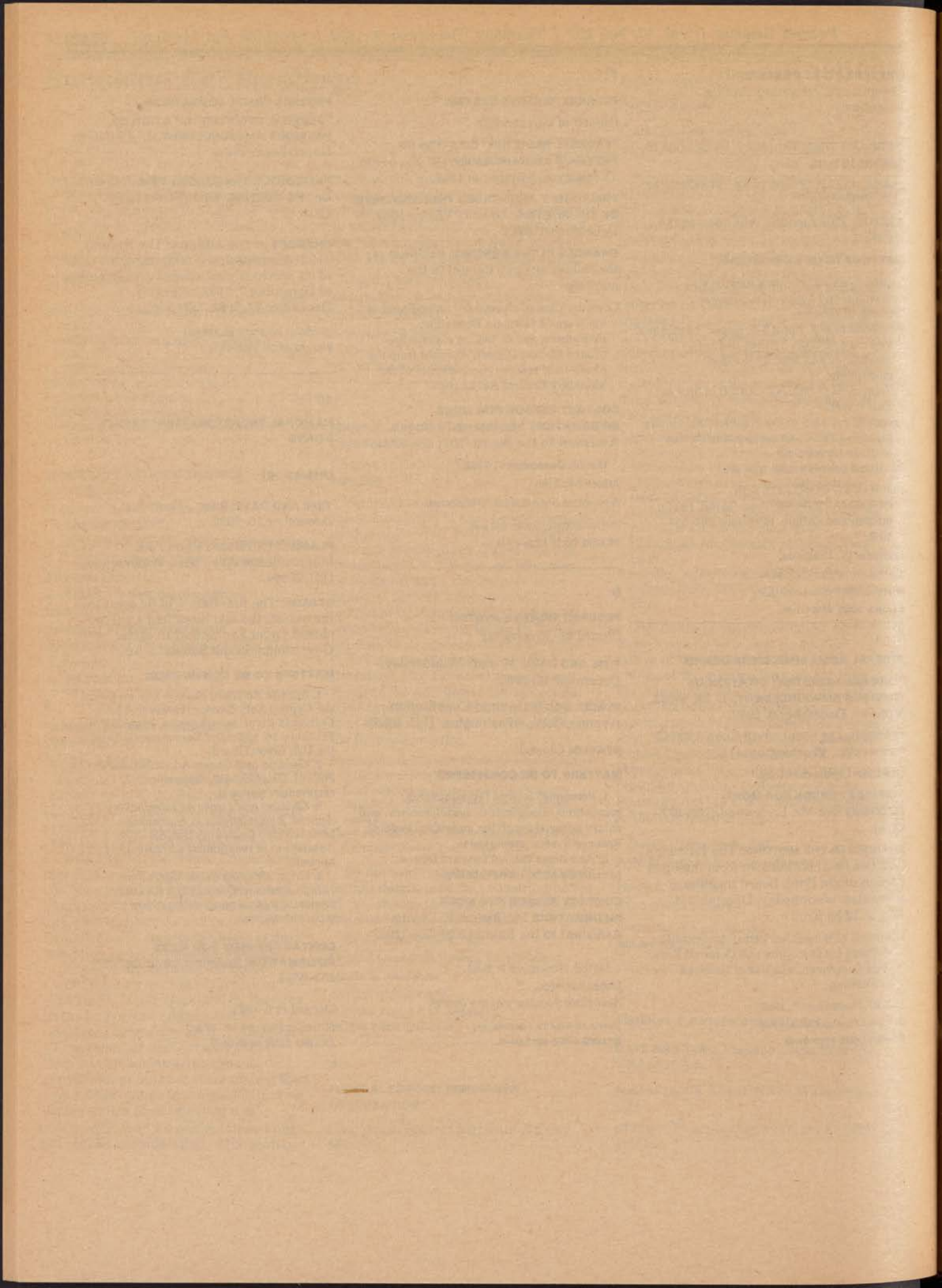
CONTACT PERSON FOR MORE

INFORMATION: Sharon Flemming (202) 382-6525.

December 6, 1982.

[S-1763-82 Filed 12-6-82; 5:04 pm]

BILLING CODE 4910-58-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.) Documents normally scheduled for publication

on a day that will be a Federal holiday will be published the next work day following the holiday.

| Monday | Tuesday | Wednesday | Thursday | Friday |
|-----------------|-----------|-----------|-----------------|-----------|
| DOT/SECRETARY | USDA/ASCS | | DOT/SECRETARY | USDA/ASCS |
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| DOT/FAA | USDA/REA | | DOT/FAA | USDA/REA |
| DOT/FHWA | USDA/SCS | | DOT/FHWA | USDA/SCS |
| DOT/FRA | MSPB/OPM | | DOT/FRA | MSPB/OPM |
| DOT/MA | LABOR | | DOT/MA | LABOR |
| DOT/NHTSA | HHS/FDA | | DOT/NHTSA | HHS/FDA |
| DOT/RSPA | | | DOT/RSPA | |
| DOT/SLSDC | | | DOT/SLSDC | |
| DOT/UMTA | | | DOT/UMTA | |

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